

Item 9

(Action Item)

Consideration to approve proposed emergency regulatory amendments for the Golden State Teacher Grant Program

SUMMARY:

This item provides a description of the proposed emergency regulatory amendments to the Golden State Teacher Grant (GSTG) Program, including the proposed emergency regulations text and a description of the rulemaking process for these amendments to the GSTG Program.

RECOMMENDATION:

Staff recommends the California Student Aid Commission (Commission) 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 non-substantive changes to the regulations and supporting documentation as requested by the OAL.

BACKGROUND:

On July 1, 2022, Assembly Bill 181 (AB 181) (*Stats. 2022, Ch. 52, Sec. 97*) amended the GSTG Program statute contained in Education Code section 69617. In addition to substantive changes to the program, AB 181 changed the effective period of the regulations previously adopted by the Commission pursuant to subsection(g)(1) and exempted further changes to the Program regulations from all requirements of the Administrator Procedure Act (APA). On December 1, 2022, the Commission adopted emergency regulations to implement the provisions of AB 181 for the GSTG Program.

On September 13, 2023, Senate Bill 142 (SB 142) (*Stats. 2023, Ch. 195, Sec. 3*) amended Education Code section 69617 to provide additional changes to the GSTG Program. Program Administration and Services Division (PASD) and Legal team staff have now developed proposed regulatory amendments to address the statutory changes of SB 142.

California Student Aid Commission

Commission approval is required for staff to process the regulatory changes under SB 142 and to complete the rulemaking process. Upon Commission approval, staff will post a notice regarding the proposed amendments to the GSTG Program on the Commission's website. Interested members of the public will have five days to provide comments regarding the proposed rulemaking.

At the conclusion of that five-day period, staff will submit the amended regulatory text, a Notice of Proposed Regulatory Action, and additional supporting documentation to the OAL.

Once the documents are filed with OAL, that agency has ten days in which to act on the submission. Included in that 10-day period is another five-day comment period in which interested members of the public may provide comments directly to OAL. If any comments are received, Commission staff would be provided an opportunity to respond before OAL's final action.

Assuming that all statutory and procedural requirements are met, emergency regulations typically become effective upon OAL approval. Thus, staff anticipates the amended emergency regulations will become effective on December 15, 2023. The proposed amended emergency regulations would remain in effect until June 30, 2026, or for the duration of the GSTG Program.

The substantive changes to the proposed amendments to the regulations are:

1. **Section 30520:** Added a definition of the California Preschool Program to Section 30520 Definitions, pursuant to Education Code 69617.
2. **Section 30520:** Expanded the definition of "Institution" to include private postsecondary institutions that exclusively offer eligible online credential programs to California residents and that meet the requirements of Education Code section 69617.5.
3. **Section 30520:** Expanded the definition of "eligible Applicant" to include students who have enrolled, or applied for enrollment, on or after January 1, 2020, in a professional preparation program leading to a preliminary teaching credential or a pupil personnel services credential.
4. **Section 30520:** Expanded the definition of "Maximum Award" to include a \$10,000 maximum for students enrolled at specified institutions meeting the requirements of Education Code section 69617.5.
5. **Section 30523(i):** Clarified that an applicant may receive a Program award for only one eligible professional preparation program.
6. **Section 30524(c)(2):** Added language regarding the \$10,000 maximum award determination for specified institutions.
7. **Section 30526(a):** clarified that electronic funds transfer payments will be made directly to institutions and paper warrants will be made out to award recipients in care of the institution.

California Student Aid Commission

8. **Section 30526(2)(b):** Clarified that an applicant eligible for a maximum award of \$10,000, but received less than \$10,000 during their initial GSTG Program award year, may receive additional funds in subsequent academic years so long as the applicant remains in compliance with all program requirements and the total amount disbursed does not exceed \$10,000.
9. **Section 30527:** Added that recipients may choose to complete their service requirement at a California Preschool Program or a priority school.
10. **Section 30527(a)(1):** Updated the requirement that a grant recipient must obtain their credential within three years of receiving their initial grant award to six years, pursuant to Education Code 69617.
11. **Section 30528:** Clarified the process by which students interested in a professional preparation program leading to a preliminary teaching credential or a pupil personnel services credential may request a pre-enrollment conditional award notice from the Commission, pursuant to subdivision (e) of Education Code section 69617.

Staff recommends the California Student Aid Commission (Commission) 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 non-substantive changes to the regulations and supporting documentation as requested by the OAL.

RESPONSIBLE PERSON(S):

Tae Kang, Deputy Director
Programs Administration and Services Division

Libby Rafferty, Specialized Programs Manager
Programs Administration and Services Division

Gary Collard, Regulations Coordinator
Executive Office

ATTACHMENT(S):

Education Code Section 69617, as amended by SB 142
Draft of Resolution
Proposed Emergency Regulatory Text
OAL Emergency Rulemaking Process