

AMENDED IN SENATE JUNE 23, 2010

AMENDED IN ASSEMBLY APRIL 22, 2010

AMENDED IN ASSEMBLY APRIL 5, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 2393

Introduced by Assembly Member Ammiano

February 19, 2010

An act to amend Section 94928 of the Education Code, relating to private postsecondary education.

LEGISLATIVE COUNSEL’S DIGEST

AB 2393, as amended, Ammiano. Private postsecondary educational institutions: fair business practices.

The California Private Postsecondary Education Act of 2009 provides for the regulation of private postsecondary educational institutions by the Bureau for Private Postsecondary Education, with specified exceptions. The act requires private postsecondary educational institutions to comply with various fair business practices, as specified.

The act requires private postsecondary educational institutions to annually report to the bureau, and publish various statistics including job placement rates. The act requires job placement rates to be calculated by dividing the number of graduates employed in the field by the number of graduates available for employment for specified programs. The act defines “graduates employed in the field” for the purposes of these provisions.

This bill, with respect to occupations or jobs in an apprenticeship program approved by the Division of Apprenticeship Standards of the Department of Industrial Relations or a position for which the Board

of Registered Nursing has established licensure requirements, would separately define “graduates employed in the field” for purposes of the reporting requirements and the fair business practices provisions of the act.

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

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

1 SECTION 1. Section 94928 of the Education Code is amended
2 to read:
3 94928. As used in this article, the following terms have the
4 following meanings:
5 (a) “Cohort population” means the number of students that
6 began a program on a cohort start date.
7 (b) “Cohort start date” means the first class day after the
8 cancellation period during which a cohort of students attends class
9 for a specific program.
10 (c) “Graduates” means the number of students who complete a
11 program within 100 percent of the published program length. An
12 institution may separately state completion information for students
13 completing the program within 150 percent of the original
14 contracted time, but that information may not replace completion
15 information for students completing within the original scheduled
16 time. Completion information shall be separately stated for each
17 campus or branch of the institution.
18 (d) “Graduates available for employment” means the number
19 of graduates minus the number of graduates unavailable for
20 employment.
21 (e) (1) Except as provided in paragraphs (2) and (3), “graduates
22 employed in the field” means graduates who are gainfully
23 employed within six months of graduation in a position for which
24 the skills obtained through the education and training provided by
25 the institution are required or provided a significant advantage to
26 the graduate in obtaining the position.
27 (2) With respect to an occupation or job for which the Division
28 of Apprenticeship Standards of the Department of Industrial
29 Relations has approved a certified apprenticeship program,
30 “graduates employed in the field” means graduates who are
31 gainfully employed for not less than 60 days within six months of

1 graduation in a position with job duties meeting all of the criteria
2 of the apprenticeable occupation or job set forth by the Division
3 of Apprenticeship Standards.

4 (3) With respect to an occupation or job for which the Board of
5 Registered Nursing has established licensure requirements,
6 “graduates employed in the field” means graduates who are
7 gainfully employed for not less than 60 days within six months of
8 ~~graduation~~ *passage of the National Council of State Boards of*
9 *Nursing Licensure Examination* in a position with job duties
10 meeting all of the criteria of the licensed occupation or job set
11 forth by the Board of Registered Nursing.

12 (f) “Graduates unavailable for employment” means graduates
13 who, after graduation, die, become incarcerated, are called to active
14 military duty, are international students that leave the United States
15 or do not have a visa allowing employment in the United States,
16 or are continuing their education at an accredited or
17 bureau-approved postsecondary institution.

18 (g) “Students available for graduation” means the cohort
19 population minus the number of students unavailable for
20 graduation.

21 (h) “Students unavailable for graduation” means students who
22 have died, been incarcerated, or called to active military duty.