

AMENDED IN ASSEMBLY JUNE 21, 2016

AMENDED IN SENATE APRIL 18, 2016

SENATE BILL

No. 1059

Introduced by Senator Monning

February 16, 2016

An act to amend Sections 67100 and 67102 of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

SB 1059, as amended, Monning. Postsecondary education: Title 38 awards.

Title 38 of the United States Code provides educational awards for eligible active duty members and veterans of the Armed Forces of the United States. Existing law requires an institution headquartered or operating in California desiring to enroll students eligible for federal Title 38 awards in accredited courses to make application for approval of these courses to the California State Approving Agency for Veterans Education, commonly known as CSAAVE, and authorizes CSAAVE to approve the application of the school when the school and its accredited courses satisfy the specified criteria and any additional reasonable criteria established by CSAAVE.

This bill would include as a qualifying institution for federal Title 38 awards, an institution that has been accredited by the Committee of Bar Examiners, if the institution complies with specified disclosure and compliance 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 67100 of the Education Code is amended
2 to read:

3 67100. The Legislature finds and declares the following:

4 (a) Sections 21.4253 and 21.4254 of Title 38 of the Code of
5 Federal Regulations require a postsecondary educational institution
6 headquartered or operating in California desiring to enroll veterans
7 or persons eligible for Title 38 awards in accredited and
8 nonaccredited institutions and programs to make application for
9 approval of these courses to the California State Approving Agency
10 for Veterans Education, commonly known as CSAAVE, as the
11 state approving agency legally designated pursuant to Section 3671
12 of Subchapter I of Chapter 36 of Title 38 of the United States Code.

13 (b) Sections 21.4253 and 21.4254 authorize CSAAVE to
14 approve the application of the accredited and nonaccredited
15 institutions when the school and its accredited and nonaccredited
16 courses satisfy the criteria provided in Sections 21.4253 and
17 21.4254 and additional reasonable criteria established by CSAAVE.

18 (c) It is reasonable pursuant to Sections 21.4253 and 21.4254
19 for CSAAVE to require a postsecondary educational institution,
20 public or private, to obtain accreditation for its degree programs,
21 to comply with all federal and state laws and regulations, and to
22 comply with any additional reasonable criteria established by
23 CSAAVE. It is reasonable pursuant to Sections 21.4253 and
24 21.4254 for CSAAVE to require a private postsecondary institution
25 to be issued an approval to operate from the Bureau for Private
26 Postsecondary Education.

27 SEC. 2. Section 67102 of the Education Code is amended to
28 read:

29 67102. As used in this chapter, the following terms have the
30 following meanings:

31 (a) An “academic year” is July 1 to June 30, inclusive. The
32 starting date of a session shall determine the academic year in
33 which it is included.

34 (b) “CSAAVE” is the California State Approving Agency for
35 Veterans Education.

36 (c) (1) “Qualifying institution” means a degree-granting
37 institution that complies with paragraphs (2), (3), and (4), or a

1 nondegree-granting institution that complies with paragraphs (2)
2 and (4).

3 (2) (A) The institution shall provide information on where to
4 access California license examination passage rates for the most
5 recent available year from graduates of its undergraduate programs
6 leading to employment for which passage of a California licensing
7 examination is required, if that data is electronically available
8 through the Internet Web site of a California licensing or regulatory
9 agency. For purposes of this paragraph, “provide” may exclusively
10 include placement of an Internet Web site address labeled as an
11 access point for the data on the passage rates of recent program
12 graduates on the Internet Web site where enrollment information
13 is also located, on an Internet Web site that provides centralized
14 admissions information for postsecondary educational systems
15 with multiple campuses, or on applications for enrollment or other
16 program information distributed to prospective students.

17 (B) The institution shall be responsible for certifying to
18 CSAAVE compliance with the requirements of subparagraph (A).

19 (3) (A) A degree-granting institution shall provide evidence of
20 accreditation of the institution and of all degree programs to
21 CSAAVE. The accrediting agency shall be recognized by the
22 United States Department of Education. An unaccredited
23 degree-granting institution participating in the Title 38 award
24 program on January 1, 2015, shall satisfy both of the following to
25 remain eligible to receive Title 38 awards:

26 (i) The institution shall obtain and provide evidence to CSAAVE
27 of its candidacy or preaccreditation status, with an accrediting
28 agency recognized by the United States Department of Education,
29 by January 1, 2016, for the institution to be eligible for Title 38
30 awards for the academic year of 2015–16 or 2016–17, or both.

31 (ii) The institution shall obtain and provide evidence to
32 CSAAVE of accreditation from the accrediting agency with which
33 it had candidacy or preaccreditation status by January 1, 2017, for
34 the institution to be eligible for Title 38 awards for the academic
35 year of 2017–18, and each academic year thereafter.

36 (B) If an unaccredited degree-granting institution participating
37 in the Title 38 award program fails to satisfy the accreditation
38 requirements provided in clause (i) of subparagraph (A), a veteran
39 enrolled in a degree program offered by the institution prior to
40 January 1, 2016, shall remain eligible for Title 38 awards through

1 his or her completion of that degree program. If an unaccredited
2 degree-granting institution participating in the Title 38 award
3 program fails to satisfy the accreditation requirements provided
4 in clause (ii) of subparagraph (A), a veteran enrolled in a degree
5 program offered by the institution prior to January 1, 2017, shall
6 remain eligible for Title 38 awards through his or her completion
7 of that degree program.

8 (C) An unaccredited degree-granting institution that does not
9 satisfy the accreditation requirements provided in clause (i) of
10 subparagraph (A), shall not enroll any new Title 38 eligible
11 students to any of its degree programs after January 1, 2016. An
12 unaccredited degree granting institution that does not satisfy the
13 accreditation requirements provided in clause (ii) of subparagraph
14 (A), shall not enroll any new Title 38 students to any of its degree
15 programs after January 1, 2017, without first providing these
16 prospective students with the following written disclosure:

17
18 “If you choose to attend this institution, you will not be eligible
19 to receive a Title 38 award because this institution did not satisfy
20 one or more of the accreditation requirements to receive Title 38
21 awards.”
22

23 (D) An institution that obtains and provides evidence to
24 CSAAVE of accreditation from the Committee of Bar Examiners
25 pursuant to Sections 6046.7 and 6060.6 of the Business and
26 Professions Code does not have to comply with subparagraphs
27 (A), (B), and (C), if the institution complies with both of the
28 following:

29 (i) (I) The institution provides disclosures to applicants of the
30 school ~~who are eligible for federal Title 38 awards~~ of the
31 institution’s ~~tuition costs, admissions data, tuition, fees, financial~~
32 ~~aid, conditional scholarships, refund policies, average class sizes,~~
33 ~~size of each required course, number of clinical offerings, number~~
34 ~~of faculty, attrition rates, full-time and part-time faculty, technically~~
35 ~~trained librarians, administrators, enrollment data, bar passage~~
36 ~~data, and employment outcomes of for graduates.~~

37 (II) For purposes of this clause, CSAAVE may develop a
38 standardized information report template or use a standardized
39 information report template developed by the State Bar.

1 (III) For purposes of this clause, the following terms have the
2 following meanings:

3 (ia) “Admissions data” means information from the most
4 recently enrolled fall semester class including the total number of
5 applications, the total number of accepted students, and the 75th,
6 50th, and 25th percentile scores for the undergraduate grade point
7 averages and law school admission test scores of admitted students.

8 (ib) “Bar passage data” means the most current cumulative
9 bar pass rates defined and reported by the examining committee
10 of the State Bar.

11 (ic) “Conditional scholarship” means any financial aid award,
12 the retention of which is dependent upon the student maintaining
13 a minimum grade point average or class standing other than that
14 ordinarily required to remain in good academic standing.

15 (id) “Employment outcomes for graduates” means the results
16 of a survey by the law school, taken three years after graduation,
17 that breaks down the employment rate of graduates in each of the
18 first three years after graduation, including the rate of employment
19 of graduates in jobs where a Juris Doctor degree is required by
20 the employer and the rate of employment of graduates in jobs
21 where a Juris Doctor degree is an advantage in employment.

22 (ie) “Enrollment data” means information about the number
23 of students who are admitted to the school per class per year for
24 the past three years, the number of students who transfer to and
25 from the school per class per year for the past three years, and
26 the number of students who do not continue to attend the school
27 each year for the past three years on either a voluntary or
28 involuntary basis.

29 (ii) The institution is in compliance with all applicable CSAAVE
30 rules and regulations and is in good standing with the Committee
31 of Bar Examiners.

32 (4) The institution shall be one of the following to be eligible
33 for Title 38 awards:

34 (A) A campus of the California Community Colleges, the
35 California State University, or the University of California.

36 (B) An independent institution of higher education, as defined
37 in subdivision (b) of Section 66010.

38 (C) (i) For purposes of the 2015–16 award year, a private
39 postsecondary educational institution, as defined in Section 94858.

1 (ii) For purposes of the 2016–17 award year, and every award
 2 year thereafter, a private postsecondary educational institution, as
 3 defined in Section 94858, that has an approval to operate from the
 4 Bureau for Private Postsecondary Education, is subject to the
 5 regulatory oversight and enforcement of student protections
 6 provided by the bureau, and has its approval to operate certified
 7 by CSAAVE.

8 (D) An institution described in subdivision (i) of Section 94874
 9 that satisfies all of the requirements provided in Section 94947.

10 (E) An institution that is accredited by the Committee of Bar
 11 Examiners pursuant to Sections 6046.7 and 6060.7 of the Business
 12 and Professions Code.

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15 **CORRECTIONS:**

16 **Amended Date—Page 1.**

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