

**State of California
Office of Administrative Law**

In re:
California Student Aid Commission

Regulatory Action:

Title 05, California Code of Regulations

Adopt sections:

Amend sections: 30023, 30026

Repeal sections:

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3

OAL Matter Number: 2022-1227-01

OAL Matter Type: Regular (S)

This action (1) establishes a financial aid application grace period for Commission receipt of a grade point average and corrections thereto; and (2) sets forth the circumstances under which a student may submit a specified test score in lieu of submitting a qualifying grade point average for the California Community College Expanded Entitlement Award program to implement Assembly Bill 132 (Chapter 144, Statutes of 2021), amended by Assembly Bill 183 (Chapter 54, Statutes of 2022).

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 4/1/2023.

Date: February 9, 2023



Digitally signed by Mark
Storm
Date: 2023.02.09 12:21:08
-08'00'

**Mark Storm
Senior Attorney**

**For: Kenneth J. Pogue
Director**

**Original: Marlene Garcia, Executive
Director**

Copy: Synequeen Alasa-as

REGULAR

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

STD. 400 (REV. 10/2019)

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2022-0912-02	REGULATORY ACTION NUMBER 2022-1227-01	EMERGENCY NUMBER §
For use by Office of Administrative Law (OAL) only			
NOTICE		OFFICE OF ADMIN. LAW 2022 REGULATIONS:45	
AGENCY WITH RULEMAKING AUTHORITY California Student Aid Commission (CSAC)			AGENCY FILE NUMBER (if any)

ENDORSED - FILED
In the office of the Secretary of State
of the State of California

FEB 09 2023

1:47 PM

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE CA CC Expanded Entitlement Program		TITLE(S) 5	FIRST SECTION AFFECTED 30023	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON Mark Paxson	TELEPHONE NUMBER (916) 206-5797	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER 2022, 38-Z	PUBLICATION DATE 9/23/2022

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) CA CC Expanded Entitlement Program		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)	
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)			
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)		ADOPT	
		AMEND 30023, 30026	
TITLE(S) 5		REPEAL	
3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify) _____		
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)			
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal	
<input type="checkbox"/> Other (Specify) _____			
7. CONTACT PERSON Synequeen Alasa-as		TELEPHONE NUMBER (916) 464-6411	FAX NUMBER (Optional) E-MAIL ADDRESS (Optional) rulemaking@csac.ca.gov

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE Marlene L. Garcia	DATE
TYPED NAME AND TITLE OF SIGNATORY Marlene L. Garcia, Executive Director	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

FEB 09 2023

Office of Administrative Law

CALIFORNIA STUDENT AID COMMISSION
P. O. Box 419026
Rancho Cordova, CA 95741

Title 5. Education
Division 4. California Student Aid Commission
Chapter 1. California Student Aid Commission
Article 2

Amend Article 2, Sections 30023 and 30026, California Code of Regulations.

California Community College Expanded Entitlement Program

Amend Article 2, Section 30023 and 30026, California Code of Regulations to read as follows:

Note: The pre-existing regulation text is set forth below in normal type. The proposed amendments are shown in single underline to indicate additions and single ~~strikeout~~ to indicate deletions from the existing regulatory text.

Modified Regulation Text. Proposed amendments to the originally proposed text is shown in double underline to indicate additions and ~~double strikeout~~ to indicate deletions.

Section 30023. In Lieu Test Scores; Grace Period.

(a) All entitlement and competitive Cal Grant A and B applicants, including for the California Community College Expanded Entitlement Program, shall submit a grade point average pursuant to section 30007, 30008 or 30026.

(1) ~~For a Competitive Cal Grant award pursuant to Article 5 (beginning with Education Code section 69437) of the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Act, a~~ A student who does not have a grade point average pursuant to section 30007 or 30008 or whose grade point average is more than 5 years old may submit a test score from the General Educational Development test (GED), the American College Test (ACT) or the Scholastic Aptitude Test (SAT).

(2) It is the responsibility of the applicant to have a grade point average or test score reported.

(b) A standardized test score for each approved test shall be converted to an equivalent grade point average by the Commission using the national distribution of test scores as compared to the distribution of grade point averages on a 0.00 to 4.00 scale. The grade point equivalencies shall be calculated based upon research from the testing agency for each approved test.

(c) The Commission may, on a case-by-case basis, accept the submission of grade point average(s) from an applicant or reporting institution after the March 2 or September 2 deadline if, in the opinion of the Executive Director, circumstances beyond the control of the applicant delayed or prevented the timely submission of the grade

point average(s) by the applicant or reporting institution(s) by the March 2 or September 2 deadline.

(1) Such circumstances must be shown by a certification: (i) from the reporting institution of the circumstances beyond the control of the applicant that delayed or prevented the timely submission of the grade point average by the reporting institution by the March 2 or September 2 deadline; (ii) from the applicant or reporting institution with proof that the grade point average was originally mailed by the applicant or reporting institution before the deadline; or (iii) from the applicant with a written description, under penalty of perjury, of the facts showing that circumstances beyond the control of the applicant delayed or prevented the timely submission of the grade point average.

(2) In the case of an application for an entitlement award under Education Code sections 69434, 69435, 69435.3, or 69436, any request to accept grade point average(s) after the March 2 deadline shall be submitted or postmarked received ~~by the Commission~~ no later than May 16 (seventy-five (75) days after the March 2 deadline) and the computed grade point average(s) and certification specified in subsection (1) shall be included with the request. No later than April 16 (forty-five (45) days after the March 2 deadline), the Commission shall inform students who are potentially eligible for entitlement awards based on application information the Commission has received, that their grade point average(s) had not been received by the Commission by the March 2 deadline, and shall ~~not~~ notify them that they have until May 16 (75 days from the March 2 deadline) to request the Commission to accept their late grade point average(s) on the conditions specified above, including the submission of the certification specified in subsection (1).

(3) In the case of an application for California Community College Expanded Entitlement Program awards under Education Code section 69435.5 any request to accept grade point average(s) after the September deadline shall be submitted or postmarked no later than September 22 (twenty (20) days after the September 2 deadline) and the computed grade point average(s) and the certification specified in subsection (1) shall be included with the request.

(43) In the case of an application for a competitive grant award under Education Code sections 69437, 69437.3, or 69437.6, any request to the Executive Director to accept grade point average(s) after the March 2 shall be submitted or postmarked received ~~by the Commission~~ no later than March 22 (twenty (20) days after the March 2) and the computed grade point average(s) and the certification specified in subsection (1) shall be included with the request.

(54) Pursuant to Government Code section 6707, in such cases where a deadline identified in this section ~~the March 22 or September 22 deadline to request late submittal of grade point average(s) on behalf of competitive applicants or the May 16 deadline to request late submittal of grade point average(s) on behalf of entitlement applicants~~ falls upon a Saturday, Sunday, or state holiday, the request

for late submittal must be postmarked or received by the Commission by the following business day.

(d) Applicants or officials who submit a timely but incomplete or incorrect grade point average shall have a grace period of ten (10) days after the mailing of notice by the Commission to file a corrected or completed grade point average. A corrected or completed submission postmarked within the 10 day period shall be deemed to comply with this requirement.

Note: Authority cited: Sections 69432.9(c) and 69433.7, Education Code. Reference: Sections 69432.9(c), 69434, 69435, 69435.3, 69435.5, 69436, 69437, 69437.3 and 69437.6, Education Code.

Section 30026. Reestablishing Grade Point Average

An applicant seeking to reestablish his or her grade point average pursuant to Education Code sections 69435.5(b)(2) and 69437.6(c) may do so by providing a grade point average computed pursuant to Section 30007(c) for at least 16 academic semester units or its equivalent from an accredited California community college. It is the responsibility of the applicant to have his or her community college report a grade point average.

Note: Authority cited: Sections 69433.7 and 69437.6(c), Education Code. Reference: Sections 69435.5 and 69437.6(c), Education Code.