

Date of Hearing: April 9, 2024

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Mike Fong, Chair

AB 2768 (Berman) – As Amended April 1, 2024

**[Note: This bill is double referred to the Assembly Committee on Education and will be heard by that Committee as it relates to issues under its jurisdiction.]**

**SUBJECT:** Golden State Teacher Grant Program: nonpublic, nonsectarian schools.

**SUMMARY:** Expands the definition of a “priority school” in determining eligibility for participation in the Golden State Teacher Grant Program (GSTG) Program, to include a nonpublic, nonsectarian school that enrolls individuals with exceptional needs pursuant to an individualized education program and is certified by the California Department of Education (CDE), with 55% or more of its pupils being unduplicated, as defined.

**EXISTING LAW:**

- 1) Establishes the California Student Aid Commission (CSAC) for the purpose of administering specified student financial aid programs (Education Code (EC) Section 69510, et seq.).
- 2) Creates the GSTG Program and requires CSAC, subject to moneys appropriated by the Legislature, to administer the GSTG Program. Authorizes CSAC to provide one-time grant funds of up to \$20,000 to each student enrolled, or who has 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, at either a qualifying institution, as defined, or a professional preparation program approved by the Commission on Teaching Credentialing (CTC) that has a main campus location or administrative entity that resides in California, including professional preparation programs operated by local educational agencies in California, if the student commits to working at a priority school or a California preschool program for four years within the eight years following the date the student completes the professional preparation program;
- 3) Expands GSTG Program eligibility to institutions of higher education that offer services online to students and are either accredited by 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. Caps the percentage of GSTG appropriated funds that can be allocated to support the \$10,000 award level for students taking teacher preparation coursework at these eligible institutions to 8% of the total appropriations provided to support the program;
- 4) Funds appropriated for the GSTG Program in the Budget Act of 2020 and the Budget Act of 2021 shall be available for encumbrance or expenditure by CSAC until June 30, 2026;
- 5) Stipulates that grant funds must be used to supplement and not supplant other sources of grant financial aid, and may be disbursed in more than one academic year, provided that the total amount of funds granted to an applicant does not exceed \$20,000;

- 6) Stipulates that the one-time grant funds issued cannot exceed the amount appropriated for the GSTG Program in the Budget Act of 2020 and the Budget Act of 2021;  
Requires a grant recipient to agree to serve at a priority school or a California preschool program for four years and shall have eight years, upon completion of the recipient's professional preparation program, to meet that obligation. A grant recipient must agree to repay the state 25% of the total received grant funds annually, up to full repayment of the received grant funds, for each year the recipient fails to do one or more of the following:
  - a) Be enrolled in or have successfully completed a professional preparation program approved by the CTC;
  - b) While enrolled in the professional preparation program, maintain good academic standing;
  - c) Before or upon completion of the professional preparation program, satisfy the state basic skills requirement, as specified;
  - d) Complete the required teaching service or clinical practice following completion of the recipient's professional preparation program; and,
  - e) Complete their teacher preparation program and earn a preliminary credential within six years after the first distribution of grant funds.
- 7) Stipulates that CSAC can use up to 1.5% of funding appropriated for purposes of this section for outreach and administration;
- 8) Requires CSAC to develop a process by which students interested in a professional preparation program leading to a preliminary teaching credential or a pupil personnel services credential may submit a request for a preenrollment conditional award notice from the CSAC. The notice shall provide information regarding the GSTG Program award amount the student may be eligible to receive upon enrollment in the professional preparation program and formal application to CSAC to participate in the GSTG Program;
- 9) Authorizes a grant recipient, for purposes of satisfying the service requirement, to use service at a school listed on the most recent list of priority schools published by the CSAC that is available when the grant recipient seeks employment at a priority school. Further service at that school shall continue to satisfy the four-year service requirement, even if the school is no longer included on future priority school lists;
- 10) Authorizes the CSAC to adopt regulations, including any amendments to regulations, necessary for the implementation of the GSTG Program. The CSAC may adopt emergency regulations it deems necessary for the implementation of the GSTG Program, as specified;
- 11) Requires CSAC to conduct, in partnership with the CTC, an evaluation of the GSTG Program to determine the effectiveness of the program in recruiting credential candidates and employing credentialholders at priority schools and California preschool programs;

- 12) Requires CSAC to provide, with respect to the evaluation, a report to the Department of Finance and the appropriate fiscal and policy committees of the Legislature on or before December 31, 2025, and every two years thereafter;
- 13) Requires CSAC to accept applications for the GSTG Program beginning on September 1 for the following academic year and to establish a process and timeline that allows institutions of higher education to provide applicants with grant eligibility determinations before the deadline for enrolling in their professional preparation program; and,
- 14) Stipulates that CSAC permit grant recipients to receive funds in more than one academic year, provided the total amount of funds granted to any applicant does not exceed \$20,000 (EC 69617, et seq.).

**FISCAL EFFECT:** Unknown

**COMMENTS:** *Purpose of the measure.* According to the author, “California is currently experiencing a growing shortage of special education teachers. This shortage has impacted both traditional school settings as well as our state’s nonpublic, nonsectarian schools (NPS). Often deemed the best option for a student when their needs cannot be met in a mainstream classroom, NPS serve many of the state’s most vulnerable public school students with exceptional needs.”

The author states that, “AB 2768 would ensure that grantees under the Golden State Teacher Grant Program (GSTGP) that wish to work with these students at a qualifying NPS will be able to count that time towards meeting their work commitment under the GSTGP.

This measure clarifies that a “priority school” includes a nonpublic, nonsectarian school with 55% or more of its pupils being unduplicated pupils. This would allow grant recipients who would like to work at an NPS to do so and have that time count towards meeting their commitment under the GSTGP.

*Nonpublic, nonsectarian schools (NPS).* The NPS are schools that enroll individuals with exceptional needs pursuant to an individualized education program and are certified by the California Department of Education. Further, the definition of NPS does not explicitly include an organization or agency that operates as a public agency or offers public service, including, but not limited to, a state or local agency, an affiliate of a state or local agency, including a private, nonprofit corporation established or operated by a state or local agency, or a public university or college. Additionally, the definition of NPS makes clear that NPS also must meet standards as prescribed by the State Superintendent of Public Instruction and the State Board of Education.

*Golden State Teacher Grant Program (GSTGP).* The 2019-20 Budget Act established the GSTG Program, which awards up to \$20,000 to students who meet eligibility requirements and commit to a four year service agreement. The program was first available to students who were enrolled during the 2020-21 academic year (AY) in a CTC-approved teacher preparation program to earn their Special Education preliminary teaching credential.

The 2021-22 Budget Act then authorized the expansion of the GSTG Program to students enrolled during the 2021-22 AY who committed to working in an eligible high-need field. Subsequently, the 2022-23 Budget Act authorized an additional expansion of the program to include those working towards their preliminary teaching credential in non-high-need fields and

those working towards their pupil personnel services (PPS) credential. Additionally, all GSTG recipients (including past grantees) were required to complete their program and obtain their credential within three years from the date their first GSTG payment was mailed to their institution, and to complete their four year service at a California priority school within eight years from the date they complete their program.

Further, commencing with the 2022-23 AY, students may receive up to the maximum \$20,000 GSTG award paid out across multiple academic years as long as they continue to meet eligibility requirements each year. The 2023-24 Budget Act expanded the program once again by awarding up to \$10,000 (also payable over multiple academic years) to California residents enrolled in an online credential program at an approved institution that meets specified requirements. The time frame for students to complete their program and obtain their credential was also lengthened from three to six years. Lastly, the service obligation was expanded to be fulfilled at a California preschool program in addition to eligible priority schools.

According to CSAC, it is anticipated that CSAC will exhaust the \$500 million fund allocated for the GSTG Program sooner than anticipated. The CSAC expenditure and projection rates suggest that CSAC will deplete GSTG funds sometime during the 2024-25 budget and/or academic year, which is well ahead of the June 30, 2026, end of the GSTG Program five-year period.

*Related legislation.* AB 1927 (Alanis), passed out of this Committee on March 12, 2024, with a vote of 9 – 0 and is now awaiting a hearing in the Assembly Committee on Education, expands eligibility for the GSTG Program to prospective students who commit to working for four years as a credentialed career technical education instructor, and makes technical and conforming changes to existing law.

*Prior legislation.* SB 114 (Senate Committee on Budget and Fiscal Review), Chapter 48, Statutes of 2023, which, in part, modifies the GSTG Program allowing participants to serve at preschools, and expands the GSTG Program eligibility to institutions that offer services online to students, are accredited by the Western Association of Schools and Colleges, and offer a professional preparation program approved by the CTC as of January 1, 2023.

AB 377 (Muratsuchi and McCarty) of the 2023-24 Legislative Session, which was held on the Suspense File in the Senate Committee on Appropriations, in part, increases funding for the Career Technical Education Incentive Grant Program.

AB 638 (McCarty) of the 2023-24 Legislative Session, which was held on the Suspense File in the Assembly Committee on Appropriations, in part, requires, commencing on or after January 1, 2024, student candidates of the GSTG Program to commit to working for four years in a shortage area, as designated by the CTC, at any California public or nonpublic school, as defined.

AB 1623 (Robert Rivas and O'Donnell) of the 2019-20 Legislative Session, which, per request of the authors, was not heard in the Senate Committee on Education, and subsequently died, sought to establish, subject to appropriation, the GSTG Program under administration of the CSAC. The Program would provide one-time grant funds of \$20,000 to each student enrolled on or after January 1, 2020, in a professional preparation program leading to a preliminary teaching credential, if the student committed to working in a high-need subject area field for four years after they received a teaching credential. To this end, the bill required the CTC to certify if the

recipient had not earned a credential and required the CDE to certify if the recipient had not taught for four years in a high-need subject area field.

AB 169 (O'Donnell) of 2017-18 Legislative Session, which, per the author's request, was not heard in the Senate Committee on Education, and subsequently died, was very similar in nature to AB 1623 (as described above).

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

Achieve Kids  
Alameda County Office of Education  
Aspiranet  
California Alliance of Child and Family Services  
California Association of Private Special Education Schools (CAPSES)  
Children's Health Council (CHC)  
Individual Letters (3)

**Opposition**

None on file.

**Analysis Prepared by:** Jeanice Warden / HIGHER ED. / (916) 319-3960