March 13, 2019

Phil McAllister, Regulatory Actions Coordinator
California Department of Veterans Affairs
1227 O Street, Suite 300
Sacramento, California 95814

By Email: phil.mcallister@calvet.ca.gov

Re: Comment in Support of Proposed Rulemaking Modifications to Title 12 of California Code of Regulations Regarding CSAAVE Title 38 Approval of Postsecondary Institutions

Dear Mr. McAllister:

Veterans Education Success (VES) is writing in support of the modifications to the proposed regulation to adopt California Code of Regulations, title 12, sections 443, 444, 445, 446, and 447 concerning additional requirements on postsecondary educational institutions seeking to enroll veterans or persons eligible for Title 38 funds (popularly known as the “GI Bill”).

On December 10, 2018, 21 veteran, military, and education organizations wrote to endorse the proposed regulation, including VES. As that letter stated, the notice of proposed rulemaking articulated commonsense requirements, including reporting of licensure, graduation, and cohort default rates and compliance with federal/state provisions on advertising, representation, claims, and marketing.

In addition, the letter urged the California Department of Veterans Affairs to adopt two suggestions proposed by the University of San Diego School of Law: (1) amending Sec. 445 by incorporating a simple cross-reference to Education Code section 69432.7 to clarify that CSAAVE will not be approving institutions for veterans that fall below what is required for the institution to participate in the Cal Grant program; and (2) amending Sec. 447 to require schools seeking CSAAVE approval to notify CSAAVE in writing of any civil penalty or judgment rendered against a school and to provide all documentation related to such judgment or penalty within 30 days of its receipt.

VES was disappointed to learn that the revisions to the proposed regulations published on February 28, 2019, did not include the suggestions endorsed by 21 veteran, military and education organizations. VES urges the California Department of Veterans Affairs to reconsider the December 10, 2018 request.

Nonetheless, VES continues to believe that the proposed regulations clarify the application of existing federal and state requirements in one place. They offer predictability for institutions and students alike and will help ensure the proper protection of veterans and taxpayers alike.

Sincerely,

Carrie Wofford, President