

Date of Hearing: April 21, 2015

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 752 (Salas) – As Amended March 26, 2015

SUBJECT: Private postsecondary education: California Private Postsecondary Education Act of 2009

SUMMARY: Requires, if the Bureau for Private Postsecondary Education (BPPE) publishes a list of relevant occupational ability-to-benefit (ATB) examinations and passing scores, the list shall include the Comprehensive Adult Student Assessment System (CASAS) examination.

EXISTING LAW: Provides for, until January 1, 2017, student protections and regulatory oversight of institutions in the state pursuant to the Private Postsecondary Education Act (Act). The Act is enforced by BPPE within the Department of Consumer Affairs. The Act defines an ATB student as a student without a high school diploma or equivalency and provides that before an ATB student may execute an enrollment agreement with a private postsecondary educational institution (institution), the institution must have the student take and pass an independently administered examination from the list of examinations approved by the United States Department of Education (USDE). (Education Code Section 94800 et seq.)

FISCAL EFFECT: Unknown

COMMENTS: *Background.* Under Federal law, students without a high school diploma or equivalency can qualify for federal Title IV loans, grants, and campus-based aid if they pass an independently administered test of their basic math and English skills, called an ATB test and are enrolled in college-level career pathways programs. The intent of the ATB test is to measure whether students have the basic skills needed to benefit from higher education and succeed in the institution. Tests are approved by the USDE and administered by an independent party. Under Title IV, students must pass an ATB before receiving any federal funds.

The Private Postsecondary Education Act (Act) of 2009, which provides the BPPE with authority to regulate institutions operating in California, requires all ATB students enrolling in private postsecondary educational institutions to take and pass an ATB examination. In 2012, out of concerns that existing USDE-approved ATB examinations were not appropriate for ESL students, the Act was amended to authorize the BPPE to publish a list of eligible examinations if the USDE does not have a relevant examination. To date, the BPPE has not published a list of alternative ATB examinations.

Purpose of this bill. According to the author, many immigrants and working adults that do not have high school diplomas are seeking to enroll in job and skills training programs, but are having difficulty passing the USDE-approved ATB examinations. This problem is disproportionality affecting those with limited English proficiency and low income communities. According to the author, the CASAS is a widely used competency-based assessment system designed to assess the relevant real-world basic skills of adult learners. CASAS measures the basic skills and the English language and literacy skills needed to function effectively at work and in life. The author argues that this assessment has been successfully used in the past to test ATB students and it should be included on the BPPE's list of approved ATB examinations.

Recommended amendments. As previously noted the BPPE currently has the authority to approve alternative ATB examinations, but has not taken such action. This bill also does not require BPPE to take action to approve CASAS. The author may wish to consider the following amendment to ensure the BPPE takes appropriate action:

94904. (b) If the United States Department of Education does not have a list of relevant examinations that pertain to the intended occupational training, the bureau may publish its own list of acceptable examinations and required passing scores. ~~If the bureau publishes its own list, the list shall include the Comprehensive Adult Student Assessment System examination.~~

(c) The bureau shall, by July 1, 2016, review the list of United States Department of Education approved examinations. If the bureau determines there is no examination appropriate to persons with limited English proficiency the bureau shall approve an alternative examination. In approving an alternative examination, the bureau may consider the Comprehensive Adult Student Assessment System examination.

REGISTERED SUPPORT / OPPOSITION:

Support

None on File

Opposition

None on File

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