

AMENDED IN ASSEMBLY APRIL 30, 2015

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 907

Introduced by Assembly Member Burke

February 26, 2015

An act to add Section 52334.7 to the Education Code, relating to career technical ~~education~~, *education*, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 907, as amended, Burke. Career training: adult students.

Existing law authorizes various career technical education programs, including regional occupational centers and programs, specialized secondary programs, partnership academies, and agricultural career technical education programs.

~~The~~

*This bill would authorize the Superintendent of Public Instruction to certify, by name, ~~each~~ any regional occupational center or program, county office of education, or adult education program, that provides a program of training to prepare adult students for *gainful* employment in a recognized occupation, to legally authorize the center, program, or office to provide an educational program beyond secondary education, as specified.*

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

SECTION 1. (a) The Legislature finds and declares all of the following:

(a)

(1) Career training for adults is an important part of workforce and economic development in California.

(b)

(2) Many of California's neediest adult students require financial aid to support their career training.

(c)

(3) Historically, those adult students have had access to federal financial aid under Title IV of the federal ~~Elementary and Secondary Education Act (20 U.S.C. Sec. 6301 et seq.)~~ *Higher Education Act of 1965, as amended (20 U.S.C. Sec. 1070 et seq.)*.

(d)

(4) Recent revisions in federal regulations ~~governing Title IV of the federal Elementary and Secondary Education Act (20 U.S.C. Sec. 6301 et seq.)~~ have eliminated the *(Sections 600.6, 600.7, and 600.9 of Title 34 of the Code of Federal Regulations)* to improve integrity of the programs authorized under Title IV of the federal *Higher Education Act* established new institutional eligibility requirements for financial aid for adult students in many of California's career training programs operated by local educational agencies, even though adults in those programs have been historically eligible agencies.

(e)

(b) The Legislature *therefore* supports all of the following:

(1) Adult students' access to career training programs that will improve or expand their job skills and employability.

(2) Adult students' access to federal financial aid that may be used for career training programs and services.

(3) Providers of career training programs for adult students, as those providers work to satisfy federal requirements necessary to establish federal financial aid eligibility for those adult students.

SEC. 2. Section 52334.7 is added to the Education Code, to read:

52334.7. (a) The Superintendent may certify, by name, any regional occupational center or program, county office of education, or adult education program, that provides a program of

1 training to prepare adult students for gainful employment in a
2 recognized occupation, to legally authorize the center, program,
3 or office to provide an educational program beyond secondary
4 education, including an education program that leads to a degree
5 or certificate, for purposes of the center, program, or office
6 participating in any student financial assistance program authorized
7 by Title IV of the *federal* Higher Education Act of 1965, as
8 amended (*20 U.S.C. Sec. 1070 et seq.*).

9 (b) A regional occupational center or program, county office of
10 education, or adult education program applying for certification
11 pursuant to subdivision (a) shall comply with both of the following:

12 (1) Satisfy all applicable eligibility requirements specified in
13 federal rulemaking pursuant to Sections 600.6, 600.7, and 600.9
14 of Title 34 of the Code of Federal Regulations, other than the
15 authorization provided for in subdivision (a).

16 (2) Apply in writing to the Superintendent, as an individual
17 center, program, or office, to be considered for certification
18 pursuant to subdivision (a).

19 (c) Any person may file a complaint under the Uniform
20 Complaint Procedures, as set forth in Title 5 of the California Code
21 of Regulations, regarding an alleged violation by a local agency
22 of federal or state law or regulations governing adult education
23 programs or regional occupational centers and programs, including
24 allegations of unlawful discrimination, harassment, intimidation,
25 or bullying.

26 (d) The Superintendent shall adopt regulations that authorize
27 any person to file a complaint under the Uniform Complaint
28 Procedures, as set forth in Title 5 of the California Code of
29 Regulations, regarding an alleged violation by a county office of
30 education of federal or state law or regulations governing that
31 county office's participation in any student financial assistance
32 program authorized by Title IV of the *federal* Higher Education
33 Act of 1965, as ~~amended~~, *amended (20 U.S.C. Sec. 1070 et seq.)*,
34 including allegations of unlawful discrimination, harassment,
35 intimidation, or bullying.

36 *SEC. 3. This act is an urgency statute necessary for the*
37 *immediate preservation of the public peace, health, or safety within*
38 *the meaning of Article IV of the Constitution and shall go into*
39 *immediate effect. The facts constituting the necessity are:*

1 *In order for regional occupational centers and programs, county*
2 *offices of education, and adult education programs, that provide*
3 *a program of training to prepare students for gainful employment*
4 *in a recognized occupation, to satisfy federal requirements in order*
5 *to participate in federal student aid programs at the earliest*
6 *possible time, it is necessary for this act to take effect immediately.*

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