

AMENDED IN SENATE JANUARY 6, 2014

AMENDED IN SENATE JUNE 25, 2013

AMENDED IN ASSEMBLY APRIL 22, 2013

AMENDED IN ASSEMBLY APRIL 10, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 834**

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**Introduced by Assembly Member Williams**

February 21, 2013

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An act to amend Section 94910 of, and to add Section 94910.5 to, the Education Code, relating to private postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 834, as amended, Williams. Private postsecondary education: School Performance Fact Sheets.

Existing law, the California Private Postsecondary Education Act of 2009, provides, among other things, for regulatory oversight of private postsecondary schools in the state. The act is enforced by the Bureau for Private Postsecondary Education within the Department of Consumer Affairs. The act exempts specified institutions *institutions, including certain law schools*, from all, or a portion, of its provisions. The act requires an institution to provide a prospective student prior to enrollment with a School Performance Fact Sheet, which is required to contain specified information relating to the educational program. Existing law ~~The act~~ requires an institution that maintains an Internet Web site to provide, on that Internet Web site, specified information, including a School Performance Fact Sheet for each educational program offered by the institution.

*The act authorizes an institution exempt from all or part of the act pursuant to specified provisions to apply to the bureau for an approval to operate subject to the act, as specified. The act requires these institutions to provide to prospective students the School Performance Fact Sheet, file that fact sheet with the bureau, and post it on the institution’s Internet Web site no later than the first August 1 after the institution is approved to operate and no later than August 1 of each year thereafter.*

~~This bill would provide that a law school otherwise exempt from the act that applies to the bureau for an approval to operate subject to the act and that meets other specified criteria shall be deemed with an alternate way to satisfy the requirements of the California Private Postsecondary Education Act of 2009 act regarding a School Performance Fact Sheet. Specifically, by complying with a specified standard of the American Bar Association relating to the disclosure of consumer information and information, by providing completion, completion rates of students and placement rates, bar passage rates, and salary and wage information of graduates to prospective students prior to enrollment through the law school application process administered by the Law School Admission Council Council, and by providing to prospective students, at a minimum on its Internet Web site, any additional information required to be reported on a School Performance Fact Sheet, such a law school would satisfy those requirements.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     ~~SECTION 1. Section 94910 of the Education Code is amended~~
- 2     ~~to read:~~
- 3     ~~94910. (a) Prior to enrollment, an institution shall provide a~~
- 4     ~~prospective student with a School Performance Fact Sheet~~
- 5     ~~containing, at a minimum, the following information, as it relates~~
- 6     ~~to the educational program:~~
- 7     ~~(1) Completion rates, as calculated pursuant to Article 16~~
- 8     ~~(commencing with Section 94928).~~
- 9     ~~(2) Placement rates for each educational program, as calculated~~
- 10    ~~pursuant to Article 16 (commencing with Section 94928), if the~~
- 11    ~~educational program is designed to lead to, or the institution makes~~

1 ~~any express or implied claim related to preparing students for, a~~  
2 ~~recognized career, occupation, vocation, job, or job title.~~

3 ~~(3) License examination passage rates for programs leading to~~  
4 ~~employment for which passage of a state licensing examination is~~  
5 ~~required, as calculated pursuant to Article 16 (commencing with~~  
6 ~~Section 94928).~~

7 ~~(4) Salary or wage information, as calculated pursuant to Article~~  
8 ~~16 (commencing with Section 94928).~~

9 ~~(5) If a program is too new to provide data for any of the~~  
10 ~~categories listed in this subdivision, the institution shall state on~~  
11 ~~its fact sheet: "This program is new. Therefore, the number of~~  
12 ~~students who graduate, the number of students who are placed, or~~  
13 ~~the starting salary you can earn after finishing the educational~~  
14 ~~program are unknown at this time. Information regarding general~~  
15 ~~salary and placement statistics may be available from government~~  
16 ~~sources or from the institution, but is not equivalent to actual~~  
17 ~~performance data."~~

18 ~~(6) All of the following:~~

19 ~~(A) A description of the manner in which the figures described~~  
20 ~~in paragraphs (1) to (4), inclusive, are calculated or a statement~~  
21 ~~informing the reader of where he or she may obtain a description~~  
22 ~~of the manner in which the figures described in paragraphs (1) to~~  
23 ~~(4), inclusive, are calculated.~~

24 ~~(B) A statement informing the reader of where he or she may~~  
25 ~~obtain from the institution a list of the employment positions~~  
26 ~~determined to be within the field for which a student received~~  
27 ~~education and training for the calculation of job placement rates~~  
28 ~~as required by paragraph (2).~~

29 ~~(C) A statement informing the reader of where he or she may~~  
30 ~~obtain from the institution a list of the objective sources of~~  
31 ~~information used to substantiate the salary disclosure as required~~  
32 ~~by paragraph (4).~~

33 ~~(7) The following statements:~~

34 ~~(A) "This fact sheet is filed with the Bureau for Private~~  
35 ~~Postsecondary Education. Regardless of any information you may~~  
36 ~~have relating to completion rates, placement rates, starting salaries,~~  
37 ~~or license exam passage rates, this fact sheet contains the~~  
38 ~~information as calculated pursuant to state law."~~

39 ~~(B) "Any questions a student may have regarding this fact sheet~~  
40 ~~that have not been satisfactorily answered by the institution may~~

1 be directed to the Bureau for Private Postsecondary Education at  
2 (address), Sacramento, CA (ZIP Code), (Internet Web site address),  
3 (telephone and fax numbers).”

4 (8) If the institution participates in federal financial aid  
5 programs, the most recent three-year cohort default rate reported  
6 by the United States Department of Education for the institution  
7 and the percentage of enrolled students receiving federal student  
8 loans.

9 (b) This section shall not apply to institutions governed by  
10 Section 94910.5.

11 SEC. 2.

12 SECTION 1. Section 94910.5 is added to the Education Code,  
13 to read:

14 94910.5. (a) Notwithstanding any other law, a law school that  
15 meets the criteria of subdivision (b) shall be deemed to satisfy the  
16 requirements of this chapter regarding a School Performance Fact  
17 Sheet by doing both all of the following:

18 (1) Complying with Standard 509 of the 2012–13 American  
19 Bar Association’s Standards and Rules of Procedure for Approval  
20 of Law Schools.

21 (2) Providing ~~completion~~, *completion rates of students and*  
22 *placement rates*, bar passage *rates*, and salary and wage  
23 information of graduates to prospective students prior to enrollment  
24 through the law school application process administered by the  
25 Law School Admission Council.

26 (3) (A) *Providing to prospective students any additional*  
27 *information required to be reported on a School Performance Fact*  
28 *Sheet that is not reported pursuant to paragraphs (1) and (2),*  
29 *including, but not limited to, the most recent three-year cohort*  
30 *default rate reported by the United States Department of Education*  
31 *for the law school and the percentage of enrolled students receiving*  
32 *federal student loans.*

33 (B) *If the law school’s three-year cohort default rate reported*  
34 *by the United States Department of Education is aggregated with*  
35 *the three-year cohort default rate of an institution to which the*  
36 *law school belongs, then the law school shall provide to*  
37 *prospective students the law school’s three-year cohort default*  
38 *rate disaggregated from the institution’s three-year cohort default*  
39 *rate.*

1     (C) *The law school shall, at a minimum, provide the information*  
2 *described in this paragraph to prospective students by reporting*  
3 *the information on the law school's Internet Web site.*

4     (b) Subdivision (a) shall apply to a law school that meets the  
5 following criteria:

6     (1) The law school is accredited by the Council of the Section  
7 of Legal Education and Admissions to the Bar of the American  
8 Bar Association.

9     (2) The law school is owned by an institution authorized to  
10 operate by the bureau.

11     (3) The law school reports graduate salary information and other  
12 information to the National Association for Law Placement.

13     (4) *The law school is approved to operate by the bureau*  
14 *pursuant to Section 94874.8.*

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