

NOTICE OF PROPOSED EMERGENCY ACTION

5 CA ADC § 30730 BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
Barclays Official California Code of Regulations
Title 5. Education
Division 4. California Student Aid Commission
Chapter 1. California Student Aid Commission
Article 12.5. Golden State Teacher Grant Program

NOTICE IS HEREBY GIVEN that the California Student Aid Commission (Commission) proposes to adopt proposed emergency regulatory amendments to the Golden State Teacher Grant Program (GSTG Program) pursuant to Senate Bill 142 (Stats. 2023, Ch. 195, Sec.3).

At its November 30, 2023, meeting, the Commission approved proposed emergency regulations to address statutory changes to the GSTG Program pursuant to Education Code Section 69617 and Education Code Section 69617.5 as amended by Senate Bill 142 (Stats. 2023, Ch. 195, Sec.3). At that time, the Commission took action on Agenda Item 9 “Consideration to approve proposed emergency regulatory amendments for the Golden State Teacher Grant Program.” After inviting members of the public to comment on the proposed emergency regulation, the Commission acted as follows:

MOTION By Commissioner Mayer, **SECONDED** by Commissioner Nies and Commissioner Takagi and **CARRIED TO APPROVE** the proposed emergency regulatory amendments for the Golden State Teacher Grant (GSTG) Program and authorize staff to complete the emergency regulatory process, including initiating a five-day public comment period, preparing, and submitting all required documents to the Office of Administrative Law (OAL), and making any nonsubstantive changes to the regulations and supporting documentation as requested by the OAL.

This Notice of Commission Action shall be maintained in the Commission’s record and submitted to the Office of Administrative Law as a record of the action taken by the Commission on the regulatory amendments.

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Government Code Section 11346.1, subdivision (a) (2), requires that, at least five working days prior to the submission of a proposed emergency action to the Office of Administrative Law (OAL), the adopting agency must provide a notice of the proposed emergency action to every person who has filed a request for notice of regulatory action with the agency. After the submission of the proposed emergency regulation, OAL shall allow interested persons five calendar days to submit comments on the proposed emergency regulations as set forth in Government Code section 11349.6. This document provides the required notice.

PROPOSED TEXT OF EMERGENCY REGULATIONS

The text of the proposed emergency regulatory amendments is attached to this notice.

FINDING OF EMERGENCY

Education Code Section 69617 expressly authorizes the Commission to adopt emergency regulations to implement the Golden State Teacher Grant Program and finds that the Commission’s adoption of such regulations constitutes an emergency as defined under the Administrative Procedures Act.

Education Code Section 69617(g)(1) specifies that: “The commission may adopt emergency regulations it deems necessary for the implementation of this program, in accordance with the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). For purposes of the Administrative Procedure Act, including Section 11349.6 of the Government Code, the adoption of those regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare, notwithstanding subdivision (e) of Section 11346.1 of the Government Code.”

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Sections 69617 of the Education Code, the proposed regulations implement, interpret and make specific Section 69617 and 69617.5 of the Education Code. The Commission is proposing to adopt regulatory amendments to Division 4 of Title 5 of the California Code of Regulations to further implement the Golden State Teacher Grant Program.

INFORMATIVE DIGEST

SB 75, enacted in 2019 established the Golden State Teacher Program. The legislation included a number of credential fields for which students could be eligible for a grant. However, SB 74, enacted in 2020, appropriated funds only for the purposes of students seeking special education credentials, based on the availability of federal funds limited to that specific purpose. Subsequently, in 2021, \$500 million was appropriated to fund grants for all of the high need fields initially included in the program – bilingual education, STEM subjects, science, special education, multiple subject, transitional kindergarten, and other subjects as identified by the Commission on Teacher Credentialing.

SB 169, enacted in 2021, also expanded the type of credential programs students could be enrolled in including an approved teacher credential program at either a qualifying institution or an approved teacher preparation program that has a main campus location or administrative entity that resides in the state, including programs operated by local educational agencies. SB 169 extended the expenditure period for the funds appropriated for the program in the Budget Acts of 2020 and 2021 until June 30, 2026.

The Commission adopted emergency regulations to implement the GSTGP, which became effective on January 23, 2023.

SB 142, enacted in 2023, modified requirements applicable to one-time grant funds allocated to students enrolled in private post-secondary educational institutions approved by the Commission on Teaching Credentialing, including that the institution is accredited by the Senior Colleges and Universities Commission of the Western Association of Schools and Colleges.

In addition, SB 142 amended Education Code sections 69617 and 69617.5 to require that the student be a California resident and that, of the funds appropriated in support of the Golden State Teacher Grant Program, no more than 8% of the total funding may be allocated for purposes of the one-time grants described above. SB 142 further requires that an eligible private postsecondary educational institution be accredited by either the Senior Colleges and Universities Commission of the Western Association of Schools and Colleges or regionally accredited by an agency recognized by the United States Department of Education. If the institution has no physical presence in California, the institution must contract with the Bureau

of Private Postsecondary Education to respond to California resident student complaints, as provided.

The proposed regulatory amendments were developed to further implement the Commission's Golden State Teacher Grant Program and to satisfy these recent amendments to the Education Code. The Commission carried out a search of existing regulations and has determined that the proposed regulations are not inconsistent or incompatible with any existing State regulations.

OTHER MATTERS PRESCRIBED BY STATUTE

No other matters prescribed by statute are applicable to the Commission or to any specific regulation or class of regulations.

LOCAL MANDATE

Local education agencies, including school districts and county offices of education are potentially eligible to participate in the Golden State Teacher Grant Program, and provide grant funding allocated by the Commission to eligible participants enrolled in local professional preparation programs. The potential participation of any local education agencies in the program is voluntary. Thus, the Commission has determined that the proposed emergency regulations do not impose a mandate on local agencies or school districts.

BENEFIT TO THE STATE

The Golden State Teacher Grant Program continues to benefit the State, and citizens of California, by achieving the Legislature's express goals to increase the availability and effectiveness of professional preparation programs in California. The Program supports and benefits the State's recruitment and retention goals for teachers and pupil personnel services.

ESTIMATE OF COST OR SAVINGS

The Commission has determined that the proposed emergency regulations do not impose any additional costs or savings to any State agency, any cost to any local agency or school district that is required to be reimbursed under Government Code section 17500 et seq., any other non-discretionary cost or savings to any local agency, or any cost or savings in federal funding to the State.

NONDUPLICATION

The Commission attempts to avoid unnecessary duplication of statutory language in proposed regulations. However, in some instances duplication is necessary to provide clarity and consistency regarding the requirements and procedures for participation in the program. Where it occurs, such duplication may assist interested parties by encapsulating program requirements and procedures in one place.

RELIED ON DOCUMENTS

No technical documents or studies were relied upon in support of the Commission's determination of the necessity of emergency regulations for the Golden State Teacher Grant Program.

CONTACT PERSONS

Inquiries concerning the proposed adoption of the regulations and written comments may be directed to:

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WEBSITE ACCESS

Materials regarding this proposal can be viewed and downloaded from the Commission's Web site at <https://www.csac.ca.gov/proposed-regulations-rulemaking-documents>.