

CALIFORNIA STUDENT AID COMMISSION
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**AMENDMENT TO TITLE 5, DIVISION 4, CHAPTER 1, CA CODE OF REGULATIONS
REGARDING CAL GRANT PROGRAM AND MANDATORY SYSTEMWIDE FEES
(EDUCATION CODE 66021.2(b)(1) and 66021.2(b)(2))**

INITIAL STATEMENT OF REASONS

INTRODUCTION

The University of California (UC) and California State University (CSU) systems have adopted the use of the terms "tuition" and/or "tuition fee" to describe instructional and other related costs that those institutions charge to students. Current California law provides that, for a student attending either UC or CSU, the maximum Cal Grant award shall equal the mandatory systemwide fees charged by the institution. The California Student Aid Commission (Commission) staff pursued the adoption of emergency regulations to add a section defining "mandatory systemwide fees" to Title 5 of the California Code of Regulations beginning with the 2011-12 academic year to ensure that Cal Grant recipients attending UC and CSU are not impacted by the change in terminology.

Based on the authority provided in Education Code Section, 69433.7, the Commission adopted California Code of Regulations Title V, Division 4, Chapter 1 Section 30001.5 to interpret the requirements established in Education Code sections 66021.2, 69430-69460. The emergency regulations were submitted for approval to the Office of Administrative Law (OAL) and filed with the Secretary of the State's Office on March 15, 2011. Subsequently, the emergency regulations were submitted for re-adoption on September 8, 2011. These re-adopted emergency regulations for the Cal Grant Program and Mandatory Systemwide Fees are in effect only through December 20, 2011. Prior to that date, the Commission will file a second re-adoption of the emergency regulations to provide an additional 90-days in order to complete the regular rulemaking process to make the emergency regulations permanent.

The proposed regulations interpret and specify the definition of "mandatory systemwide fees."

Section 30001.5 – Definition

This section defines the terms used in this Article.

"Mandatory systemwide fees" at the University of California and the California State University, referenced in Education Code section 66021.2(b)(1) and 66021.2(b)(2), include mandatory systemwide student charges labeled as the Educational Fee, Student Services Fee, tuition, and/or tuition fee.