Table of Contents

1. INTRODUCTION
   1.1 Program Purpose
   1.2 Program Description
      1.2.1 Three-part eligibility
      1.2.2 Additional program eligibility and fee provisions
   1.3 Program Authority
      1.3.1 The law
      1.3.2 The regulations
      1.3.3 Sub-regulatory guidance - See Section 3.1
   1.4 Multi-campus Districts
   1.5 Definitions
      1.5.1 Total income
      1.5.2 Academic year
      1.5.3 Base year
      1.5.4 Award year

2. APPLICATION PROCESS
   2.1 The Basic Application for the BOG Fee Waiver Program
   2.2 The BOG Fee Waiver Application
      2.2.1 The Chancellor’s Office BOG Fee Waiver application
      2.2.2 The use of the BOG Fee Waiver application
      2.2.3 The paper BOG Fee Waiver application
      2.2.4 CCCApply BOG Fee Waiver application
      2.2.5 Applications in languages other than English
      2.2.6 Acceptable media
      2.2.7 Utilizing electronic/digital signatures on the BOG Fee Waiver application
      2.2.8 BOG Fee Waiver application records retention requirements
   2.3 The Use of the FAFSA and Output Documents
      2.3.1 SAR/ISIR available
      2.3.2 SAR/ISIR unavailable
3. **ELIGIBILITY: NON-FINANCIAL**

3.1 Annual Cycle of the Academic Year: Leader or Trailer

3.2 Residency
   3.2.1 Military Residency
   3.2.2 Immigrant student eligibility for non-resident tuition and fee exemption (AB 540)

3.3 Enrollment in Credit Coursework
   3.3.1 Audit fee
   3.3.2 K-12 Special Students/enrollment and fees

3.4 Relationship to Federal Non-financial Requirements
   3.4.1 Social Security Number
   3.4.2 Ability to Benefit (ATB)
   3.4.3 Eligible program and educational goal
   3.4.4 High school enrollment
   3.4.5 Enrollment level
   3.4.6 Citizenship
   3.4.7 Selective Service
   3.4.8 Drug convictions
   3.4.9 Loan default and grant repayment
   3.4.10 Satisfactory Academic Progress (SAP)

4. **ELIGIBILITY: FINANCIAL**

4.1 Dependency Status
   4.1.1 Registered Domestic Partners (RDP)
   4.1.2 Determination of eligibility
   4.1.3 Independence
   4.1.4 Dependency overrides
   4.1.5 Documentation of Independence

4.2 Financial Eligibility for Part A
   4.2.1 Types of public benefits
   4.2.2 Documentation for Part A

4.3 Financial Eligibility for Part B
   4.3.1 Income standards
   4.3.2 Zero Expected Family Contribution (EFC)
   4.3.3 Professional Judgment for Part B (EOPS) eligibility
   4.3.4 Documentation for Part B

4.4 Financial Eligibility for Part C
   4.4.1 Financial eligibility for need-based aid
   4.4.2 Use of discretion or “Professional Judgment” for Part C eligibility
   4.4.3 Documentation for Part C

4.5 BOG Fee Waiver as an Award in Packaging

4.6 Federal Statute and Regulation Regarding Need Analysis

4.7 Eligibility for Members of Religious Orders
5. SPECIAL ELIGIBILITY
5.1 Limited Eligibility
5.2 Dependents of National Guard
  5.2.1 Determination of eligibility
  5.2.2 Eligibility for Health and Parking Fee exemptions
5.3 Other Dependents of Veterans
  5.3.1 Determination of eligibility
  5.3.2 Eligibility for Health and Parking Fee exemptions
5.4 Congressional Medal of Honor Recipient or Child of Recipient
  5.4.1 Determination of eligibility
  5.4.2 Eligibility for Health and Parking Fee exemptions
5.5 Surviving Dependent of Individual Killed in September 11, 2001 Terrorist Attacks
  5.5.1 Determination of eligibility
  5.5.2 Eligibility for Health and Parking Fee exemptions
5.6 Dependents of Law Enforcement or Fire Suppression Personnel Killed in the Line of Duty
  5.6.1 Determination of eligibility
  5.6.2 Eligibility for Health and Parking Fee exemptions

6. PAYMENT POLICIES
6.1 Eligibility Established Prior to Start of Term
6.2 Eligibility Established After Start of Term or Eligibility Pending
6.3 Reimbursement of Fees Paid and Retroactive Reimbursement
  6.3.1 Retroactive reimbursement processing fee
6.4 Repayment of a BOG Fee Waiver

7. ALLOCATIONS
7.1 Board Financial Assistance Program (BFAP) Student Aid Administrative Allowance
  7.1.1 Base BFAP-SFAA allocation formula - Revised
  7.1.2 Enrollment fee mitigation augmentation BFAP-SFAA allocation formula
  7.1.3 Allowable use of funds
7.2 The Board Financial Assistance Program (BFAP) Allocations – “2%” Fund
7.3 BOG Fee Waivers are Entitlement Funding

8. CAMPUS REPORTING REQUIREMENTS
8.1 MIS Data: Annual October 1st Submission
8.2 Estimates of Fee Waiver Activity
8.3 Reallocation of Unused Administrative Allowance: BFAP Report 2
8.4 Maintenance of Administrative Effort: BFAP Report 3
8.5 Ad Hoc Reports
9. MIS DATA SUBMISSION AND USE
  9.1 Chancellor’s Office Management Information System
     9.1.1 MIS data submission
     9.1.2 Data submission timelines
     9.1.3 Data Element Dictionary (DED)
     9.1.4 Reports and reconciliations
     9.1.5 Data use and accuracy
     9.1.6 Data Mart
     9.1.7 MIS reporting contacts
  9.2 Integrated Postsecondary Education Data System (IPEDS)
     9.2.1 IPEDS reporting timelines
     9.2.2 Penalties for noncompliance
     9.2.3 IPEDS reporting contacts

10. PARTICIPATION BY NEW COLLEGES

11. SPECIAL PROGRAM: CHANCELLOR’S OFFICE TAX OFFSET PROGRAM
  11.1 Program Description
  11.2 Participation Agreement
  11.3 Chancellor’s Office Tax Offset Program Staff Contact

12. CHANCELLOR’S OFFICE STUDENT FINANCIAL AID STAFF CONTACTS AND COMMUNICATIONS
  12.1 Financial Aid Staff Contacts
  12.2 Communications from the Chancellor’s Office
  12.3 Training
  12.4 Other Financial Aid Resources
  12.5 Comments
APPENDICES

California Education Code, Section 76300 ................................................................. Appendix 1
The law regarding the BOG Fee Waiver Program

Title 5, California Code of Regulations, Section 58600-58630 ................................. Appendix 2
The regulations regarding the BOG Fee Waiver Program

California Education Code, Section 66022 ............................................................... Appendix 3
The law regarding students in default

CCC Chancellor’s Office Legal Opinion Regarding Students in Default ...................... Appendix 4
The Chancellor’s Office Legal Opinion regarding students in default

California Education Code, Section 66744 Guarantee Transfer Option/
Dual Admissions Program ......................................................................................... Appendix 5
Education Code language establishing the dual admissions program

Higher Education Act of 1965 as amended, Section 480 ............................................. Appendix 6
Federal law regarding dependency overrides

2009-10 BOG Fee Waiver Income Standards ............................................................. Appendix 7
Provides 2009-10 income eligibility rates for the BOG Fee Waiver

Higher Education Act of 1965 as amended, Section 479(a) ....................................... Appendix 8
Federal law regarding professional judgment

California Education Code, Sections, 66025.3, 68120, 68121 ...................................... Appendix 9
Special eligibility categories for persons eligible for BOG Fee Waiver

Military Residency, Sections 68074-68075.5 ............................................................... Appendix 10
Law regarding military residency for dependents of the armed forces

2009-10 Board of Governors Fee Waiver Application ................................................ Appendix 11
The revised BOG Fee Waiver Paper Application

California Community College State Enrollment Fee History ............................... Appendix 12
A chronology of enrollment fee amendments
1. INTRODUCTION

1.1 Program Purpose

The Board of Governors (BOG) Fee Waiver Program is designed to ensure that the fee policies of the California Community Colleges (CCC) are not a financial barrier to education for any California resident. Enrollment fees charged to CCC students are determined by the Legislature and the Governor and can be adjusted whenever it is deemed appropriate. These fees are waived for needy students as defined by the BOG Fee Waiver program.

1.2 Program Description

1.2.1 Three-part eligibility

Students are determined eligible in one or more of the following three separate parts of the BOG Fee Waiver Program.

Part A is for students receiving TANF, SSI/SSP and/or General Assistance, as well as those identified under the Special Eligibility category listed in Section 5 of this manual. (Please note the limited eligibility of these students for other student services programs discussed in Section 5.1.)

Part B is for students who meet strict low-income criteria.

Part C provides fee waivers to every student who demonstrates financial need.

Title 5 regulations (see Appendix 2) refer to these parts in a different manner:

Part A = Section 2
Part B = Section 1
Part C = Section 3

Note: In addition to Parts A-C above, there are 5 other Special Eligibility classifications mandated and described under Section 5 of this manual.

1.2.2 Additional program eligibility and fee provisions

Extended Opportunity Program and Services (EOPS): Students who are eligible for Parts A (except as noted in Section 5.1) or B are eligible to be referred to the EOPS to be considered for support services such as counseling and tutoring. Part C recipients who also meet Part A or B criteria are likewise eligible for referral.
**Health Fee Exemption:** Effective with the 2008 summer session, districts may charge a maximum health services fee of $17.00 per semester, $14 for summer session, $14 for each intersession of at least 4 weeks, or $14 for each quarter. AB 982 (Laird), effective on January 1, 2006, removed the requirement to waive health fees for BOG Fee Waiver eligible students. Districts/colleges now have the authority to determine whether health fees will be waived, and for whom.

**Other Fee Exemptions:** Eligibility for a BOG Fee Waiver may relate to other provisions of fee policies (e.g., partial parking exemption) of the community colleges. Please refer to the Fee Policy manual available on the CCCSO Legal Department web page at [www.cccco.edu/divisions/legal/studentfeehandbook_files/studentfeehandbook.htm](http://www.cccco.edu/divisions/legal/studentfeehandbook_files/studentfeehandbook.htm)

1.3 **Program Authority**

1.3.1 **The law**

The BOG Fee Waiver Program is authorized in California law in Section 76300 of the California Education Code (see Appendix 1.)

1.3.2 **The regulations**

The Program is regulated through Title 5 of the California Code of Regulations, Sections 58600-58630 (see Appendix 2.)

1.3.3 **Sub-regulatory guidance**

Additional guidance on the administration of the BOG Fee Waiver Program is offered by the California Community Colleges Chancellor’s Office through this manual, program updates, and training materials.

This manual supersedes previously published manuals and Q and A documents, as well as any previous information disseminated through memorandums or correspondence prior to the effective date of this manual.

1.4 **Multi-Campus Districts**

Districts are free to adopt district-wide policies or campus specific policies in the BOG Fee Waiver program, as long as those policies do not conflict with this manual or federal or state laws or regulations and are published in the college’s financial aid office Policy and Procedures Manual.

1.5 **Definitions**

1.5.1 **Total income**

In determining Part B eligibility, if an applicant for the BOG Fee Waiver is classified as a Dependent student, only the parent(s)’ income and the income of the parent’s registered domestic partner is counted. If the applicant is classified as an Independent student, the applicant’s income and the income of his/her spouse or registered domestic partner is counted.

Total Income for Part B eligibility is the sum of all income received for the period used to determine program participation or eligibility. This would include all income reported as Adjusted Gross Income (AGI) on a tax form for the student, the student’s spouse or registered domestic partner, or a student’s parent(s) and parent’s registered domestic
partner. This would also include all other untaxed income, including but not be limited to disability income benefits, Workman’s Compensation, Military Living Allowance, untaxed pensions, and child support payments received. This would exclude Earned Income Credits or Additional Child Tax Credits as reported on a tax form for the student, and where applicable, the student’s spouse or registered domestic partner, or a student’s parent(s) or a parent’s registered domestic partner. Revisions were made to exclude other untaxed income that federal methodology now excludes (General Assistance or TANF benefits, Social Security benefits, combat pay, etc.). Veterans Educational Benefits should be treated as a resource and not as income.

1.5.2 Academic year

The academic year is the period during which school is in session and consists of at least 30 weeks of instructional time. The school year, which is generally divided into semesters or quarters, typically runs from the beginning of the fall term through the end of May at most community colleges.

1.5.3 Base year

The base year is the tax year prior to the academic year (award year) for which financial aid is requested. The base year runs from January 1 through December 31. Financial information from the base year is used to determine eligibility for financial aid for the current academic year.

For example:

- If a student receives financial aid during the 2008-2009 academic year, the base year is January 1, 2007, through December 31, 2007.
- If a student receives financial aid during the 2009-2010 academic year, the base year is January 1, 2008, through December 31, 2008.

1.5.4 Award year

The period of funding or the academic year for which financial aid is received.

2 APPLICATION PROCESS

2.1 The Application for the BOG Fee Waiver Program

Any student may apply for a BOG Fee Waiver using the Free Application for Federal Student Aid (FAFSA) or a separate BOG Fee Waiver application. The FAFSA is the basic application for all student aid programs, including the BOG Fee Waiver. Students should not be required to complete additional forms to receive a fee waiver unless it is necessary or to the student’s advantage to do so. The BOG Fee Waiver application may be completed in lieu of or in addition to the FAFSA to qualify for the BOG Fee Waiver and/or other student service programs and benefits (EOPS/CARE, etc.).

2.2 The BOG Fee Waiver Application

2.2.1 The Chancellor's Office BOG Fee Waiver application

Each year the Chancellor’s Office will produce a BOG Fee Waiver application that may be used by the colleges as a short form. Colleges may reformat or design and utilize their own forms, as long as all the information on the Chancellor’s Office form is included.
2.2.2 The Use of the BOG Fee Waiver application

The BOG Fee Waiver application may be used to facilitate the eligibility determination, and as such, may be the sole application for students who choose not to file a FAFSA. The FAFSA application is preferable, because the student will be evaluated for a full-range of financial assistance.

Colleges may use a locally developed supplemental form to determine the source of allowable untaxed income to demonstrate Part A eligibility, since that information may no longer be specifically identified on the FAFSA. A separate BOG Fee Waiver application is not required for this information collection.

If a student applies with the BOG Fee Waiver application, the student should be strongly urged to complete a FAFSA as well. The BOG Fee Waiver advises students to consider filing a FAFSA, but colleges are encouraged to publicize use of the FAFSA as a means of improving access to full funding.

If the FAFSA demonstrates Part A and/or Part B eligibility, no additional BOG Fee Waiver application form is required.

2.2.3 The Paper BOG Fee Waiver application

The BOG Fee Waiver application may be downloaded from the Chancellor’s Office website at:

The application is also included in this manual as Appendix11.

2.2.4 CCCApply BOG Fee Waiver application

CCCApply is a secure on-line information and application system for California Community Colleges. From this site students can apply, at no cost, for admissions and financial aid at participating California Community Colleges by completing the on-line application(s) and electronically submitting them to the college or colleges of their choice. This system was upgraded to include the BOG Fee Waiver application.

If you would like to subscribe to CCCApply or to get additional information, contact Stephanie Lin at Stephanie@xap.com or (310) 842-9800.

If your campus already subscribes to CCCApply and has purchased the BOG Fee Waiver application component of the CCCApply system, your students may now apply for a BOG Fee Waiver electronically through CCCApply (www.CCCApply.org).

2.2.5 Applications in languages other than English

If the BOG Fee Waiver application is translated into other languages by a campus, the college is urged to share the application with the Chancellor’s Office, so it may be made available to other colleges. All translations shared with the Chancellor’s Office will be posted on the Chancellor’s Office website at:

2.2.6 Acceptable media

Colleges may provide a BOG Fee Waiver application in any format, including multiple formats, as long as a paper format remains available for those students who do not have access to electronic media.

A college may maintain a record in an imaged media format only if the format is capable of reproducing an accurate, legible and complete copy of the original application or required data to verify BOG Fee Waiver eligibility.

2.2.7 Utilizing electronic/digital signatures on the BOG Fee Waiver application

**Electronic Signature** – Title 5, section 54300, permits colleges to use any form of electronic signature, with the exception of a "digital signature", provided that the college informs the applicant of the degree of security of the information they submit electronically. An electronic signature utilizes many different technologies, though with fewer restrictions than a "digital signature."

**Digital Signature** – Title 5, section 54300, permits colleges to use digital signatures, provided that the college develops the procedures, uses technology, and criteria that conform to regulations adopted by the Secretary of State and follows federal and state laws provided for digital signatures. Additionally, digital signatures must be secure and therefore require some form of encryption.

*Note:* If your college is accepting Residency questionnaires electronically, the college must use the digital signature method.

A copy of applicable state statute(s) and information addressing electronic/digital signatures compliance requirements is available at the following websites:

- Digital Signature Regulations: http://www.sos.ca.gov/digsig/digital-signature-regulations.htm

2.2.8 BOG Fee Waiver application records retention requirements

The BOG Fee Waiver Application records retention requirements conform to those currently in effect for federal Title IV Student Financial Assistance Programs. Colleges must retain records for a minimum of 3 years. For specific compliance requirements, please refer to the 2008-09 Federal Student Aid Handbook, Volume 2, Chapter 9 “Recordkeeping and Disclosure,” at http://www.ifap.ed.gov/sfahandbooks/attachments/Vol2Ch90809.pdf or the most current Federal Student Aid Handbook.

2.3 The Use of the FAFSA and Output Documents

2.3.1 SAR/ISIR available

A campus may use a processed SAR/ISIR to determine and document Parts B or C eligibility.
2.3.2 SAR/ISIR unavailable

A campus may use a copy of the completed and signed FAFSA to evaluate and document eligibility for a fee waiver, without actually processing the application, or, if processed, waiting for the receipt of the SAR/ISIR.

3. ELIGIBILITY: NON-FINANCIAL

3.1 Annual Cycle of the Academic Year: Leader or Trailer

For eligibility purposes, a campus may choose to make summer session a “leader” or a “trailer” to fit other financial aid program packaging decisions. For example, for the 2009-10 academic year, a campus may apply the eligibility criteria for summer 2009 through spring 2010 or for fall 2009 through summer 2010.

For MIS reporting purposes, summer must always be reported as the leader. For example, reports for 2008-2009 must include summer 2008 as a leader, regardless of how students are packaged. Summer 2009 would be reported through MIS data submission as a leader in 2009-2010.

3.2 Residency

For fee purposes, the college’s Admissions or Registrar’s Office must determine whether a student meets the California residency requirements.

3.2.1 Military residency

A student determined to be eligible for resident tuition and fees under Education Code sections 68074 or 68075 may qualify to receive a BOG Fee Waiver, provided the student meets the criteria for Part A, Part B or Part C eligibility (see Appendix 10.)

3.2.2 Immigrant student eligibility for non-resident tuition and fee exemption (AB 540)

Education Code section 68130.5, as amended September 7, 2001, permits immigrant students residing in California to be exempt from paying non-resident tuition and fees and eligible to pay resident tuition and fees, provided they meet ALL of the following requirements:

To qualify a student must:

- Attend a California high school for 3 or more years;
- Graduate from a California high school or receive the equivalent general education diploma (GED);
- Register or be currently enrolled in a California Community College, California State University, or a University of California not earlier than the fall semester or quarter of the 2001-02 academic year;
- Sign a statement with the college or university (NOT with the Department of Homeland Security (DHS) formerly known as the INS) stating that he/she has or will apply for legal residency as soon as he/she is eligible to do so.

AB 540 DOES NOT provide financial aid to these students. Students who need financial assistance should ask a school counselor for referrals to scholarships or
other types of loans that do not require legal, permanent residency or U.S. citizenship.

AB 540 DOES NOT establish state residency for students who are exempt from non-resident tuition.

3.3 Enrollment in Credit Coursework

The BOG Fee Waiver is available for enrollment in credit coursework only. Students are not entitled to fee waivers for non-credit coursework; however, students are entitled to fee waivers for credit coursework for which the student requested a "grading" option of "credit/no credit." The requested grading option is not relevant to fee waiver eligibility.

3.3.1 Audit fee

Education Code section 76370 authorizes districts to charge students a fee of up to $15 per unit per semester to audit courses. This audit fee is not considered an enrollment fee, and as such, is not eligible for a BOG Fee Waiver. Please refer to the Fee Policy manual available on the CCCSO Legal Department webpage at http://www.cccco.edu/Portals/4/Legal/opinions/attachments/06-11.pdf

3.3.2 K-12 Special Students/enrollment and fees

K-12 students admitted as special full-time or part-time students pursuant to Education Code section 76001 and are enrolled for college credit in community college courses are subject to the enrollment fee. However, Education Code section 76300(f) permits the district governing board to exempt special part-time students (but not special full-time students) from paying the fee. There is nothing that precludes a K-12 student who is subject to the enrollment fee and meets all eligibility criteria (financial and nonfinancial) from applying for a BOG Fee Waiver. Special full-time or part-time K-12 students enrolled in college courses for only high school credit are not subject to the enrollment fee; so no waiver or exemption is necessary.

3.4 Relationship to Federal Non-Financial Requirements

In the circumstances noted below, students are generally precluded from participation in federal Title IV programs but may still be eligible for BOG Fee Waiver assistance only. If it is possible for the student to overcome a particular obstacle (e.g., provide a social security number or take an ability to benefit test) the student should be counseled to do so to be considered for additional financial aid funds.

3.4.1 Social Security Number

A student may receive a BOG Fee Waiver without providing a social security number (SSN) as long as the college permits students to receive regular services without providing the SSN.

3.4.2 Ability to Benefit (ATB)

A student who has not earned a high school diploma, General Education Equivalency (GED), or equivalent but is eligible for enrollment in credit coursework, may receive a fee waiver without passing the ability to benefit test required by the federal Title IV statutes for federal student aid.
3.4.3 Eligible program and educational goal

A student may receive a fee waiver for enrollment in any type of credit coursework without specifying an educational goal or participating in a program eligible for federal student aid.

3.4.4 High school enrollment

High school students enrolling in community college courses are generally not charged fees (see 3.3.2 K-12 Special Students/Enrollment and Fees); however, in cases where high school students are charged enrollment fees and otherwise meet all financial and non-financial eligibility criteria, the fees may be waived under the BOG Fee Waiver Program.

3.4.5 Enrollment level

A student may receive a BOG Fee Waiver for enrollment in any number of credit units during a term. There is no minimum or maximum unit requirement.

3.4.6 Citizenship

As long as the college admits a student as a California resident, the student may be considered for a BOG Fee Waiver. Federal financial aid rules regarding citizenship do not apply to BOG Fee Waivers.

3.4.7 Selective Service

Unless there are college policies that prohibit the student from receiving such services, students who fail to register for the Selective Service in accordance with the law (50 USC App 451 et seq.) may receive a BOG Fee Waiver.

Under section 66500 of the California Education Code, each college must inform students of their obligation to register for Selective Service and must provide additional information access to the Selective Service Agency. Students who are not registered in accordance with the law should be referred to the college office that provides such information.

3.4.8 Drug convictions

If the student’s eligibility is suspended due to the federal Title IV drug conviction regulations, the student is not disqualified and, if otherwise eligible, can receive a BOG Fee Waiver.

3.4.9 Loan default and grant repayment

Per California Education Code section 66022, the governing board of each college must adopt policies regarding the withholding of services from students in default on a loan under the Federal Family Education Loan Program (see Appendix 3). Per Legal Opinion E 2000-01 (Appendix 4) of the Chancellor’s Office, the BOG Fee Waiver is not an institutional service that may be withheld from students pursuant to Education Code section 66022.

Colleges are encouraged to counsel students regarding the consequences of default and the procedures necessary to reestablish a student’s good standing.
3.4.10 Satisfactory Academic Progress (SAP)

As long as a student is eligible to enroll in credit coursework, the student may remain eligible for a fee waiver.

4. ELIGIBILITY: FINANCIAL

4.1 Dependency Status

4.1.1 Registered Domestic Partners (RDP)

The California Domestic Partner Rights and Responsibilities Act (AB 205), which went into effect in January 2005, extends the same rights, protections, responsibilities, obligations and benefits to registered domestic partners as those extended to married couples. If students inform the campus Financial Aid Office that they are in a registered domestic partnership or that their parents are in a Registered Domestic Partnership, the Financial Aid Office should re-evaluate the student's BOG Fee Waiver eligibility. Eligibility for aid may increase or decrease. For the purposes of federal student financial aid programs, California's recognition of registered domestic partnerships does not apply.

4.1.2 Determination of eligibility

The college may accept the information on a signed BOG Fee Waiver application without requiring additional documentation. Any documentation requirements should comply with state and federal laws and should be included in the Financial Aid Office's Policy and Procedures Manual.

4.1.3 Independence

Students may qualify as financially independent for a BOG Fee Waiver using the federal criteria. Students who do not qualify through these criteria may be considered independent of parent or a parent's registered domestic partner support for a BOG Fee Waiver only if they do not live with their parent(s) or their parent's registered domestic partner and were not claimed as a tax exemption by either or both parents or a parent's registered domestic partner in the base year. Students may also qualify as financially independent if they themselves are in a registered domestic partnership.

4.1.4 Dependency overrides

The discretion provided in Article 480(d)(7) of the HEA of 1965, as amended, to override the dependency status of an otherwise dependent student (see Appendix 6) also applies to dependency status for the BOG Fee Waiver program, including Parts A, B, and C, and subsequent EOPS eligibility.

In making such determinations, the college may apply more lenient or different criteria than might be applied for federal purposes for the same student, as long as the determination is made on a case-by-case basis and includes supporting documentation.

Other student services program staff (EOPS, Counseling, DSPS, etc.), should be encouraged to refer students for consideration for dependency override if there is
evidence that dependent status is inappropriate in a particular case. The determination of dependency override, and maintaining the supporting documentation, is a function and responsibility of the Financial Aid Office.

4.1.5 Documentation of independence

Any requirement for documentation should be included in the Financial Aid Office’s Policy and Procedures Manual and should comply with state and federal laws.

The college may accept the self-certified information on the signed application without requiring additional documentation, as provided in the Financial Aid Office’s Policy and Procedures Manual.

If the student is independent under the federal criteria, the normal verification procedures, as defined in the Financial Aid Office’s Policy and Procedures Manual of the college, are sufficient.

If the student is independent under state eligibility criteria resulting from their participation in a registered domestic partnership, evidence of the registered domestic partnership may be required, as provided in the Financial Aid Office’s Policy and Procedures Manual.

If the student is independent only under the BOG Fee Waiver application criteria, the college may, at its discretion, require the student to prove the student was not claimed by submitting a signed copy of the base year Federal Income Tax return (or other federal tax documentation such as IRS tax transcripts) of his or her parents or his or her parent’s registered domestic partner or from both parents, if the parents or the parent’s registered domestic partner did not file jointly. If one or both of the parents or the parent’s registered domestic partner did not file a base year Federal Income Tax Return, the parent(s) or the parent’s registered domestic partner who did not file may be required to submit a Statement of Non-Filing.

4.2 Financial Eligibility for Part A

4.2.1 Types of public benefits

A dependent student is eligible for Part A if the parent(s) or registered domestic required to complete the FAFSA receive the public benefits listed below at the time of enrollment, or if the dependent student receives the public benefits listed below at the time of enrollment.

An independent student is eligible if the student (not the spouse) receives the public benefits listed below:

- **TANF**: Temporary Assistance to Needy Families (TANF). The monthly cash grant must include the dependent student or be the sole source of income for the family. Students/families receiving food stamps or CalWORKs services but no TANF cash grant are not eligible under Part A.
- **SSI/SSP**: Governmental eligibility for Supplemental Security Income (SSI)/State Supplemental Program (SSP) is “need-based.” The benefits must include the dependent student or be the primary source of income for the family. Other associated public benefits such as Social Security Disability Income (SSDI) and regular Social Security retirement benefits
do not qualify under Part A. These public benefits are not necessarily “need-based.”

- **GA:** General Assistance (GA). The receipt of General Assistance qualifies the student for a BOG Fee Waiver. In some counties, additional aid may be available that may come “under the umbrella” of General Assistance. If questions arise, contact your local Department of Public Assistance for a determination of whether that aid can be considered as General Assistance. Again, food stamp eligibility alone is not sufficient to qualify for Part A.

- **PAES:** Personal Assisted Employment Services (PAES). The PAES program, currently offered only in San Francisco county, comes “under the umbrella” of General Assistance. Accordingly, a PAES client would qualify for a BOG Fee Waiver under Part A.

For additional PAES information, or if questions arise regarding the PAES program, contact San Francisco County’s Welfare Department.

**NOTE:** Students who do not qualify under the criteria described above will often qualify under Part C. Always encourage students to complete the FAFSA to be considered for a BOG Fee Waiver under Part C.

### 4.2.2 Documentation for Part A

In order to qualify under Part A, the Financial Aid Office must document the public benefits listed above per Title 5 of the California Code of Regulations (see Appendix 2.) The type of documentation is to be determined by local financial aid policies and should be included in the Financial Aid Office’s Policy and Procedures Manual.

Appropriate third party documentation may include a benefits statement/letter, bank statement, copy of benefits check or check stub, etc., and should document the amount, time frame, and the individual(s) for whom benefit(s) are being paid. The documentation must be sufficient to officially prove the individual(s) received the type of benefit listed above within 60 days from the time of BOG Fee Waiver application.

### 4.3 Financial Eligibility for Part B

#### 4.3.1 Income standards for BOG Fee Waiver-B eligibility

The Part B Income Standards equal 150 percent of the federal poverty guidelines for the base year and are consequently subject to change each year. The 2009-2010 income standards are provided on the Chancellor’s Office Student Financial Assistance Programs web page and in Appendix 7. Students are eligible for Part B fee waivers if the total annual base year income is equal to or less than the amount on the chart for the relevant family size. Check the SFAP web page for the updated income standards for the most current academic year. Once on the SFAP web page, click on “Forms” on the left column.

For all students, “Part B total income” is defined in Section 1.5 of this Manual.

For a dependent student, “total income” includes the income of the parent(s) who are required to complete the FAFSA, and where applicable, the parent’s registered domestic partner. Income received by the dependent student counts toward the calculation of an EFC but not toward the income standards for Part B.
For a single independent student with no dependents, “total income” includes the student’s income only.

For a married independent student or an independent student in a registered domestic partnership, “total income” includes the income of the student and the student’s spouse or registered domestic partner.

For an independent student with dependents other than a spouse or registered domestic partner, “total income” includes the student’s income but not income received by the dependent(s).

In calculating the income level of all households for BOG Fee Waiver eligibility, any negative Adjusted Gross Income (AGI) amount reported on a federal tax return should be treated as “zero.” For example, a student may report a negative AGI of $5,000 (-$5,000) on the federal tax return and $12,000 in Other Income received by the household during the base year. The household’s total income for BOG Fee Waiver eligibility will be $12,000.

NOTE: Students who do not qualify under the criteria described above will often qualify under Part C. Colleges should encourage the student to complete a FAFSA.

4.3.2 Zero Expected Family Contribution (EFC)

If a student is determined to have a zero EFC based upon the completion and analysis of the FAFSA, the student qualifies for a Part B referral to EOPS regardless of the income standards described above.

If the college chooses, a dependent student may also qualify for a Part B EOPS referral based only on the parent contribution (PC) of zero. (Federal Methodology calculates the parental and student contribution portions separately.)

4.3.3 Professional Judgment for Part B (EOPS) eligibility

A Part C eligible student with a zero EFC calculated as a result of the exercise of professional judgment (as provided for in Section 479(a) of the HEA of 1965) is also eligible for a Part B referral to EOPS. (See Appendix 8.)

A Part C eligible student with a zero parental contribution (PC) calculated as a result of the exercise of professional judgment (as provided for in Section 479(a) of the HEA of 1965) may also be eligible for a Part B referral to EOPS. (See Section 4.3.2.)

A Financial Aid Office may use professional judgment to adjust the student’s income for Part B BOG Fee Waiver eligibility, provided it does so in the context of a broader determination of a student’s eligibility for all types of financial assistance (as provided for in Section 4.4.2 of this manual). This professional judgment may be used to identify potential students for EOPS program participation, at the discretion of the EOPS Director.

EOPS staff should be encouraged to refer students to the Financial Aid Office for consideration of professional judgment, if they believe a student’s circumstances warrant such consideration and that the student would be best served by the referral. The determination of professional judgment and the maintenance of
supporting documentation continue to remain a function of the Financial Aid Office.

4.3.4 Documentation for Part B

Title 5 of the California Code of Regulations requires documentation of those who are eligible under Part B (see Appendix 2.) The college shall determine the method of documentation, which may include such methods as self-certification, sampling, or 100% verification. This method of documentation should be included in the Financial Aid Office’s Policy and Procedures Manual.

When initially qualifying a student for eligibility for Part B fee waiver for a summer term, the college must use the appropriate income year documentation. For example, if the college’s summer term is used as a trailer, use the documentation required for the trailer year. If the college’s summer term is a leader, use the documentation required for the leader year.

4.4 Financial Eligibility for Part C

4.4.1 Financial eligibility for need-based aid

Any student who demonstrates financial eligibility for federal or state need-based student aid is eligible for a Part C fee waiver. Financial eligibility means a student with an EFC (9 month EFC) that is less than the Cost of Attendance (9 month budget) as determined for that individual student (e.g. “at home” or “off campus”).

4.4.2 Use of discretion or “Professional Judgment” for Part C eligibility

If the Financial Aid Office exercises the discretionary authority allowed in Section 479(a) of the HEA of 1965 to change the data elements of the student’s EFC or Cost of Attendance, the amended amounts used for federal funding must be used for Part C fee waiver eligibility as well, whether that action increases or decreases eligibility.

4.4.3 Documentation for Part C

To be eligible for Part C, a student must complete a FAFSA. No other documentation is required.

When initially qualifying a student for eligibility for Part C fee waiver for a summer term, use the appropriate income year documentation. For example, if your college’s summer term is used as a trailer, use the documentation required for the trailer year. If the summer term is a leader, use the documentation required for the leader year.

4.5 BOG Fee Waiver as an Award in Packaging

The Cost of Attendance for each student shall include the enrollment fee, as assessed per the California Education Code. The BOG Fee Waiver is considered an award in the package of financial aid to meet that cost. The amount listed on the offer letter is determined per college policy.

4.6 Federal Statute and Regulation Regarding Need Analysis

In the absence of specific guidance to the contrary, federal rules for need analysis shall be used in the BOG Fee Waiver program.
4.7 Eligibility for Members of Religious Orders

Per regulations governing the awarding of federal financial aid, members of any religious order, society, agency, community, or other organization are not considered to have financial need if the order (1) has as a primary objective the promotion of ideals and beliefs regarding a Supreme Being, (2) requires its members to forego monetary or other support substantially beyond the support it provides, or (3) directs the member to pursue the course of study or provides subsistence support to its members. Members of these religious orders cannot receive subsidized Direct Loans, subsidized FFELs, Pell grants, or campus based aid. However, they may receive unsubsidized FFELs and unsubsidized Direct Loans. 34 CFR 674.9(c), 675.9(c), 676.9(c), 682.301(a)(2), 685.200(a)(2)(ii), 690.75(d).

Following the Federal Methodology regulations, these persons would not be eligible for the BOG Fee Waiver.

5. SPECIAL ELIGIBILITY

5.1 Limited Eligibility

A student determined eligible for a fee waiver under a Special Eligibility category and classified as an F1 through F5 recipient is not automatically eligible for EOPS or other student services programs, unless the students otherwise meet the criteria for those programs.

NOTE: Eligibility for the following Special Classifications will only waive the enrollment fee. To be eligible for the parking fee and/or the health fee exemption, the student must complete the BOGFW or FAFSA application. However, AB 982 (Laird), effective January 1, 2006, permits districts/colleges to determine which students can have their health fees waived. For additional information, see section 1.2.2 Health Fee Exemption and Other Fee Exemptions.

5.2 Dependents of National Guard

Per California Education Code, section 76300(h), fees are waived regardless of financial circumstance "for any student who, at the time of enrollment is a dependent, or surviving spouse who has not remarried, of any member of the California National Guard who, in the line of duty and while in the active service of the state, was killed, died of a disability resulting from an event that occurred while in the active service of the state, or is permanently disabled as a result of an event that occurred while in the active service of the state. 'Active service of the state,' for the purposes of this subdivision, refers to a member of the California National Guard activated pursuant to Section 146 of the Military and Veterans Code." (See Appendix 1 and section 66025.3(a)(3) of Appendix 9.)

5.2.1 Determination of eligibility

The Department of Veterans Affairs shall determine eligibility of the applicant and will provide documentation. No additional application form is required. To contact the California Association of County Veterans Service Officers, Inc. and locate your local County Veterans Services Office log on to: http://www.cacvso.org

For benefit information or fee waiver applications, click on “College Fee Waiver,” or call 1 (800) 827-1000.
5.2.2 Eligibility for Health and Parking Fee exemptions

Since fees are waived regardless of financial circumstances, students who qualify for this fee waiver are not eligible for a health or parking fee exemption unless they qualify for a fee waiver under Parts A, B or C criteria. For additional information, see section 1.2.2 Health Fee Exemption and Other Fee Exemptions.

5.3 Other Dependents of Veterans

Section 66025.3 of the California Education Code, provides that fees shall not be charged to children of veterans with service-connected disabilities and those killed in service, where the annual income of the child (including the value of support received from the parent or registered domestic partner) does not exceed the national poverty level. The income threshold amount is updated annually by the Bureau of the Census of the United States Department of Commerce (See Appendix 9.)

5.3.1 Determination of eligibility

The Department of Veterans Affairs (i.e., the local county Veterans Services Offices) shall determine eligibility of the applicant and will provide documentation. No additional application form is required.

To contact the California Association of County Veterans Service Officers, Inc. and locate your local County Veterans Services Office log on to: http://www.cacvso.org. For benefit information or fee waiver applications, click on “College Fee Waiver,” or call 1 (800) 827-1000.

The Bureau of the Census of the United States Department of Commerce located in Los Angeles at 1-800-992-3530, shall determine the national poverty level. The annual poverty level thresholds can be found on the Bureau of Census website at http://www.census.gov/hhes/www/poverty/threshld.html

5.3.2 Eligibility for Health and Parking Fee exemptions

Since fees are waived under Section 66025.3 are based, in part, on information demonstrating low income or need based eligibility criteria, this fee waiver also qualifies the student for health and parking fee exemptions. For additional information, see section 1.2.2 Health Fee Exemption and Other Fee Exemptions.

5.4 Congressional Medal of Honor Recipient or Child of Recipient

Section 66025.3 of the California Education Code provides that enrollment fees shall be waived for a recipient of the Congressional Medal of Honor (CMH) or the child of a recipient of the CMH. To be eligible, the applicant’s annual income, including the value of any support received from a parent, cannot exceed the national poverty level (see Appendix 9.)

5.4.1 Determination of eligibility

The Department of Veterans Affairs (i.e., the local county Veterans Services Offices) shall determine eligibility of the applicant and will provide documentation. No additional application form is required.
The Bureau of the Census of the United States Department of Commerce located in Los Angeles, (818) 904-6393 or 1-800-992-3530, shall determine the national poverty level.

For the Department of Veterans Affairs Service Office in your area logon to: http://www.cacvso.org/contentpage.asp?ContentID=71 or call 1 (800) 827.1000.

5.4.2 Eligibility for Health and Parking Fee exemptions

Since fees are waived under Section 66025.3 based in part on information demonstrating low-income or need-based eligibility criteria, this fee waiver also qualifies the student for health and parking fee exemptions. For additional information, see section 1.2.2 Health Fee Exemption and Other Fee Exemptions.

5.5 Surviving Dependent of Individual Killed in September 11, 2001 Terrorist Attacks

Sections 68121 and 76300 of the California Education Code provides that fees shall be waived for the spouse and/or dependent child of any individual killed in the September 11 terrorist attack or the crash of United Airlines Flight 93 in Pennsylvania. The waiver continues until January 1, 2013 for a surviving spouse and continues for the surviving dependent child until the child reaches the age of 30 (see Appendix 9.)

5.5.1 Determination of eligibility

The California Victim Compensation and Government Claims Board located in Sacramento, (916) 322-4426, shall confirm the eligibility of the applicant and will provide documentation. No additional application form is required.

5.5.2 Eligibility for Health and Parking Fee exemptions

Since fees are waived under Section 76300 based in part on information demonstrating low-income or need-based eligibility criteria, this fee waiver also qualifies the student for health fee and parking fee exemptions. For additional information, see section 1.2.2 Health Fee Exemption and Other Fee Exemptions.

5.6 Dependents of Law Enforcement or Fire Suppression Personnel Killed in the Line of Duty

In January 2003, section 76300 of the California Education Code was amended to include subsection (i), which states fees will be waived for any student who is the surviving spouse, or the child, natural or adopted, of a deceased person who met all of the requirements of Education Code section 68120 (See Appendix 9.)

Education Code section 68120 includes the following requirements for the deceased person:

1. He or she was a resident of California.
2. He or she was employed by a public agency.
3. His or her principal duties consisted of active law enforcement service or active fire suppression and prevention.
4. He or she was killed in the performance of active law enforcement or active fire suppression and prevention duties.
5.6.1 Determination of eligibility

The public agency that employed the decedent should provide documentation that the student is eligible for this special eligibility fee waiver and that the statutory requirements in Education Code section 68120 have been met.

The Financial Aid Office may request evidence to establish any other fact reasonably necessary to determine eligibility for exemption from tuition.

Note: Districts are encouraged to honor retroactive requests for a refund of enrollment fees for those students who enrolled after January 1, 2003, and who provide documentation demonstrating eligibility for the Dependents of Law Enforcement or Fire Suppression Personnel Fee Waiver.

5.6.2 Eligibility for Health and Parking Fee exemptions

Since fees are waived under Section 68120 based in part on information demonstrating low-income or need-based eligibility criteria, this fee waiver also qualifies the student for health and parking fee exemptions. For additional information, see section 1.2.2 Health Fee Exemption and Other Fee Exemptions

6. PAYMENT POLICIES

6.1 Eligibility Established Prior to Start of the Term

If the student establishes eligibility prior to the start of a term and the college has sufficient time to notify the appropriate offices of that eligibility, the student should not be required to make payment of fees at the time of enrollment.

6.2 Eligibility Established After the Start of the Term or Eligibility Pending

If the student establishes eligibility after the start of a term or if the college does not have sufficient time to notify the appropriate offices of eligibility established before the start of the term, the college may:

- require the student to pay fees and later reimburse the student for fees paid; OR
- waive the student’s fees pending completion of eligibility determination, with a student acknowledgement of the obligation to pay if the student is found to be ineligible; OR
- require the student to pay fees and set a date beyond which fees will not be reimbursed if eligibility is not yet established.

The adopted policy must be extended in the same manner for all students and must be included in the Financial Aid Office’s Policy and Procedures Manual.

6.3 Reimbursement of Fees Paid and Retroactive Reimbursement

If a student retroactively demonstrates eligibility for a fee waiver at any time during the academic year, the college may (but is not required to) reimburse the student for fees paid, even if one or more terms has been completed. Reimbursements may be paid to students only within the current academic year. There shall be no reimbursements after June 30 of the academic year unless specifically required by law. The institutional policy must be included in the Financial Aid Office’s Policy and Procedures Manual.
6.3.1 Retroactive reimbursement processing fee

Colleges/districts are not authorized in statute to charge a fee for processing retroactive fee reimbursement requests.

6.4 Repayment of a BOG Fee Waiver

If a student becomes ineligible after receiving a BOG Fee Waiver, the college has the option of pursuing recovery of the ineligible fee waivers. The policy adopted must be included in the Financial Aid Office’s Policy and Procedures Manual.

7. ALLOCATIONS

7.1 Board Financial Assistance Program (BFAP) Student Aid Administrative Allowance

7.1.1 Base BFAP-SFAA allocation formula

Under section 76300 of the Education Code (see Appendix 1) colleges are provided an administrative allowance to administer the BOG Fee Waiver Program. The statewide aggregate allowance for all colleges is determined by multiplying ninety-one cents ($0.91) times the current enrollment fee per credit unit for each student for whom fees are waived through the BOG Fee Waiver program during the academic year.

From the statewide aggregate allowance, each college is allocated a sum proportional to the number of students served by fee waivers in the last year for which verifiable data are available. Allocations will not be less than 90 percent of the previous year’s allocation (if funding permits). No college receives less than $12,500.

7.1.2 BFAP-SFAA capacity funding allocation formula

The BFAP-SFAA augmentation will be allocated as follows:

- $50,000 per college as a base allocation;
- The balance will be distributed using a fair share formula, weighing FTES for each college as a percentage of system-wide FTES and BOG Fee Waiver participant volume by college as a percentage of the system-wide BOG Fee Waiver participant volume equally, based on the most recently reported MIS data.

This provides incentive for colleges to quickly and strategically develop and implement plans to achieve increased participation in Student Financial Assistance programs by rewarding success with increases to a college’s future year BFAP-SFAA funding. It also provides for enrollment growth in the allocation formula for future year BFAP-SFAA funding.

7.1.3 Allowable use of funds

Funds cannot be used for district operations, nor may they be divided among colleges within a district in a manner that differs from the annual allocation to each campus. The BFAP administrative allowance funding must be spent specifically on the directives listed below. Exceptions to these guidelines are not allowed without written approval of the Chancellor’s Office Student Financial Assistance Programs Coordinator.
BFAP administrative allowance funds may be expended only for financial aid professional, technical, clerical and/or temporary staff (including student help) who report directly to the financial aid director. Funds may not be used for salaries for personnel at the level of financial aid manager or above.

In addition to these specific personnel costs, funds may also be expended for costs associated with staff training and for the development and production of financial aid outreach materials. Funds may only be expended for computer hardware or software necessary for and solely dedicated to the delivery of student financial aid. Funds may not be used for capital outlay or office supplies. The funds may not cover expenditures made or liabilities incurred prior to July 1 of the applicable fiscal year.

Funds must supplement, not supplant, on-going college expenditures for the administration of student aid.

7.2 Board Financial Assistance Program (BFAP) Allocations – "2% Fund"

To help ensure that colleges are not disadvantaged in fee revenue by enrolling needy students, each year colleges receive an amount equal to 2 percent of the total fees waived to be used in their college general fund. This is similar funding to the 2 percent of fees actually paid that is kept by the college. These funds do not have to be spent on the administration of student aid.

On July 9, 2001, the Board of Governors adopted a proposal to establish a set-aside of 3 percent of the "2% Fund." The "2% Fund" allocation for each college will be reduced by 3 percent to generate funds to be used by the Chancellor's Office to fund the Financial Aid Regional Representatives meetings and to allow the Chancellor's Office to undertake special projects of vital interest to the system. The amount of the set-aside will vary each year based upon the amount of the Chancellor's Office's "2% Fund" in the annual budget.

7.3 BOG Fee Waivers are Entitlement Funding

There are no allocations for the actual student fee waivers. The waivers are simply a transaction for which no money is received (other than the eventual "2% Fund" noted above). The waivers are available to all students who qualify, regardless of the amount of fees waived and are thus an "entitlement" throughout the year.

8. CAMPUS REPORTING REQUIREMENT

8.1 MIS Data: Annual October 1st Submission

Annually, each college is required to electronically report statistical data on the number of recipients and the dollar amount of financial aid awarded for the academic year completed. The MIS data reporting requirements are located at http://www.cccco.edu/divisions/tris/mis/dedmain.htm and are submitted through your campus MIS office. The MIS reporting of the Financial Aid data elements is due October 1 each year.

Please refer to Section 9 for more specific information regarding MIS DATA Submission requirements for the Student Financial Aid program.

8.2 Estimates of Fee Waiver Activity

In preparation for the development of each year's state budget, the Chancellor's Office is asked to provide an estimate of the total BFAP program activity for the current year. This
includes an estimate of the number of students to be served in summer, fall, (winter), and spring, as well as an estimate of the total dollar amount of fees to be waived during that time period. This information is used by the Department of Finance to develop estimates for the Governor’s January Budget and for the May Revision of the Governor’s Budget. The data used in the estimates are derived from the Annual Financial Aid MIS Data Report that is due on October 1 of each year. It is important that the college reports accurate data.

8.3 Reallocation of Unused Administrative Allowance: BFAP Administrative Allowance Release of Funds/Request for Funds (BFAP Report 2)

In the spring each year, the college will be asked to report on the amount of administrative allowance that will not be utilized and to request additional amounts if needed. Unused funds will be reallocated to those colleges with need who meet criteria established by the Chancellor’s Office. Failure to release or utilize the BFAP administrative allowance will result in an allocation penalty. The penalty will equal unutilized funds in excess of one percent of the total final adjusted allocation for the applicable year and will be taken from the allocation for the fiscal year immediately following the year in which the underutilization is reported. This report is called “BFAP Report 2”.

8.4 Maintenance of Administrative Effort: BFAP Administrative Allowance Expenditure Report (BFAP Report 3)

Colleges are asked to report annually on the amount of money spent to administer the student financial aid programs. The amount must be equal to or greater than the maintenance of effort required under the California Education Code (see Appendix 1) and the provisional language in the annual Budget Act. For BFAP-SFAA purposes, the maintenance of effort (MOE) is equal to the 1992/93 level of administrative effort updated for cost of living adjustments. For augmentation purposes, the MOE must be equal to or greater than district/college financial aid spending in 2001-02. This same report also provides information on the college’s final expenditures of the BFAP Administrative Allowance. This report is called “BFAP Report 3.”

Any college that fails to meet the maintenance of effort requirement will have their BFAP allocation (“2 Percent” Fund) reduced dollar-for-dollar based upon the amount of their MOE not fully met. The penalty can be assessed up to the full amount of the college’s BFAP “2 Percent” Fund allocation for the next funding cycle. A college may appeal any assessment by providing the Chancellor’s Office with a detailed explanation for the shortfall and an accompanying MOE Correction Plan to resolve the problem.

8.5 Ad Hoc Reports

From time to time the Chancellor’s Office may request additional information regarding the administration of student aid or the student population served. Cooperation with special requests is appreciated.

9. MIS DATA SUBMISSION AND USE

9.1 Chancellor’s Office Management Information System

The Chancellor’s Office Management Information System database collects data from all 72 community college districts in a uniform format. The information collected is used as a key research and fund allocation tool by the Department of Finance, a reporting source, and an informal decision support system.
BFAP-SFAA and BFAP “2% Fund” money is allocated to campuses based upon Chancellor’s Office MIS data submissions. In addition, VTEA funds for campuses rely heavily on this data. Timely and accurate data submission will help to ensure that your district/college receives their “fair share” of funds.

9.1.1 MIS data submission

Districts/colleges must report a record for each student who applies for financial aid and meets the Student Basic (SB) data reporting domain requirements in at least one term during the academic year. If the student received financial aid, an SB record must be submitted for each term the financial aid was received.

9.1.2 Data submission timelines

The Chancellor’s Office must receive student financial aid data annually each October. Data reported must be based on information from the prior academic year. To review data submission timelines, visit: http://www.cccco.edu/Portals/4/TRIS/MIS/RightNav/SubTimeline.pdf

Important MIS and Perkins Career Technical Education (Perkins) Reporting Dates at a Glance:

<table>
<thead>
<tr>
<th>Date Range</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 1</td>
<td>Financial Aid CCCCO MIS data are due to the Chancellor’s Office</td>
</tr>
<tr>
<td>January 1 thru 8</td>
<td>Preliminary VTEA (now referred to as Perkins IV) allocation count reports produced</td>
</tr>
<tr>
<td>January 10</td>
<td>Deadline for data resubmissions for Financial Aid report to the Legislature</td>
</tr>
<tr>
<td>February 14 thru 20</td>
<td>Deadline for data resubmissions for VTEA (now referred to as Perkins IV) allocation</td>
</tr>
<tr>
<td>February 21 thru 26</td>
<td>Final VTEA (now referred to as Perkins IV) allocation count reports produced</td>
</tr>
<tr>
<td>March 1 thru 9</td>
<td>Final VTEA (now referred to as Perkins IV) allocation</td>
</tr>
<tr>
<td>December 2 thru April 14</td>
<td>IPEDS Winter/Spring Collection</td>
</tr>
</tbody>
</table>

To determine Perkins IV Title I-C allocations for the succeeding year, financial aid data from the previous year must be loaded into the Chancellor’s Office MIS database by December of the current year. Failure to submit financial aid data by December may lead to a negative effect on your district/college Perkins allocation. Districts/colleges may correct data submitted for Perkins funding purposes until approximately the second week of February of the current academic year.

*Note:* Resubmissions after the February cutoff are not used for Perkins allocation purposes. Actual dates may change based on calendar year and Chancellor’s Office resources. The Perkins IV Master Calendar is available on the Chancellor’s Office website at:

Contact your district/college Management Information System (MIS) staff to ensure proper reporting and processing of financial aid data.

9.1.3 Data Element Dictionary (DED)

The Data Element Dictionary (DED) contains definitions and coding structures for each of the elements collected through the SOMIS. The Chancellor’s Office also provides an overview of the design of the system, and the structure of the various records to be submitted.

Review the Student Financial Aid Data Elements identified in the Users Manual and coordinate with your local campus and/or district Management Information System (MIS) staff to ensure proper reporting and processing of financial aid data. To access the data elements, go to the CCCCO webpage at: http://www.cccco.edu/SystemOffice/Divisions/TechResearchInfo/MIS/DED/tabid/266/Default.aspx

9.1.4 Reports and reconciliations

The syntactical and referential edit programs interpret MIS submission data files and report syntactical errors and data field violations. It is highly recommended that you review the referential and syntactical edit rules and pre-edit your data prior to the District Data Submission process by utilizing the test data submission site.

To access and review the syntactical and referential edit rules: Go to the CCCCO Management Information Systems page at: http://www.cccco.edu/ChancellorsOffice/Divisions/TechResearchInfo/MIS/tabid/1275/Default.aspx and click on “Data Submission.” Both sets of rules are listed under the subheading, “General Submission Information.”

To access campus/district reports: Contact your Chief Information Systems Officer to obtain the username and password or request a copy of your report through your IT office.

To pre-edit campus/district data, visit the test data submission site: Enter the following web address: https://webdatatest.cccco.edu/login.cfm

Pick up reports at: http://edit2test.cccco.edu/CFM/reports/detaillogon.cfm

9.1.5 Data use and accuracy

The financial aid data collected are utilized by the Chancellor’s Office and the Department of Finance (DOF) as a basis for calculating the amount the Chancellor’s Office will receive to reimburse districts/colleges for the number of fee waivers processed and the amount of fees waived. The financial data are also used to measure enrollment, accountability, student demographics, student success/outcomes, etc. Consequently, it is critical that districts/colleges provide accurate and timely information.

9.1.6 Data Mart

The Chancellor’s Office MIS Data Mart is designed to monitor the latest MIS database information via a series of structured surveys to collect district/college-level data in areas such as enrollments, student financial aid awards, program outcomes, faculty, staff and funding, and is the main data collection program for the California Community College Chancellor’s Office. Data Mart is a public site that can be accessed without a user id or
password and can also be used to aggregate data, create queries, download queries to spreadsheets, etc.

Student financial aid award data, along with recipient demographics, can be accessed at http://www.cccco.edu/SystemOffice/Divisions/TechResearchInfo/MIS/DataMartandReports/tabid/282/Default.aspx

Additional community college data queries can be accessed at http://www.cccco.edu/divisions/tris/mis/reports.htm

9.1.7 MIS reporting contacts

Contact your campus and/or district Management Information Systems (MIS) staff to ensure proper reporting and processing of financial aid data.

For information regarding Internet submissions, data quality and/or timelines, contact the following Chancellor’s Office MIS staff: Tonia Lu at tlu@cccco.edu or (916) 322-2802; or Debbie Gutierrez at dgutierrez@cccco.edu or (916) 327-5903.

9.2 Integrated Postsecondary Education Data System (IPEDS)

IPEDS consist of institution-level data that can be used to describe trends in postsecondary education at the institution, state and/or national levels. Researchers can use IPEDS to analyze information on student enrollments, institutional revenue, and expenditure patterns by source of income and type of expense, etc.

9.2.1 IPEDS reporting timelines

The annual Financial Aid data is due October 1 at the Chancellor’s Office. The first data upload from the Chancellor’s Office MIS unit to IPEDS will occur between October 1 and October 19. It is the responsibility of your local MIS coordinator to submit annual financial aid data to the Chancellor’s Office MIS unit.

Title I, Section 103, the Student Right-to-Know (SRTK) Act requires institutions eligible for Title IV funding to disclose their institutions’ transfer and completion rates for first-time freshmen enrolled full-time beginning in the fall term. Section 104 further requires each institution that participates in Title IV programs to report students receiving athletically-related student aid.

To comply with Title I, section 103 and section 104, districts/colleges must report first-time enrolled degree-seeking students, and students receiving athletically-related student aid any time during the academic year or during the 12-month reporting period. SRTK rates are reported yearly on the IPEDS.

For additional information pertaining to the reporting requirements for Student Right-to-Know, log on to: http://nces.ed.gov/ipeds/pdf/webbase2004/grs_2yr_inst.pdf

9.2.2 Penalties for noncompliance

The completion of all IPEDS surveys in a timely and accurate manner is mandatory for all institutions that participate in or are applicants for participation in any federal financial assistance program authorized by Title IV of the Higher Education Act of 1965, as amended. The completion of the surveys is mandated by 20 U.S.C. 1094, Section 487(a)(17).
A college’s failure to complete and submit all surveys is a serious violation of its obligations under Section 490 of the Higher Education Amendments of 1992 (P.L. 102-325.)

9.2.3  **IPEDS reporting contacts**

For additional information regarding IPEDS reporting, contact the following:

**IPEDS help desk:**  
email: ipedshelp@rti.org  
877-225-2568

**SOCCC IPEDS Coordinators:**  
email: tlu@cccco.edu  
916-322-2802

dgutierrez@cccco.edu  
916-327-5903

**IPEDS website:**  
www.nces.ed.gov/ipeds/

10.  **PARTICIPATION BY NEW COLLEGES**

Whenever a new college or district is officially approved by the Board of Governors, the students attending that college become eligible for BOG Fee Waivers, and the student services division of that college becomes eligible to receive the minimum annual administrative allowance allocation of $12,500 during the next available award cycle. Larger allocations will not be made until MIS data are available that support a greater share and until the college has at least one full-time employee devoted exclusively to the management of student financial aid.

11.  **SPECIAL PROGRAM: Chancellor’s OFFICE TAX OFFSET PROGRAM (COTOP)**

11.1  **Program Description**

The Chancellor’s Office can act on behalf of local community college districts for the purpose of collecting outstanding student financial aid and specific non-financial aid obligations owed to the districts by former students through participation in the Franchise Tax Board’s Interagency Tax Offset Program. The Chancellor’s Office Tax Offset Program requests the Franchise Tax Board to offset (deduct) the amount owed to a community college district from the student/debtor’s personal state income tax, lottery winnings, or other state refund.

Some of the types of outstanding liabilities recoverable under this program are defaulted Perkins loans, financial aid overpayments, campus emergency loans, EOPS grants and loans, non-resident tuition, enrollment fees, library fines, and personal checks written with non-sufficient funds.

11.2  **Participation Agreement**

Each community college district interested in participating in the Chancellor’s Office Tax Office Program must execute a contract with the Chancellor’s Office. The contract is available within the Chancellor’s Office Tax Offset Program contract packet, which is distributed by early June of each year. Also included in the packet are the data format specifications and the forms that are used throughout the processing year.
Debtor data is due to the Chancellor's Office by mid-November of each year. If necessary, colleges may submit additional data by the following January 15.

11.3 Chancellor’s Office Tax Offset Program Staff Contact

Contact the Chancellor’s Office Tax Offset Program staff for additional information or questions. Richard Quintana, Coordinator, may be reached via e-mail at rquintan@cccco.edu or at (916) 324-0925; Program Assistant Ellie Zellmer may be reached at (916) 322-7412.

12. CHANCELLOR’S OFFICE STUDENT FINANCIAL AID STAFF CONTACTS AND COMMUNICATIONS

12.1 Financial Aid Staff Contacts

Any Financial Aid Office employee or other college staff person may contact the Chancellor’s Office, Student Financial Assistance Programs Unit for help.

- Coordinator: Tim Bonnel, (916) 445-0104, tbonnel@cccco.edu
- Specialist: Richard Quintana, (916) 324-0925, rquintan@cccco.edu
- Program Assistant: Ellie Zellmer, (916) 322-7412, ezellmer@cccco.edu
- Office Technician: Patty Falero, (916) 323-6877, pfalero@cccco.edu
- Retired Annuitant: Steve Arena, (916) 322-1440, sarena@cccco.edu

Policy inquiries may also be directed to those who supervise the Student Financial Assistance Unit:

- Vice Chancellor of Student Services: Linda Michalowski, (916) 445.0102, lmichalo@cccco.edu
- Dean, Student Services: Jeff Spano, (916) 327.7252, jspano@cccco.edu

12.2 Communications from the Chancellor’s Office

Regular program updates and special notices are sent to each college using the Chancellor’s Office “cfao alias list” system. Each district MIS person establishes the names of the district/colleges contacts, or “pointers” for this list. The “pointers” for the financial aid list should include all persons interested in financial aid policy and must include the director or manager of financial aid. If there are staff changes, please contact the MIS office at the district level and ask for a change in “pointers” for the “cfao alias list.”

Campus financial aid staff may also use this listserv to communicate statewide with the “pointers” or financial aid staff. To post a message, send to cfao-all@cccco.edu.

12.3 Training

New directors/managers/coordinators/officers (whatever the title of the person in charge of the day-to-day operations of the financial aid office) are required to attend training offered by the Chancellor’s Office within the first year of their appointment. Financial Aid Management Training is held twice per year in the fall and spring. Assistant Directors and other management or lead, supervisory or professional staff are encouraged to attend.

In addition, financial aid personnel are strongly encouraged to attend the periodic training offered by USDE, NASFAA, WASFAA, CASFAA, CCCSFAAA and CSAC.
12.4 Other Financial Aid Resources

Any financial aid personnel who are members of CCCSFAAAA are encouraged to use the CCCSFAAAA listserv to communicate with one another on financial aid topics. The CCCSFAAAA Listserv is available for use by CCCSFAAAA members only.

To post a message to the CCCSFAAAA listserv, go to the cccsfaaa website at http://www.cccsfaaa.org/ and click on "LISTSERV" in the left hand column and follow the instructions provided.

Financial aid personnel may also want to be on the following financial aid listserves:
   CASFAA -- state issues in financial aid
   FINAID-L -- national issues in financial aid

The following websites may be of value:
   www.casfaa.org (California Association of Financial Aid Administrators)
   www.cccsfaaa.org (California Community Colleges Financial Aid Administrators Association)
   www.cccco.edu (California Community Colleges Chancellor’s Office) The Student Financial Assistance Programs Unit is listed under Student Services and Special Programs Division

Comments

All community college financial aid and student service personnel are welcome to make comments and suggestions about the contents of this manual, BOG Fee Waiver program policies and procedures, or other student aid programs. Contact the Chancellor’s Office with comments.
76300. (a) The governing board of each community college district shall charge each student a fee pursuant to this section.

(b) (1) The fee prescribed by this section shall be twenty-six dollars ($26) per unit per semester, effective with the fall term of the 2009-10 academic year.

(2) The board of governors shall proportionately adjust the amount of the fee for term lengths based upon a quarter system, and also shall proportionately adjust the amount of the fee for summer sessions, intersessions, and other short-term courses. In making these adjustments, the board of governors may round the per unit fee and the per term or per session fee to the nearest dollar.

(c) For the purposes of computing apportionments to community college districts pursuant to Section 84750, the board of governors shall subtract, from the total revenue owed to each district, 98 percent of the revenues received by districts from charging a fee pursuant to this section.

(d) The board of governors shall reduce apportionments by up to 10 percent to any district that does not collect the fees prescribed by this section.

(e) The fee requirement does not apply to any of the following:

(1) Students enrolled in the noncredit courses designated by Section 84757.

(2) California State University or University of California students enrolled in remedial classes provided by a community college district on a campus of the University of California or a campus of the California State University, for whom the district claims an attendance apportionment pursuant to an agreement between the district and the California State University or the University of California.

(3) Students enrolled in credit contract education courses pursuant to Section 78021, if the entire cost of the course, including administrative costs, is paid by the public or private agency, corporation, or association with which the district is contracting and if these students are not included in the calculation of the full-time equivalent students (FTES) of that district.

(f) The governing board of a community college district may exempt special part-time students admitted pursuant to Section 76001 from the fee requirement.

(g) (1) The fee requirements of this section shall be waived for any student who, at the time of enrollment, is a recipient of benefits under the Temporary Assistance to Needy Families program, the Supplemental Security Income/State Supplementary Program, or a general assistance program or has demonstrated financial need in accordance with the methodology set forth in federal law or regulation for determining the expected family contribution of students seeking financial aid.
(2) The governing board of a community college district also shall waive the fee requirements of this section for any student who demonstrates eligibility according to income standards established by regulations of the board of governors.

(3) Paragraphs (1) and (2) may be applied to a student enrolled in the 2005-06 academic year if the student is exempted from nonresident tuition under paragraph (3) of subdivision (a) of Section 76140.

(h) The fee requirements of this section shall be waived for any student who, at the time of enrollment, is a dependent, or surviving spouse who has not remarried, of any member of the California National Guard who, in the line of duty and while in the active service of the state, was killed, died of a disability resulting from an event that occurred while in the active service of the state, or is permanently disabled as a result of an event that occurred while in the active service of the state. "Active service of the state," for the purposes of this subdivision, refers to a member of the California National Guard activated pursuant to Section 146 of the Military and Veterans Code.

(i) The fee requirements of this section shall be waived for any student who is the surviving spouse or the child, natural or adopted, of a deceased person who met all of the requirements of Section 68120.

(j) The fee requirements of this section shall be waived for any student in an undergraduate program, including a student who has previously graduated from another undergraduate or graduate program, who is the dependent of any individual killed in the September 11, 2001, terrorist attacks on the World Trade Center and the Pentagon or the crash of United Airlines Flight 93 in southwestern Pennsylvania, if that dependent meets the financial need requirements set forth in Section 69432.7 for the Cal Grant A Program and either of the following applies:

(1) The dependent was a resident of California on September 11, 2001.

(2) The individual killed in the attacks was a resident of California on September 11, 2001.

(k) A determination of whether a person is a resident of California on September 11, 2001, for purposes of subdivision (j) shall be based on the criteria set forth in Chapter 1 (commencing with Section 68000) of Part 41 for determining nonresident and resident tuition.

(l) (1) "Dependent," for purposes of subdivision (j), is a person who, because of his or her relationship to an individual killed as a result of injuries sustained during the terrorist attacks of September 11, 2001, qualifies for compensation under the federal September 11th Victim Compensation Fund of 2001 (Title IV (commencing with Section 401) of Public Law 107-42).

(2) A dependent who is the surviving spouse of an individual killed in the terrorist attacks of September 11, 2001, is entitled to the waivers provided in this section until January 1, 2013.

(3) A dependent who is the surviving child, natural or adopted, of an individual killed in the terrorist attacks of September 11, 2001, is entitled to the waivers under subdivision (j) until that person attains the age of 30 years.

(4) A dependent of an individual killed in the terrorist attacks of September 11, 2001, who is determined to be eligible by the California Victim Compensation and Government Claims Board, is also entitled to the waivers provided in this section until January 1, 2013.
(m) (1) It is the intent of the Legislature that sufficient funds be provided to support the provision of a fee waiver for every student who demonstrates eligibility pursuant to subdivisions (g) to (j), inclusive.

(2) From funds provided in the annual Budget Act, the board of governors shall allocate to community college districts, pursuant to this subdivision, an amount equal to 2 percent of the fees waived pursuant to subdivisions (g) to (j), inclusive. From funds provided in the annual Budget Act, the board of governors shall allocate to community college districts, pursuant to this subdivision, an amount equal to ninety-one cents ($0.91) per credit unit waived pursuant to subdivisions (g) to (j), inclusive. It is the intent of the Legislature that funds provided pursuant to this subdivision be used to support the determination of financial need and delivery of student financial aid services, on the basis of the number of students for whom fees are waived. It also is the intent of the Legislature that the funds provided pursuant to this subdivision directly offset mandated costs claimed by community college districts pursuant to Commission on State Mandates consolidated Test Claims 99-TC-13 (Enrollment Fee Collection) and 00-TC-15 (Enrollment Fee Waivers). Funds allocated to a community college district for determination of financial need and delivery of student financial aid services shall supplement, and shall not supplant, the level of funds allocated for the administration of student financial aid programs during the 1992-93 fiscal year.

(n) The board of governors shall adopt regulations implementing this section.
§58600. Scope.

This chapter governs the administration of student financial aid allocated by the Board of Governors to community college districts.

§58601. Definition.

As used in this chapter: Board of Governors Grant. An instrument used by a community college district to process the financial assistance provided to a low-income student pursuant to the terms of this chapter.

§58610. Allocations.

a) The Chancellor shall estimate each community college district's need for Board of Governors Grants, and shall allocate funds to districts based on that anticipated need. (b) In estimating each district's need for these financial assistance funds the Chancellor shall consider the following factors: (1) The number of Pell Grant recipients in the district in the previous fiscal year; (2) The estimated number of students in the district who are eligible pursuant to Education Code section 76300. (3) The estimated number of low-income students in the district who are enrolled for fewer than six units. (c) The Chancellor shall apportion the allocations in the advanced apportionment certified by the Chancellor.

§58611. Adjustments.

Districts shall report the number of and amounts provided for Board of Governors Grants. The Chancellor shall then adjust the financial assistance allocation in the first and second principal apportionments to reflect each district's actual expenditure of funds allocated pursuant to this subchapter. Any necessary additional adjustments shall be made in the applicable fiscal year recalculations.

§58612. Financial Assistance Awards

a) A community college district shall provide Board of Governors Grants to all students who are eligible and who apply for this assistance. (b) A student who is determined to be eligible for a Board of Governors Grant may be presumed to be eligible for that assistance for the remainder of the academic year and until the beginning of the following fall term. (c) Nothing in this
chapter shall prohibit a community college district from establishing a date beyond which it will not accept applications for this financial assistance.

§58613. Award Amounts.

Board of Governors Grants shall be made in the amount of the enrollment fee calculated pursuant to section 58507.

§58620. Student Eligibility: Board of Governors Grant.

To be eligible for a Board of Governors grant, a student must:
(a) Be a California resident; so long as a person qualifies for a military exemption pursuant to Education Code section 68074 or section 68075, he or she shall be deemed a California resident for purposes of this section.
(b) Meet one of the following criteria:
(1) Income Standards.
(A) Be a single and independent student having no other dependents and whose total income in the prior year was equal to or less than 150% of the U.S. Department of Health and Human Services Poverty Guidelines for a family of one; or be a married, independent student having no dependents other than a spouse, whose total income of both student and spouse in the prior year was equal to or less than 150% of the U.S. Department of Health and Human Services Poverty Guidelines for a family of two.
(B) Be a student who is dependent in a family having a total income in the prior year equal to or less than 150% of the U.S. Department of Health and Human Services Poverty Guidelines for a family of that size, not including the student's income, but including the student in the family size
(C) Provide documentation of taxable or untaxed income.
(D) Be a student who is married or a single head of household in a family having a total income in the prior year equal to or less than 150% of the U.S. Department of Health and Human Services Poverty Guidelines for a family of that size.
(E) Be an independent student whose Estimated Family Contribution as determined by federal methodology is equal to zero or a dependent student for whom the parent portion of the Estimated Family Contribution as determined by federal methodology is equal to or less than zero.
(F) For purposes of this subdivision, U.S. Department of Health and Human Services Poverty Guidelines used each year shall be the most recently published guidelines immediately preceding the academic year for which a fee waiver is requested.
(2) Current recipient of benefits described in Education Code section 76300(g).
(A) At the time of enrollment be a recipient of benefits under the Temporary Assistance to Needy Families (TANF) program. A dependent student whose parent(s) or guardian(s) are recipients of TANF shall be eligible if the TANF program grant includes a grant for the student or if the TANF grant is the sole source of income for the parent or guardian.
(B) At the time of enrollment be a recipient of benefits under the Supplemental Security Income (SSI) program. A dependent student whose parent(s) or guardian(s) are recipients
of SSI shall be eligible if the SSI program grant is the sole source of income for the parent(s) or guardian(s).
(C) At the time of enrollment be a recipient of benefits under the General Assistance program.
(D) Provide documentation that the student is a recipient of benefits under one of the programs identified in Education Code section 76300(g) and (h) at the time of enrollment. Documentation sufficient to meet the requirements of this subdivision shall provide official evidence of these bets.

(3) Need-Based Financial Aid Eligibility. Any student who has been determined financially eligible for federal and/or state need-based financial aid.

§58621. Student Eligibility: Enrollment Fee Credit

(a) Dollars allocated for financial assistance pursuant to this chapter shall be identified separately in district accounts. – Repealed: 1985

§58630. District Reporting and Accountability.

(a) Dollars allocated for financial assistance pursuant to this chapter shall be identified separately in district accounts.
(b) The governing board of each community college district shall adopt procedures that will document all financial assistance provided on behalf of students pursuant to this chapter. Authorized procedures shall include rules for retention of support documentation which will enable an independent determination regarding accuracy of the district's certification of need for financial assistance.
Education Code
Section 66022
Students in Default

Section 66022. (a) The governing board of every community college district, the Trustees of the California State University, the Regents of the University of California, and the Board of Directors of the Hastings College of the Law shall adopt regulations providing for the withholding of institutional services from students or former students who have been notified in writing at their student's or former student's last known address that he or she is in default on a loan or loans under the Federal Family Education Loan Program. "Default," for purposes of this section, means the failure of a borrower to make an installment payment when due, or to meet other terms of the promissory note under circumstances where the guarantee agency finds it reasonable to conclude that the borrower no longer intends to honor the obligation to repay, provided that this failure persists for 180 days for a loan repayable in monthly installments, or 240 days for a loan repayable in less frequent installments.

(b) The regulations adopted pursuant to subdivision (a) shall provide that the services withheld may be provided during a period when the facts are in dispute or when the student or former student demonstrates to either the governing board of the community college district, the Trustees of the California State University, the Regents of the University of California, or the Board of Directors of the Hastings College of the Law, as appropriate, or to the Student Aid Commission, or both the Student Aid Commission and the appropriate entity or its designee, that reasonable progress has been made to repay the loan or that there exists a reasonable justification for the delay as determined by the institution. The regulations shall specify the services to be withheld from the student and may include, but are not limited to, the following:

(1) The provision of grades.
(2) The provision of transcripts.
(3) The provision of diplomas.

The adopted regulations shall not include the withholding of registration privileges.

(c) When it has been determined that an individual is in default on a loan or loans specified in subdivision (a), the Student Aid Commission shall give notice of the default to all institutions through which that individual acquired the loan or loans.

(d) This section shall not impose any requirement upon the University of California or the Hastings College of the Law unless the Regents of the University of California or the Board of Directors of the Hastings College of the Law, respectively, by resolution, make this section applicable.

(e) Guarantors, or those who act as their agents or act under their control, who provide information to postsecondary educational institutions pursuant to this section, shall defend, indemnify, and hold harmless the governing board of every community college district, the Trustees of the California State University, the Regents of the University of California, and the Board of Directors of the Hastings College of the Law from action resulting from compliance with this section when the action arises as a result of incorrect, misleading, or untimely information provided to the postsecondary educational institution by the guarantors, their agents, or those acting under the control of the guarantors.
Can a community college district deny or withhold a Board of Governors grant to an otherwise eligible student because the student is in default on student loans?

As a form of student financial aid, Education Code, Section 76300(g) requires that the enrollment fee charged to each student attending a community college “shall be waived for any student who, at the time of enrollment” is a recipient of CalWORKs (formerly AFDC), SSI, public assistance, or has demonstrated financial need in the manner set forth in the statute and in Title 5, California Code of Regulations, Section 58620.

The Chancellor’s Office provides the funds for the grant to each community college district through the apportionment process. (§§ 58610, 58611.) Section 58612 provides that “A community college district shall provide Board of Governors Grants to all students who are eligible and who apply for assistance.”

Because the Education Code and Title 5 use the mandatory language, “shall be waived” and “shall be granted,” a community college district is required to provide a waiver to all eligible students who apply for it. There is no provision that would deny an eligible student a Board of Governors grant because they were in default on student loans or had not repaid a federal or state student grant.

Education Code, Section 66022 requires a community college district governing board to adopt regulations “providing for the withholding of institutional services” from students who are in default on loans under the Federal Family Education Loan Program. Among the services mentioned which may be withheld are the provision of grades, transcripts, or diplomas. There may be other services withheld as well. However, Section 66022 specifically prohibits withholding registration privileges.

In addition, Education Code, Section 69507.5 prohibits students from receiving a grant or fellowship administered by the Student Aid Commission if the student has “previously defaulted on any student loan, or failed to repay a federal or state grant where required to do so.”

Education Code, Section 69507.5 is in Part 42, Chapter 2, Article 1.5 of the Education Code. Education Code, Section 69504 provides that this article applies to all need-based student grants that are funded by the state or a public postsecondary educational institution. We previously opined that the provisions of Article 1.5 apply to the Board of Governors programs. (O 89-34.)

However, Section 69507.5 is a specific statute limited by its own terms to grants and fellowships administered by the Student Aid Commission. Under general principles of statutory construction, the specific provisions of a statute will control over a statute containing general provisions. As a result, because the Board of Governors grant is administered by the Board of Governors and not the Student Aid Commission, Section 69507.5 does not apply. Under the same principles,
the specific requirements of Section 76300(h) prevail over the general requirements of Section 66022. As a result, while the districts actually award the grants to the students, and have some discretion in determining whether or not a student meets the need requirements for eligibility as specified in the code and regulations, they are otherwise required to award the grants to “all students who are eligible and who apply for this assistance.”

CONCLUSION

The districts do not have the discretion to deny a grant on any basis other than eligibility as defined in the code and regulations. As a result, the Board of Governors grant is not part of a district’s institutional services that may be withheld from students pursuant to Education Code, Section 66022.
(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 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 California State University to ensure that the student is informed of the appropriate course requirements to be eligible for transfer to the California State University, and is also informed of the various financial aid options.

(4) The Chancellor of the California State University shall 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.

(b) (1) Commencing with the 2004-05 academic year, and each academic year thereafter, the Legislature requests that the Regents of the University of California 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 University of California.

(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 University of California 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 University of California 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 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.
Higher Education Act of 1965
Section 480(d)(7) [20 USC 1087vv]

Federal Law Regarding Dependency Overrides

(d) INDEPENDENT STUDENT — The term “independent”, when used with respect to a student, means any individual who:

1. is 24 years of age or older by December 31 of the award year;
2. is an orphan or ward of the court or was a ward of the court until the individual reached the age of 18;
3. is a veteran of the Armed Forces of the United States (as defined in subsection [c][1]) or is currently serving on active duty in the Armed Forces for other than training purposes;
4. is a graduate or professional student;
5. is a married individual;
6. has legal dependents other than a spouse; or
7. is a student for whom a financial aid administrator makes a documented determination of independence by reason of their unusual circumstances.
### Board of Governors Fee Waiver Program

#### BOG Fee Waiver-B

#### 2009-2010 Income Standards

<table>
<thead>
<tr>
<th>Family Size</th>
<th>2008 Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$15,600</td>
</tr>
<tr>
<td>2</td>
<td>$21,000</td>
</tr>
<tr>
<td>3</td>
<td>$26,400</td>
</tr>
<tr>
<td>4</td>
<td>$31,800</td>
</tr>
<tr>
<td>5</td>
<td>$37,200</td>
</tr>
<tr>
<td>6</td>
<td>$42,600</td>
</tr>
<tr>
<td>7</td>
<td>$48,000</td>
</tr>
<tr>
<td>8</td>
<td>$53,400</td>
</tr>
</tbody>
</table>

Each Additional Family Member $ 5,400

These standards are based upon the federal poverty guidelines as published each year by the US Department of Health and Human Services. Under Title 5 of the California Code of Regulations, the income standards for the BOG Fee Waiver program equal 150% of the federal poverty guidelines for the base year.

These standards are for the 2009-10 academic year and are to be used to determine BOG Fee Waiver-B eligibility **EFFECTIVE July 1, 2009.**
APPENDIX 8

HIGHER EDUCATION ACT OF 1965
Section 479A [20 USC 1087tt]
Federal Law Regarding Professional Judgment


(a) IN GENERAL. – Nothing in this part shall be interpreted as limiting the authority of the financial aid administrator, on the basis of adequate documentation, to make adjustments on a case-by-case basis to the cost of attendance or the values of the data items required to calculate the expected student or parent contribution (or both) to allow for treatment of an individual eligible applicant with special circumstances. However, this authority shall not be construed to permit aid administrators to deviate from the contributions expected in the absence of special circumstances. Special circumstances may include tuition expenses at an elementary or secondary school, medical or dental expenses not covered by insurance, unusually high child care costs, recent unemployment of a family member, the number of parents enrolled at least half-time in a degree, certificate, or other program leading to a recognized educational credential at an institution with a program participation agreement under section 487, or other changes in a family’s income, a family’s assets, or a student’s status. Special circumstances shall be conditions that differentiate an individual student from a class of students rather than conditions that exist across a class of students. Adequate documentation for such adjustments shall substantiate such special circumstances of individual students. In addition, nothing in this title shall be interpreted as limiting the authority of the student financial aid administrator in such cases to request and use supplementary information about the financial status or personal circumstances of eligible applicants in selecting recipients and determining the amount of awards under this title. No student or parent shall be charged a fee for collecting, processing, or delivering such supplementary information.
Section 66025.3. (a) No campus of the University of California, the California State University, or the California Community Colleges shall charge any mandatory system-wide tuition or fees, including enrollment fees, registration fees, differential fees, or incidental fees, to any of the following:

(1) Any dependent eligible to receive assistance under Article 2 (commencing with Section 890) of Chapter 4 of Division 4 of the Military and Veterans Code.

(2) (A) Any child of any veteran of the United States military who has a service-connected disability, has been killed in service, or has died of a service-connected disability, where the annual income of the child, including the value of any support received from a parent, does not exceed the national poverty level as defined in subdivision (c).

(B) Notwithstanding Section 893 of the Military and Veterans Code, the Department of Veterans Affairs may determine the eligibility for fee waivers for a child described in subparagraph (A).

(3) Any dependent, or surviving spouse who has not remarried, of any member of the California National Guard who, in the line of duty, and while in the active service of the state, was killed, died of a disability resulting from an event that occurred while in the active service of the state, or is permanently disabled as a result of an event that occurred while in the active service of the state. For the purposes of this paragraph, "active service of the state" refers to a member of the California National Guard activated pursuant to Section 146 of the Military and Veterans Code.

(4) (A) Any undergraduate student who is a recipient of a Medal of Honor, commonly known as a Congressional Medal of Honor, or any undergraduate student who is a child of a recipient of a Medal of Honor and that child is no more than 27 years old, if both of the following requirements are met:

(i) His or her annual income, including the value of any support received from a parent, does not exceed the national poverty level as defined in subdivision (c).

(ii) The recipient of the Medal of Honor who is or was the parent of the undergraduate student is, or at the time of his or her death was, a California resident as determined pursuant to Chapter 1 (commencing with Section 68000) of Part 41.

(B) The Department of Veterans Affairs shall determine the eligibility of any applicant for a fee waiver under this paragraph.

(b) A person who is eligible for a waiver of tuition or fees under this section may receive a waiver for each academic year during which he or she applies for that waiver, but an eligible person may not receive a waiver of tuition or fees for a prior academic year.

(c) As used in this section, the "national poverty level" is the poverty threshold for one person, as most recently calculated by the Bureau of the Census of the United States Department of Commerce.

(d) The waiver of tuition or fees under this section shall apply only to a person who is determined to be a resident of California pursuant to Chapter 1 (commencing with Section 68000) of Part 41.
(e) This section shall not apply to a dependent of a veteran within the meaning of paragraph (4) of subdivision (a) of Section 890 of the Military and Veterans Code.

(f) No provision of this section shall apply to the University of California except to the extent that the Regents of the University of California, by appropriate resolution, make that provision applicable.

Section 68120. (a) Notwithstanding any other provision of law, no mandatory system-wide fees or tuition of any kind shall be required of or collected by the Regents of the University of California, the Board of Directors of the Hastings College of the Law, or the Trustees of the California State University from any surviving spouse or surviving child of a deceased person who met all of the following requirements:

1. He or she was a resident of this state.
2. He or she was employed by a public agency, or was a contractor, performing services for a public agency.
3. His or her principal duties consisted of active law enforcement service or active fire suppression and prevention. This section shall not apply to a person whose principal duties were clerical, even if he or she was subject to occasional call or was occasionally called upon to perform duties within the scope of active law enforcement or active fire suppression and prevention.
4. He or she was killed in the performance of active law enforcement or active fire suppression and prevention duties or died as a result of an accident or an injury caused by external violence or physical force, incurred in the performance of his or her active law enforcement or active fire suppression and prevention duties.

(b) Notwithstanding subdivision (a), a person who qualifies for the waiver of mandatory system-wide fees and tuition under this section as a surviving child of a contractor, or of an employee of a contractor, who performed services for a public agency shall, in addition to the requirements set forth in subdivision (a), meet both of the following requirements:

1. Enrollment as an undergraduate student at a campus of the University of California or the California State University.
2. Documentation that his or her annual income, including the value of any support received from a parent, does not exceed the maximum household income and asset level for an applicant for a Cal Grant B award, as set forth in Section 69432.7.

(c) As used in this section:

1. "Contractor" or "employee of a contractor" does not include a security guard or security officer, as defined in Section 7582.1 of the Business and Professions Code.
2. "Public agency" means the state or any city, city and county, county, district, or other local authority or public body of or within the state.
3. "Surviving child" means either of the following:
   A. A surviving natural or adopted child of the deceased person.
   B. A surviving stepchild who meets both of the following requirements:
      i. He or she was living or domiciled with the deceased person at the time of his or her death.
      ii. He or she was claimed on the tax form most recently filed by the deceased person prior to that person's death, or he or she received 50 percent or more of his or her support from that deceased person in the tax year immediately preceding the death of the deceased person, or both.

Section 68121. (a) Notwithstanding any other provision of law, no mandatory system-wide fees or tuition of any kind shall be required or collected by the Regents of the University of California or the Trustees of the California State University, from a student who is in an undergraduate program and who is the surviving dependent of any individual killed in the September 11, 2001, terrorist attacks on the World Trade Center in New York City, the
Pentagon building in Washington, DC, or the crash of United Airlines Flight 93 in southwestern Pennsylvania, if he or she meets the financial need requirements set forth in Section 69432.7 for the Cal Grant A Program and either of the following apply:

1. The surviving dependent was a resident of California on September 11, 2001.
2. The individual killed in the attacks was a resident of California on September 11, 2001.

(b) (1) The California Victim Compensation and Government Claims Board shall identify all persons who are eligible for tuition and fee waivers pursuant to this section or subdivision (j) of Section 76300. That board shall notify these persons or, in the case of minors, the parents or guardians of these persons, of their eligibility for tuition and fee waivers under these provisions. This notification shall be in writing, and shall be received by all of the appropriate persons no later than July 1, 2003.

(2) The Trustees of the California State University, the Regents of the University of California and the governing board of each community college district in the state shall waive tuition and fees, as specified in this section and in subdivision (j) of Section 76300, for any person who can demonstrate eligibility. If requested by the California State University, the University of California, Hastings College of the Law, or a California Community College, the California Victim Compensation and Government Claims Board, on a case-by-case basis, shall confirm the eligibility of persons requesting the waiver of tuition and fees, as provided for in this section.

(c) A determination of whether a person is a resident of California on September 11, 2001, shall be based on the criteria set forth in this chapter for determining nonresident and resident tuition.

(d) (1) "Dependent," for purposes of this section, is a person who, because of his or her relationship to an individual killed as a result of injuries sustained during the terrorist attacks of September 11, 2001, qualifies for compensation under the federal September 11th Victim Compensation Fund of 2001 (Title IV (commencing with Section 401) of Public Law 107-42).

(2) A dependent who is the surviving spouse of an individual killed in the terrorist attacks of September 11, 2001, is entitled to the waivers provided in this section until January 1, 2013.

(3) A dependent who is the surviving child, natural or adopted, of an individual killed in the terrorist attacks of September 11, 2001, is entitled to the waivers under this section until that person obtains the age of 30 years.

(4) A dependent of an individual killed in the terrorist attacks of September 11, 2001, who is determined to be eligible by the California Victim Compensation and Government Claims Board, is also entitled to the waivers provided in this section until January 1, 2013.
Education Code
Section 68074-68075.5
Military Residency

Section 68074. (a) (1) An undergraduate student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty shall be entitled to resident classification only for the purpose of determining the amount of tuition and fees.

(2) A student seeking a graduate degree who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty shall be entitled to resident classification only for the purpose of determining the amount of tuition and fees for no more than one academic year, and shall thereafter be subject to Article 5 (commencing with Section 68060).

(b) If that member of the armed forces of the United States, whose dependent natural or adopted child, stepchild, or spouse is in attendance at an institution, (1) is thereafter transferred on military orders to a place outside this state where the member continues to serve in the armed forces of the United States, or (2) is thereafter retired as an active member of the armed forces of the United States, the student dependent shall not lose his or her resident classification until he or she has resided in the state the minimum time necessary to become a resident.

Section 68075. (a) An undergraduate student who is a member of the Armed Forces of the United States stationed in this state on active duty, except a member of the Armed Forces assigned for educational purposes to a state-supported institution of higher education, is entitled to resident classification only for the purpose of determining the amount of tuition and fees.

(b) A student seeking a graduate degree who is a member of the armed forces of the United States stationed in this state on active duty, except a member of the armed forces assigned for educational purposes to a state-supported institution of higher education, shall be entitled to resident classification only for the purpose of determining the amount of tuition and fees for no more than one academic year, and shall thereafter be subject to Article 5 (commencing with Section 68060).

68075.5. A student who was a member of the armed forces of the United States stationed in this state on active duty for more than one year immediately prior to being discharged from the armed forces is entitled to resident classification for the length of time he or she lives in this state after being discharged up to the minimum time necessary to become a resident.
California Community Colleges 2009-2010 Board of Governors Fee Waiver Application

This is an application to have your ENROLLMENT FEES WAIVED. This FEE WAIVER is for California residents only. If you need money to help with books, supplies, food, rent, transportation and other costs, please complete a FREE APPLICATION FOR FEDERAL STUDENT AID (FAFSA) immediately. Contact the Financial Aid Office for more information. The FAFSA is available at www.fafsa.ed.gov or at the Financial Aid Office.

Note: Students who are exempt from paying nonresident tuition under Education Code Section 68130.5 (AB 540) are NOT California residents. If you are NOT a California resident, you are not eligible for a fee waiver. Do not complete this application. You may apply for financial aid by completing the FAFSA.

| Name: ___________________________ | Student ID # ___________________________ |
| Last | First | Middle Initial |
| Email (if available): ___________________________ | Telephone Number: (______) |
| Home Address: ___________________________ | Date of Birth: _______/_____/_______ |
| Street | City | Zip Code |
| Has the Admissions or Registrar's Office determined that you are a California resident? | Yes | No |

IMPLEMENTATION OF THE CALIFORNIA DOMESTIC PARTNER RIGHTS AND RESPONSIBILITIES ACT

The California Domestic Partner Rights and Responsibilities Act extends new rights, benefits, responsibilities and obligations to individuals in domestic partnerships registered with the California Secretary of State under Section 297 of the Family Code. If you are in a Registered Domestic Partnership (RDP), you will be treated as an Independent married student to determine eligibility for this Enrollment Fee Waiver and will need to provide income and household information for your domestic partner. If you are a dependent student and your parent is in a Registered Domestic Partnership, you will be treated the same as a student with married parents and income and household information will be required for the parent’s domestic partner.

Note: These provisions apply to state student financial aid ONLY, and not to federal student financial aid.

Are you or your parent in a Registered Domestic Partnership with the California Secretary of State under Section 297 of the Family Code? (Answer “Yes” if you or your parent are separated from a Registered Domestic Partner but have NOT FILED a Notice of Termination of Domestic Partnership with the California Secretary of State’s Office.) | Yes | No

If you answered “Yes” to the question above treat the Registered Domestic Partner as a spouse. You are required to include your domestic partner's income and household information or your parent's domestic partner's income and household information in Questions 4, 11, 12, 13, 14, 15, 16, 17.

Student Marital Status: Single | Married | Divorced | Separated | Widowed | Registered Domestic Partnership

DEPENDENCY STATUS

The questions below will determine whether you are considered a Dependent student or Independent student for fee waiver eligibility and whether parental information is needed. If you answer “Yes” to ANY of the questions 1-10 below, you will be considered an INDEPENDENT student. If you answer “No” to all questions, you will be considered a Dependent student thereby reporting parental information and should continue with Question 11.

1. Were you born before January 1, 1986? (If “Yes,” skip to question 13) | Yes | No

2. As of today, are you married or in a Registered Domestic Partnership (RDP)? (Answer "Yes" if you are separated but not divorced or have not filed a termination notice to dissolve partnership. Also, if you answer "Yes," skip to question 13.) | Yes | No

3. Are you a veteran of the U.S. Armed Forces or currently serving on active duty for purposes other than training? (If “Yes,” skip to question 13) | Yes | No
4. Do you have children who receive more than half of their support from you, or other dependents who live with you (other than your children and spouse/RDP) who receive more than half of their support from you, now and through June 30, 2010?  (If “Yes,” skip to question 13)  
- Yes
- No

5. When you were age 13 or older, were both your parents deceased, were you in foster care or were you a dependent/ward of the court?  (If “Yes,” skip to question 13)  
- Yes
- No

6. As of today, are you an emancipated minor as determined by a court in your state of legal residence?  (If “Yes,” skip to question 13)  
- Yes
- No

**DEPENDENCY STATUS (Continued)**

7. As of today, are you in legal guardianship as determined by a court in your state of legal residence?  (If “Yes,” skip to question 13)  
- Yes
- No

8. At any time on or after July 1, 2008, did your high school or school district homeless liaison determine that you were an unaccompanied youth who was homeless?  (If “Yes,” skip to question 13)  
- Yes
- No

9. At any time on or after July 1, 2008, did the director of an emergency shelter program funded by the U.S. Department of Housing and Urban Development determine that you were an unaccompanied youth who was homeless?  (If “Yes,” skip to question 13)  
- Yes
- No

10. At any time on or after July 1, 2008, did the director of a runaway or homeless youth basic center or transitional living program determine that you were an unaccompanied youth who was homeless or were self-supporting and at risk of being homeless?  (If “Yes,” skip to question 13)  
- Yes
- No

- If you answered “Yes” to any of the questions 1 - 10, you are considered an INDEPENDENT student for enrollment fee waiver purposes and must provide income and household information about yourself (and your spouse or RDP if applicable). Skip to Question #13.

- If you answered "No" to all questions 1 - 10, complete the following questions:

11. If your parent(s) or his/her RDP filed or will file a 2008 U.S. Income Tax Return, were you, or will you be claimed on their tax return as an exemption by either or both of your parents?  
- Will Not File
- Yes
- No

12. Do you live with one or both of your parent(s) and/or his/her RDP?  
- Yes
- No

- If you answered "No" to questions 1 - 10 and "Yes" to either question 11 or 12, you must provide income and household information about your PARENT(S)/RDP. Please answer questions for a DEPENDENT student in the sections that follow.

- If you answered "No" to question 11 or "Parent(s) will not file" to question 11, and "No" to question 12, you are a dependent student for all student aid except this enrollment fee waiver. You may answer questions as an INDEPENDENT student on the rest of this application, but please try to get your PARENT information and file a FAFSA so you may be considered for other student aid. You cannot get other student aid without your parent(s') information.

**METHOD A ENROLLMENT FEE WAIVER**

13. Are you (the student ONLY) currently receiving monthly cash assistance for yourself or any dependents from:  
- TANF/CalWORKs?  
- SSI/SSP (Supplemental Security Income/State Supplemental Program)?  
- General Assistance?  
- Yes
- No

14. If you are a dependent student, are your parent(s)/RDP receiving monthly cash assistance from TANF/CalWORKs or SSI/SSP as a primary source of income?  
- Yes
- No

- If you answered "Yes" to question 13 or 14 you are eligible for an ENROLLMENT FEE WAIVER. Sign the Certification at the end of this form. You are required to show current proof of benefits. Complete a FAFSA to be eligible for other financial aid opportunities.
METHOD B ENROLLMENT FEE WAIVER

15. **DEPENDENT STUDENT:** How many persons are in your parent(s)/RDP household? (Include yourself, your parent(s)/RDP, and anyone who lives with your parent(s)/RDP and receives more than 50% of their support from your parents/RDP, now and through June 30, 2010.)

16. **INDEPENDENT STUDENT:** How many persons are in your household? (Include yourself, your spouse/RDP, and anyone who lives with you and receives more than 50% of their support from you, now and through June 30, 2010.)

17. **2008 Income Information**
   (Dependent students should not include their income information for Q 17 a and b below.)
   a. Adjusted Gross Income (If 2008 U.S. Income Tax Return was filed, enter the amount from Form 1040, line 37; 1040A, line 21; 1040EZ, line 4).
   b. All other income (Include ALL money received in 2008 that is not included in line (a) above (such as disability, child support, military living allowance, Workman’s Compensation, untaxed pensions).

   **DEPENDENT STUDENT:**
   - PARENT(S)/ RDP INCOME ONLY: $______________
   - INDEPENDENT STUDENT:
     - STUDENT (& SPOUSE’S/ RDP) INCOME: $______________

   **TOTAL** Income for 2008 (Sum of a + b) $______________ $______________

The Financial Aid Office will review your income and let you know if you qualify for an ENROLLMENT FEE WAIVER under Method B. If you do not qualify using this simple method, you should file a FAFSA.

### SPECIAL CLASSIFICATIONS ENROLLMENT FEE WAIVERS

18. Do you have certification from the CA Department of Veterans Affairs that you are eligible for a dependent's fee waiver?
   - Submit certification. □ Yes □ No

19. Do you have certification from the National Guard Adjutant General that you are eligible for a dependent's fee waiver?
   - Submit certification. □ Yes □ No

20. Are you eligible as a recipient of the Congressional Medal of Honor or as a child of a recipient?
    - Submit documentation from the Department of Veterans Affairs. □ Yes □ No

21. Are you eligible as a dependent of a victim of the September 11, 2001, terrorist attack?
    - Submit documentation from the CA Victim Compensation and Government Claims Board. □ Yes □ No

22. Are you eligible as a dependent of a deceased law enforcement/fire suppression personnel killed in the line of duty?
    - Submit documentation from the public agency employer of record. □ Yes □ No

- If you answered "Yes" to any of the questions from 18-22, you are eligible for an ENROLLMENT FEE WAIVER and perhaps other fee waivers or adjustments. Sign the Certification below. Contact the Financial Aid Office if you have questions.
CERTIFICATION FOR ALL APPLICANTS: READ THIS STATEMENT AND SIGN BELOW

I hereby swear or affirm, under penalty of perjury, that all information on this form is true and complete to the best of my knowledge. If asked by an authorized official, I agree to provide proof of this information, which may include a copy of my and my spouse/registered domestic partner and/or my parent's/registered domestic partner's 2008 U.S. Income Tax Return(s). I also realize that any false statement or failure to give proof when asked may be cause for the denial, reduction, withdrawal, and/or repayment of my waiver. I authorize release of information regarding this application between the college, the college district, and the Chancellor's Office of the California Community Colleges.

I understand the following information (please check each box):

- [ ] Federal and state financial aid programs are available to help with college costs (including enrollment fees, books & supplies, transportation and room and board expenses). By completing the FAFSA, additional financial assistance may be available in the form of Pell and other grants, work study and other aid.

- [ ] I may apply for and receive financial assistance if I am enrolled, either full time or part time, in an eligible program of study (certificate, associate degree or transfer).

- [ ] Financial aid program information and application assistance is available in the college financial aid office.

Applicant’s Signature ___________________________ Date ____________

Parent Signature (Dependent Students Only) ___________________________ Date ____________

CALIFORNIA INFORMATION PRIVACY ACT

State and federal laws protect an individual’s right to privacy regarding information pertaining to oneself. The California Information Practices Act of 1977 requires the following information be provided to financial aid applicants who are asked to supply information about themselves. The principal purpose for requesting information on this form is to determine your eligibility for financial aid. The Chancellor’s Office policy and the policy of the community college to which you are applying for aid authorize maintenance of this information. Failure to provide such information will delay and may even prevent your receipt of financial assistance. This form’s information may be transmitted to other state agencies and the federal government if required by law. Individuals have the right of access to records established from information furnished on this form as it pertains to them.

The officials responsible for maintaining the information contained on this form are the financial aid administrators at the institutions to which you are applying for financial aid. The SSN may be used to verify your identity under record keeping systems established prior to January 1, 1975. If your college requires you to provide an SSN and you have questions, you should ask the financial aid officer at your college for further information. The Chancellor’s Office and the California community colleges, in compliance with federal and state laws, do not discriminate on the basis of race, religion, color, national origin, gender, age, disability, medical condition, sexual orientation, domestic partnership or any other legally protected basis. Inquiries regarding these policies may be directed to the financial aid office of the college to which you are applying.

FOR OFFICE USE ONLY

- [ ] BOGFW-A
- [ ] TANF/CalWORKs
- [ ] GA
- [ ] SSI/SSP

- [ ] BOGFW-B
- [ ] BOGFW-C

- [ ] Special Classification
- [ ] Veteran
- [ ] Medal of Honor
- [ ] Dep. of deceased law enforcement/fire personnel

- [ ] National Guard Dependent
- [ ] 9/11 Dependent

- [ ] RDP
- [ ] Student
- [ ] Parent
- [ ] Student is not eligible

Comments: __________________________________________________________

Certified by: _________________________________________________________ Date: ____________________
### Chronology of the California Community College State Enrollment Fee

<table>
<thead>
<tr>
<th>Year</th>
<th>Fee History</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prior to 1984</td>
<td>No Enrollment Fee</td>
</tr>
<tr>
<td>1984-85</td>
<td>AB 1XX, 1984 established a mandatory enrollment fee of $50 per semester ($100 per year for community college students taking 6 or more credit units and $5 per unit for students taking less than 6 units). Students taking noncredit classes do not pay the fee. The fee was to sunset January 1, 1988</td>
</tr>
<tr>
<td>1985-86</td>
<td>No change from prior year</td>
</tr>
<tr>
<td>1986-87</td>
<td>No change from prior year</td>
</tr>
<tr>
<td>1987-88</td>
<td>Assembly Bill 2336 extends enrollment fee through January 1, 1992</td>
</tr>
<tr>
<td>1988-89</td>
<td>No change from prior year</td>
</tr>
<tr>
<td>1989-90</td>
<td>No change from prior year</td>
</tr>
<tr>
<td>1990-91</td>
<td>No change from prior year</td>
</tr>
<tr>
<td>1991-92</td>
<td>Senate Bill 381 extends the community college enrollment fee through January 1, 1995. In addition, the bill directs the community colleges to charge a one-year surcharge of an additional $1 per unit up to a maximum of $10 per semester for students enrolled during the 1991-92 academic year. For 1991-92, community college students were charged $6 per unit up to a maximum of $60 per semester</td>
</tr>
<tr>
<td>1992-93</td>
<td>Effective January 1, 1993, a separate fee of $50 per unit, with no cap, was set for students with bachelor’s degrees. In addition, the enrollment fee was increased to $10 per unit with no cap for students not having a bachelor’s degree</td>
</tr>
<tr>
<td>1993-94</td>
<td>The 1993-94 Budget Act raised the enrollment fee to $13 per unit with no cap</td>
</tr>
<tr>
<td>1994-95</td>
<td>No change from prior year</td>
</tr>
<tr>
<td>1995-96</td>
<td>No change from prior year. The separate $50 fee for students with bachelor’s degrees sunset on January 1, 1996</td>
</tr>
<tr>
<td>1996-97</td>
<td>No change from prior year</td>
</tr>
</tbody>
</table>
1997-98  No change from prior year
1998-99  The enrollment fee was reduced to $12 per unit with no cap on the total
1999-00  The enrollment fee was reduced to $11 per unit with no cap on the total
2000-01  No change from prior year
2001-02  No change from prior year
2002-03  No change from prior year
2003-04  The enrollment fee was increased to $18 per unit with no cap on the total
2004-05  The enrollment fee was increased to $26 per unit with no cap on the total
2005-06  No change from prior year
2006-07  The enrollment fee was reduced to $20 per unit in the spring term with no cap on the total
2007-08  No change from prior year
2008-09  No change from prior year
2009-2010 The enrollment fee was increased to $26 per unit, beginning in the fall of 2009-10 academic year