

Action Item

California Student Aid Commission

**Consideration of Revised Regulations for the State Nursing Assumption
Program of Loans for Education (SNAPLE)**

The California Student Aid Commission (CSAC) is required by California Education Code 69616-69617 to adopt rules and regulations for the purpose of administering the SNAPLE. After consultation with stakeholders which included the nursing community, postsecondary institution representatives, and the Office of Statewide Health Planning and Development (OSHPD), CSAC staff developed proposed SNAPLE regulations designed to implement the new program.

A stakeholder meeting was held on February 3rd, 2006 to review Commission staff's draft SNAPLE regulations and gather feedback and suggestions from nursing program and financial aid representatives. CSAC staff then incorporated recommendations made at the February 3rd, 2006 stakeholders meeting and on February 10th, 2006, revised draft regulations were shared with all stakeholder meeting attendees, members of the Grant Advisory Committee (GAC), segmental nursing program representatives and legislative staff members. On February 21st, 2006, the Commission held a GAC teleconference for committee members to discuss the SNAPLE regulatory process and provide more feedback.

On February 21st, 2006, the CSAC staff delivered a notice of the proposed regulations and other required documents to the Office of Administrative Law (OAL) to begin the regulatory adoption process. On March 3rd, 2006, OAL approved the Notice of Proposed Regulations and published the Notice in the California Regulatory Notice Register which began the 45-day public comment period. CSAC staff mailed copies of the proposed regulations to Commissioners and all stakeholders, including GAC members and postsecondary institutions.

At the GAC meeting held on March 9th and 10th, 2006, Commission staff presented the SNAPLE proposed regulations yet again and obtained additional feedback and recommendations from the GAC. This meeting was held during the 45-day public comment period and the GAC submitted their comments in writing during the public comment period.

On April 21, 2006, the Commission adopted the SNAPLE proposed rules and regulations as presented by CSAC staff. As the CSAC staff was in the process of preparing the appropriate documents to be presented to the Office of Administrative Law (OAL), late comments were received from the Department of Finance (DOF), identifying an omission that they believed was necessary for the administration of the program. According to DOF, the proposed regulations did

not specify how the Commission would determine demonstrated financial need. In consultation with legal counsel, CSAC staff determined that this change requested by DOF was a substantive change that would need to be made prior to submitting to the OAL. As a result, these changes would require an additional 15-day public comment period. Given that CSAC would be making this change, CSAC used the opportunity to make changes to the proposed regulations to incorporate many of the comments received during the initial 45-day public comment period, including those made by GAC.

CSAC legal counsel and staff worked together to incorporate the necessary changes to begin the new 15-day comment period. Changes were finalized in late June 2006 and were presented to GAC for additional review at their August 3rd workgroup meeting and their August 4th meeting. Once again, GAC comments made at these meetings were incorporated into the proposed changes by CSAC staff.

The enclosed draft regulations are being presented to the Commission for your consideration to begin the 15-day comment period that is required by law given the proposed changes that have been made since the initial approval by the Commission of the draft regulations. Once the 15-day comment period is over, the CSAC staff will submit the final regulations to OAL for approval. OAL will then have 30 business days to review and adopt the proposed regulations.

In an effort to ensure implementation of SNAPLE, the 2006-2007 State Budget re-authorized 100 new awards for the SNAPLE to be awarded upon adoption of the proposed regulations. If the proposed regulations are approved by the Commission and adopted by OAL, CSAC staff anticipates distributing application materials to participating institutions in late fall 2006.

Recommended Action: Authorize staff to take the necessary steps and prepare all required documents to complete the regulatory process.

Responsible Staff: Max Espinoza, Chief
Program Administration and Services Division

Catalina Mistler, Manager
Specialized Programs Operations Branch

**CALIFORNIA STUDENT AID COMMISSION
P.O. Box 419026
Rancho Cordova, CA 95741-9026**

**AMENDMENT TO TITLE 5, DIVISION 4, CHAPTER 1, CA CODE OF REGULATIONS
REGARDING IMPLEMENTATION OF STATE NURSING ASSUMPTION PROGRAM OF
LOANS FOR EDUCATION (Educ. Code §§ 69616-69617)**

PROPOSED TEXT

Text proposed to be added to the California Code of Regulations is displayed in *italic* type.
Text added to the regulations as originally proposed is displayed in underlined type.
Text proposed to be deleted from the regulations as originally proposed is displayed in ~~strikeout~~ type.

Article 16 17. State Nursing Assumption Program of Loans for Education

Section 30910. Definitions

(a) *“Academic year” means a period from ~~July 1 of one calendar year through June 30th of the following calendar year~~ as determined by the employing regionally accredited California college or university.*

(b) *“Accredited college or university” means a college or university that has been accredited by a national or regional accrediting body, including, but not limited to, Middle States Association of Colleges and Schools, The Northwest Commission on Colleges and Universities, North Central Association of Colleges and Schools, New England Association of Schools and Colleges, Inc./Commission on Institutions of Higher Education, Southern Association of Colleges and Schools/Commission on Colleges —SACS-CG, and Western Association of Schools and Colleges/Accrediting Commission for Senior Colleges and Universities.*

(c) *“Regionally Accredited California college or university” means ~~an accredited college or university~~ that has been accredited by a regional accreditation body and that has ~~with a~~ location in California.*

(d) *“Demonstrated academic ability” means academic standing consistent with the requirements established by the accredited college or university for satisfactory progress toward graduation or the award of the graduate degree.*

(e) *“Demonstrated financial need” means financial need as determined under Article 1.5 (commencing with Section 69503) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code.*

(f) “Eligible noncitizen” means a United States resident as defined for financial aid purposes under Title IV of the federal Higher Education Act of 1965.

(g) “Full-time” and “full-time basis” means full-time employment, as determined by the employing regionally accredited California college or university.

(h) “Other natural causes” means a disease, or physical or mental condition involving inpatient care in a hospital or residential health care facility, or continuing treatment or continuing supervision by a health care provider, or family care and medical leave under Government Code section 12945.2 or the federal Family and Medical Leave Act of 1993.

(i) “Part-time” and “part-time basis” means part-time employment, as determined by the employing regionally accredited California college or university.

(j) “Half-time basis” means half-time enrollment as determined by the academic requirements of the participating institution.

~~(j)~~(k) “Participating institution” means an accredited college or university that has elected to participate in the program by submitting nominations of students to the Commission under the provisions of this Article.

~~(k)~~(l) “Program” means the State Nursing Assumption Program of Loans for Education established in Article 5.6 (commencing with section 69616) of Chapter 2 of Part 42 of Division 5 of Title 3 of the California Code of Education and as set forth in this Article.

~~(l)~~(m) “Program participant” means a student who has a loan assumption agreement signed by both the student and the Commission.

~~(m)~~(n) “Satisfactory academic progress” means academic standing consistent with the requirements of the accredited college or university for satisfactory progress toward the award of the graduate degree.

~~(n)~~(o) “Serious illness” means an illness involving inpatient care in a hospital or residential health care facility, or continuing treatment or continuing supervision by a health care provider, or family care and medical leave under Government Code section 12945.2 or the federal Family and Medical Leave Act of 1993.

(p) “Cost of Attendance” means the student budget at the participating institution for the nominated student that includes tuition, fees, housing, food, books, transportation and personal expenses for the year. It may also include an allowance for the rental or purchase of a computer, child care or other dependent care costs and additional expenses for students with disabilities not already covered.

Note

Authority cited: Section 69616.6 of the Education Code. Reference: Sections 69616.1, 69616.2, 69616.3, 69616.4, 69616.5 and 69616.7 of the Education Code.

Section 30911. Application to Participate in the Program

A student enrolled in a participating institution shall submit an application to participate in the program to his or her participating institution. The application shall include the following information:

(a) Personal information:

- (1) Last name, first name and middle initial;*
- (2) Social Security number;*
- (3) Address and telephone number;*
- (4) Date of birth;*
- (5) E-mail address, if available;*
- (6) California Registered Nurse License number, if available;*

(7) a copy of the student's federal Student Aid Report generated by the United States Department of Education based upon the Free Application for Federal Student Aid (FAFSA) with an Expected Family Contribution (EFC) for the academic year in which the student applies to the program. Verification of information provided in the FAFSA and used to calculate the EFC may be requested by the Commission as necessary. Failure to provide verification in a timely manner, if requested, may result in disqualification from consideration for an award.

(b) Eligibility criteria information, which shall include the student's representation that the student:

- (1) is a United States citizen or eligible noncitizen;*
- (2) is a resident of California;*
- (3) is in compliance with Selective Service requirements;*
- (4) does not owe a refund on any state or federal educational grant;*
- (5) does not currently have a delinquent or defaulted student loan.*

(c) Information relating to criteria for being awarded a loan assumption agreement:

(1) Representations that the student:

- (i) is enrolled in an academic program leading to a baccalaureate degree and is accepted to a graduate program in nursing at an accredited college or university, and the name of that college or university; or*
- (ii) has obtained a baccalaureate degree and is accepted to a graduate program in nursing at an accredited college or university, and the name of that college or university; or*
- (iii) is enrolled in a graduate program in nursing at an accredited college or university, and the name of that college or university.*

(2) Student's agreement to:

- (i) maintain satisfactory academic progress; and*
- (ii) teach in a nursing program on a full-time basis at one or more regionally accredited California colleges or universities for at least three consecutive academic years,*

or for five consecutive academic years on a part-time basis, immediately after obtaining a graduate degree in nursing education;

(3) The name of lender, loan identification number(s), and current balance(s) of a loan or loans the student has received, or has been approved to receive, in order to meet the costs of obtaining a graduate degree in nursing, under one or more of the following designated loan programs:

- (i) the Federal Family Education Loan Program (20 U.S.C. Sec. 1071 et seq.);
- (ii) the Federal Direct Loan Program (20 U.S.C. Sec. 1087b et seq.);
- (iii) ~~privately funded student loans to the student issued through institutions of higher education, or financial institutions or companies, any loan program approved by the Commission on a case by case basis but not including lines of credit, home equity loans, credit card debt, and other general consumer loans, business loans, personal loans, or mortgages.;~~

(4) The student's cost of education attendance at the participating institution for the academic year of application to the program.

(d) The application shall state that by signing, the student agrees that, if requested, the student will provide information or documentation to verify the accuracy of the information included in the application, and the student understands that failure to provide accurate and complete information as requested may result in disqualification from the program and loss of program benefits. The application shall be dated and signed by the student under penalty of perjury under the laws of the State of California.

Note

Authority cited: Section 69616.6 of the Education Code. Reference: Sections 69616.1 and 69616.7 of the Education Code.

Section 30912. Nominations by a Participating Institution

(a) A participating institution may nominate one or more students who have submitted applications to participate in the program by complying with the procedures listed in this section.

~~(b)~~ The participating institution may nominate a student satisfying the requirements in this section and in section 30911 by submitting to the Commission the following:

- (1) the student's application;
- (2) the participating institution's certifications:
 - (i) that the student is enrolled in, or has been admitted into, a graduate nursing program in which the student will be enrolled on at least a half-time basis, as determined under the academic requirements of the participating institution;
 - (ii) that the student is making satisfactory academic progress;
 - (iii) that the student has demonstrated academic ability;
 - (iv) that it is an accredited college or university; and
 - (v) of the date the student is expected to receive his or her graduate nursing degree;

(3) the participating institution's determination that the student has demonstrated outstanding ability to become a nursing faculty member, on the basis of the following criteria:

- (i) grade point average;
- (ii) faculty evaluation of the student's ability to become a nursing faculty member based on the factors used by the participating institution to hire nursing faculty;

(4) the student's grade point average, certified by the participating institution;

(5) the student's cost of attendance for the academic year of application to the program.

(c) Each nomination, including the certifications required by this section, submitted by a participating institution shall be signed by the director of the participating institution's nursing program or designee under penalty of perjury under the laws of the State of California.

Note

Authority cited: Section 69616.6 of the Education Code. Reference: Sections 69616.1, 69616.2, 69616.3 and 69616.7 of the Education Code.

Section 30913. Award Process

(a) The Commission shall select program participants from among the students whose nominations are received by the Commission by the designated deadline date May 31 of each academic year and whose nominations and applications are complete. If the maximum allocation of awards is not exhausted after this selection process is completed, the Commission may continue to accept nominations and select program participants based on the date the nominations are received by the Commission. The Commission may continue to make awards until the maximum allocation is satisfied.

(b) The Commission shall only consider and select from among nominated students who have demonstrated financial need. The Commission shall determine that such financial need exists if the student's cost of attendance at the participating institution for the academic year exceeds the student's Expected Family Contribution (EFC) for that year.

~~(b)~~(c) Nominated students who have demonstrated financial need, as determined in subsection (b) will be scored and awarded points using the following selection criteria:

(1) Nominated student's expected date of the award of the graduate nursing degree – points will be awarded according to the length of time remaining until the nominated student is expected to receive the graduate nursing degree, as follows:

GRADUATE NURSING DEGREE AWARD	POINTS
Completion Within Four Years or Less	20
Completion Within Three Years or Less	30
Completion Within Two Years or Less	40
Completion Within One Year or Less	50

(2) Nominated student's grade point average in the graduate nursing program – points will be awarded as follows:

GRADUATE GPA	POINTS
--------------	--------

2.99 or Less	0
3.00 - 3.24	10
3.25 – 3.49	15
3.50 – 3.74	20
3.75 – 3.99	25
4.00	30

A nominated student who does not have a grade point average for the graduate nursing program, but has an undergraduate grade point average of at least 3.00 will be awarded 10 points.

(3) In addition to the points based on expected date of degree award and GPA, A a nominated student with an active RN license issued by the California Board of Registered Nursing will be awarded 20 points.

~~(e)~~(d) The Commission will select nominees with the highest point totals until the authorized award allocation is exhausted. In the case of a tie in the total number of points, the Commission will select nominees based on the earliest date of receipt of the nomination by ~~the Commission~~ expected graduation and in the case of a secondary tie, by the highest GPA.

Note

Authority cited: Section 69616.6 of the Education Code. Reference: Sections 69616.5 and 69616.7 of the Education Code.

Section 30914. Loan Assumption Agreements

(a) The Commission shall provide a loan assumption agreement to each nominated student who has been chosen by the Commission to be a program participant. The loan assumption agreement shall be effective when both the program participant and the Commission have signed the agreement.

(b) The loan assumption agreement shall include the following:

- (1) The program participant's agreements to
 - (i) maintain satisfactory academic progress;
 - (ii) be enrolled on at least a half-time basis each academic term;
 - (iii) continue to satisfy the requirements in section 30911(b)(1)-(5);
 - (iv) teach nursing on a full-time basis at ~~an~~ one or more regionally accredited California colleges or university universities for at least three consecutive academic years, or five consecutive academic years on a part-time basis at one or more regionally accredited California colleges or universities, immediately after obtaining a graduate nursing degree; and
 - (v) authorize the accredited college or university he or she is attending, employers, and lenders to provide information requested by the Commission for the purposes of administering the loan assumption agreement.

(2) The Commission shall agree that:

(i) after the program participant has completed one academic year teaching nursing on a full-time basis at ~~an~~ one or more regionally accredited California colleges or ~~university~~ universities, or the equivalent on a part-time basis at one or more regionally accredited California colleges or universities, the Commission shall assume, subject to the requirements of section 30915, up to eight thousand three hundred thirty-three dollars (\$8,333) of the outstanding liability of the participant under one or more of the designated loan programs;

(ii) after the program participant has completed two consecutive academic years of teaching nursing on a full-time basis at ~~an~~ one or more regionally accredited California colleges or ~~university~~ universities, or the equivalent on a part-time basis at one or more regionally accredited California colleges or universities, the Commission shall assume, subject to the terms of section 30915, up to an additional eight thousand three hundred thirty-three dollars (\$8,333) of the outstanding liability of the participant under one or more of the designated loan programs, for a total loan assumption of up to sixteen thousand six hundred sixty-six dollars (\$16,666); and

(iii) after the program participant has completed three consecutive academic years of teaching nursing on a full-time basis at ~~an~~ one or more regionally accredited California colleges or ~~university~~ universities, or the equivalent on a part-time basis at one or more regionally accredited California colleges or universities, the Commission shall assume, subject to the terms of section 30915, up to an additional eight thousand three hundred thirty-three dollars (\$8,333) of the outstanding liability of the participant under one or more of the designated loan programs, for a total loan assumption of up to twenty-five thousand dollars (\$25,000).

(3) The program participant shall agree to the provisions of section 30916.

(c) The term of the loan assumption agreement shall be no more than 10 years from the date signed by the program participant and the Commission.

(d) The loan assumption agreement shall constitute a conditional warrant that may be redeemed with the Commission as specified in section 30915.

Note

Authority cited: Section 69616.6 of the Education Code. Reference: Sections 69616.3, 69616.6, and 69616.7 of the Education Code.

Section 30915. Loan Payments

(a) A program participant may redeem the conditional warrant and the Commission shall make loan payments, as provided in subsection (c), when:

(1) the program participant has provided documentation certifying that the program participant has received a graduate degree in nursing from an accredited, participating institution;

(2) the program participant has provided the following employment information for each applicable year of employment subject to the loan assumption agreement:

(i) program participant's name and social security number;

(ii) names and addresses of the program participant's employers;

(iii) program participant's signature under penalty of perjury under the laws of the State of California.

(3) the program participant has provided the following employment information from his or her employers for each applicable year of employment subject to the loan participation agreement:

(i) statement that the program participant completed an academic year of teaching nursing on a full-time basis, or, if the program participant is employed on a part-time basis, the percentage of employment as related to full-time, or a statement that the program participant did not complete an academic year of teaching nursing and the reason for not completing the academic year;

(ii) statement indicating whether or not the employer anticipates the program participant will be employed by the employer for the next academic year;

(iii) statement that the employer is an regionally accredited California college or university;

(iv) employer representative's printed or typed name, title, and telephone number;

(v) employer representative's signature under penalty of perjury under the laws of the State of California;

(4) the program participant has provided the following information from each lending institution on the loans subject to the loan assumption agreement:

(i) program participant's name and social security number;

(ii) account number for each loan;

(iii) interest rate for each loan;

(iv) disbursement date for each loan;

(v) payoff amount for each loan as of June 30;

(vi) indication for each loan whether the loan is delinquent or in default;

(vii) lending institution/servicer name;

(viii) lending institution/servicer eight-digit servicer identification code;

(ix) address for where payment is to be sent;

(x) a signature of the lending institution official under penalty of perjury under the laws of the State of California

(xi) printed name of the lending institution official;

(xii) e-mail address of the lending institution official;

(xiii) telephone number of the lending institution official;

(5) the Commission has determined that the program participant has satisfied the loan payment requirements of the loan assumption agreement.

(b) A program participant who teaches on less than a full-time basis is not eligible for a loan payment until he or she teaches for the equivalent of a full-time academic year.

(c) Loan payments shall be made by lump-sum payment to the lender, to be applied directly to the principal balance, if not otherwise prohibited by applicable law or by the terms of the loan agreement between the program participant and the lender. Payments shall first be made toward loans with the highest interest rates. The program participant shall continue to make payments as required under the terms of the loans to avoid defaulting on those loans, until notified by the lenders or loan servicers that the loans are paid in full.

Note

Authority cited: Section 69616.6 of the Education Code. Reference: Sections 69616.1, 69616.2, 69616.3, 69616.4 and 69616.7 of the Education Code.

Section 30916. Failure to Comply with the Loan Assumption Agreement

(a) A program participant who fails to meet the requirements of section 30911(b)(1)-(5) throughout the term of the loan assumption agreement, or who fails to complete a minimum of three consecutive academic years of teaching in nursing at ~~an~~ one or more regionally accredited California colleges or university universities on a full-time basis, or five consecutive academic years on a part-time basis, shall repay loan payments previously provided by the program and shall retain responsibility to continue to make any payments required under the terms of any outstanding loans to avoid defaulting on those loans.

(b) If a program participant is unable to complete one of the three consecutive academic years of teaching nursing at ~~an~~ one or more regionally accredited California colleges or university universities on a full-time basis, or any of the five consecutive academic years on a part-time basis, due to serious illness, pregnancy, or other natural causes, the program participant shall receive a deferral for a period of not to exceed one academic year. This deferral shall be in the form of a delay of one academic year in the program participant's obligation to repay the Commission for loan payments previously provided by the program. The program participant, however, shall retain responsibility to continue to make any payments required under the terms of any outstanding loans to avoid defaulting on those loans.

Note

Authority cited: Section 69616.6 of the Education Code. Reference: Sections 69616.4 and 69616.7 of the Education Code.

Section 30917. Development of Projections for Funding Purposes

The Commission shall use program participants' expected dates of graduation and employment dates to project the funding level required to provide loan payments under the program.

Note

Authority cited: Section 69616.6 of the Education Code. Reference: Section 69616.6 of the Education Code.

**State Nursing Assumption Program of Loans for Education (SNAPLE)
Comments & Responses on Proposed SNAPLE Regulations**

1. Section 30910 (a) Academic Year.

Public Comments:

“definition should include language that states “or equivalent academic year as defined by accredited college or university not using semester or quarter system.” *Angie Strawn, Campus Chair for Health Science and Nursing, Univ. of Phoenix*

“The Grant Advisory Committee (GAC) recommends that a minimum time-frame be reference to define academic year and added to this definition, and also that this time frame reference the federal definition included in Title IV regulations (currently 30 weeks.)”

CSAC Action: Amended.

CSAC staff amended the initial definition to authorize the employing regionally accredited college or university to verify and determine the employment. Legal council advised CSAC staff that federal definition is used to define student enrollment, not faculty employment. Therefore, the federal definition does not apply and is not applicable to the employment terms.

2. Section 30910 (b) Regional Accrediting Body.

Public Comments:

“There are national accrediting bodies that are approved by the U. S. Dept. of Education such as: ACICS, ABHES, ACCSCT, ACDETC, NYSEDHBNP. These national accrediting bodies are recognized by the AACN (American Association of Colleges of Nursing) and the NLANAC (National League for Nursing Accrediting Commission).” *Dianne Moore, Dean of Nursing, West Coast University*

“GAC recommends that abbreviations be eliminated as abbreviations are not referenced for the other accrediting bodies listed. In the alternative, if an abbreviation is used for one entity, the abbreviations should be used for all accrediting bodies referenced.”

CSAC Action: Amended.

CSAC staff considered and incorporated both recommendations in the definition.

3. Section 30910 (e) Demonstrated financial need as determined by the commission pursuant to Article 1.5 (commencing with Section 69503).

Public Comments:

“An RN with a bachelor’s degree that is working would have too much income to qualify for these funds. I believe that a different definition of need should be utilized for determining eligibility. You may very well end up with funds available and no one eligible to receive them.” *Holly Stromberg, Director of Nursing Programs, Allan Hancock College*

“Majority of practicing registered nurses make good money and adding this to the program will eliminate a huge number of registered nurses who may be interested in pursuing a career in nursing education.” *Pauline M. Canas, Univ. of Phoenix, BSN student.*

“The income level to ‘demonstration of financial need’ would exclude most/if not all Registered Nurses from this program....The practical experience required to teach would exclude the vast majority of nurses from participation in this program. The wages of an RN would further exclude nurses from financial need.” *Kim Tomasi, RN*

“Demonstrated financial need as determined by the Cal Grant formula may virtually eliminate all RN applicants as working RNs make too much money. Believe this should be based on merit or any student who has a student loan regardless should be eligible. So demonstrated financial need then be based on educational indebtedness.” *Angie Strawn, Campus Chair for Health Science and Nursing, University of Phoenix.*

“The average salary for a working registered nurse is above the standard income to be considered for a Cal Grant. Using the Cal Grant Standard will eliminate most registered nurses working in a clinical setting from obtaining the financial aid. I propose that financial need not be required by the applicant to be accepted by the State Nursing Assumption Program of Loans for Education.” *Melissa Tifford, RN*

“Most registered nurses (RN’s) working in their field with enough experience to teach entry level nursing students will not show a “financial need.” *Katie Nilsson, RN*

CSAC Action: No Change.

Education Code Section 69616.1 (c) (1) legislates that the Commission must determine need in accordance with this Article of the Education Code. Therefore, the Commission is limited to this method of determining eligibility.

4. Section 30910 (j) Half-time basis.

Public Comments:

GAC recommends that the definitions be consistent and inclusive, and therefore, recommends adding “half-time enrollment” to the definitions.” Half-time

enrollment, as determined under the academic requirements of the participating institution.

CSAC Action: Added.

CSAC staff added this section to define half-time enrollment.

5. Section 30910 - Add definitions:

Public Comment:

Nurse – for the purposes of this program refers to Registered Nurse (RN) only.
Nursing program – for the purposes of the program refers to pre-RN licensure program only. *Angie Strawn, Campus Chair for Health Science and Nursing, Univ. of Phoenix*

CSAC Action: No Change.

No change to the “Nurse” definition. Since the legislation did not limit this program to RNs only, nor to RN programs, the Commission staff did not limit it in its definition.

6. Section 30911 (a) (4) Date of Birth

Public Comments:

“Remove **date of birth.**” *Angie Strawn, Univ. of Phoenix*

CSAC Action: No Change.

The date of birth is used as an identifier.

7. Section 30911 (a) (6) Add California Board of Registered Nursing

Public Comment:

“Add California-License number issued by the California Board of Registered Nursing”. *Angie Strawn, Campus Chair for Health Science and Nursing, Univ. of Phoenix*

CSAC Action: No Change.

In the latest version of the proposed regulations for SNAPLE, the Commission staff inserted California so that it reads California Registered Nurse License number, if available.

8. **Section 30911 (a) (7) Copy of Student Aid Report**

Public Comment:

The California Department of Finance identified an omission of how the CSAC would determine demonstrated financial need.

CSAC Action: Added.

CSAC staff determined that a copy of the Student Aid Report would be used as verification to calculate the Estimated Family Contribution and added this section to the proposed regulations.

9. **Section 30911 (b) (5) Delinquent**

Public Comment:

“Strike *delinquent or*. There is no industry standard on what delinquency means but default is very clear amongst all lenders.” Coordinated response from UCSF

CSAC Response: No Change.

Education Code Section 69616.1. (a) (5) states that the participant shall not owe a refund on any state or federal educational grant or have delinquent or defaulted student loans.

10. **Section 30911 (c) (2) (ii) Agreement to Teach**

Public Comment:

“Agreement to teach – What if employment in teaching cannot be found in local area? What is the radius of distance from home is reasonable for commute to teach? If intent to find employment to teach is evidenced at a college or university, should applicant be penalized by being ruled ineligible? How can RN afford to leave service arena to be faculty and take a 40% pay cut?”

CSAC Action: No Change.

The intent of the Legislature is that the SNAPLE be designed to encourage persons to complete their graduate educations and serve as nursing faculty at an accredited California college or university. To fulfill the intent, a participant must teach in a California college or university to obtain the assumption benefits of the program.

11. **Section 30911 (c) (3) Add loans**

Public Comment:

“Add these loans to list: Federal Perkins loans and the HRSA Nurse Faculty Loan Program.” UCSF

“The GAC strongly recommends that the Federal Perkins Loan, awarded to the neediest of students, be included in the loans designated as eligible for assumption.”

CSAC Action: Added.

Education Code Section 69616.1. (c) (5) allows the Commission to approve any loan program. The intent of this regulation is not to eliminate Perkins Loans or the HRSA Nurse Faculty Loan Program. The Commission staff added language to consider any loan programs, on a case by case basis.

12. **Section 30911 (d) Verification**

Public Comment:

Recommendation that on the application the Commission state “By signing this application you agree, if asked, to provide information that will **verify** the accuracy of your completed form.” *Mary Gill, Assembly Higher Education Committee*

CSAC Action: Added.

CSAC staff added language that requires verification of accuracy of the information provided and consequences of providing inaccurate or incomplete information.

13. **Section 30912 Cross Reference to Definitions & Award Based on Merit**

Public Comment:

(1) “Suggest **cross reference** to definitions of Section 30910.”

(2) “Support award based on **merit**, not financial need.” *Angie Strawn, Univ. of Phoenix*

CSAC Action: No Changes.

(1) The Commission staff does not feel cross reference is necessary for clarity.

(2) Awards are based on merit, as well as need, both mandated by legislation

14. **Section 30912 (b) (3) (ii) “...based on the factors used by the participating institution to hire nursing faculty;”**

Public Comment:

“...based on the factors used by institutions that hire nursing faculty. The GAC recommends these suggested changes, as indicated, to provide clarification and consistency to the process.”

CSAC Action: No Changes.

Rather than burden each institution with researching the hiring standards of other institutions, the Commission staff asks the nominating school to evaluate the student, not as though the student already possessed all of the factors they use for hiring educators at their institution, but to determine if they would expect that the student would acquire these factors.

15. **Section 30913 (a) Add Opening Date & Suggest Language**

Public Comment:

(1) “Need to **add opening date** for the start of receiving applications.”

(2) “**Suggest language** that allows MSN graduate the ability to apply within and up to 2 years after completion of MSN.” *Angie Strawn, Univ. of Phoenix*

CSAC Action: No Changes.

(1) Opening date in the regulations is not necessary.

(2) Allowing someone who **already holds a graduate degree** to apply does not meet the **intent** of the legislation in Education Code 69616 (c) which states that it is “designed to encourage persons to complete their graduate educations.....” Also, Education Code Section 69616.1 (c) (2) states “the applicant shall have completed a baccalaureate degree program or be enrolled in an academic program leading to a baccalaureate level or a graduate level degree. This statute eliminates consideration of a student who already holds a graduate degree.

16. **Section 30913 (b) Education Code**

Public Comment:

“...the selection criteria as required in the Ed Code, including: ...The GAC recommends referencing the Ed Code and also listing all requirements so that a person does not have to go to the Ed Code for clarification.”

CSAC Action: No Changes.

The Commission staff does not feel that this is necessary because the Education Code is referenced as “authority cited” at the end of each Section of the proposed regulations.

17. **Section 30913 (b) (2) GPA Point System**

Public Comment:

“GPA point system should be modified to increase each level by 5 points and make >3.75 worth the full 30.” *Audrey Berman, Dean of Nursing, Samuel Merritt College*

CSAC Action: No Changes.

The Commission staff considered different alternatives to accomplish the intent which is to separate the highest 100 SNAPLE applicants. After taking into consideration input from various stakeholders and all segments, this methodology was chosen to accomplish the intent.

18. **Section 30913 (3) 20 Points Awarded**

Public Comments:

“Are the 20 points awarded to students with an active RN license received in addition to the points awarded in (1) and (2)? I think they are...I'd just like to know. This is not a suggestion for a change in the proposed regulations just an inquiry. Thanks”. *Mary Gill, Assembly Higher Education Committee*

CSAC Action: No Changes.

Yes, the 20 points awarded to students with an active RN license are in addition to the points awarded in 30913 (1) & (2).

19. **Section 30913 (c) In the Case of a Tie**

Public Comments:

“**In the case of a tie** in the total number of points, the Commission will select the nominee(s) with the highest outstanding loan indebtedness eligible for assumption under the rules of this program.” *Mary Gill, Assembly Higher Education Committee*

“Tie breaker – system as stated was not well received. Section 30912 (d) states that applications are submitted by participating institution. Therefore, nominations could be received in a batch on the same day. How would order received then be determined? How would this be tracked? Does this rule out

electronic submission? Do you want to rule out electronic submission? Do you want hard copy only? ” *Angie Strawn, Univ. of Phoenix*

“The GAC, in keeping with the language of the statute, namely that students should be selected based on academic merit, outstanding ability, or human resources needs, recommends that a tie be resolved by first ranking the students according closest to graduation and then, in the event of secondary tie, according to GPA.”

CSAC Action: Amended.

CSAC staff amended the regulation based on the earliest date of expected graduation and secondary tie by the highest Grade Point Average.

20. **Section 30914 (b) (1) (iv) Adding Language**

Public Comment:

(1) “Consider **adding language** that a faculty member may work on a full-time basis at one or more accredited California colleges or universities so it will be in accordance with 30911 (c) (2) (ii).” *UCSF*

CSAC Action: Added.

Public Comments:

(2) Immediately: “What does immediately mean? How many months after graduation do you expect the new graduate to start working? I also would like to get clarification as to the “part-time basis” – as to how many days is considered part-time? The reason I brought the topic of part-time is to make the program more attractive to prospective participants by making the criteria more flexible.” *Pauline M. Canas, Univ of Phoenix BSN student*

“My question is, will the applicant be assigned a position which is open, or will the applicant need to find an available position at an accredited nursing school? And if the latter is the case, will there be a grace period for the candidate to find a teaching position?” *Katie Nilsson, RN*

“Immediately –some schools will require post-MSN graduation work experience before being considered eligible to teach in RN program.” *Angie Strawn, Univ. of Phoenix*

CSAC Action: No Changes.

Immediately: The Commission staff left this word undefined because it then gives the Commission leeway to address situations on a case by case basis.

Part-time: This is to be defined by the employing institution based on their criteria for full-time employment.

Public Comment:

“Need **definition of nursing** in Section 30910 to make this clear.” *Angie Strawn, Univ. of Phoenix.*

CSAC Action: No Changes.

Per response to 30910 (b), the legislature did not create authority in statute to limit the definition, therefore, the Commission staff did not limit by definition in the regulations.

21. **Section 30915 (c) Principal Balance**

Public Comment:

“Strike **principal**, as it is in conflict with federal banking code Regulation Z which rules that interest is paid off first.” *UCSF*

CSAC Action: Amended.

CSAC staff amended the regulations in order that any other laws or agreements made between the participant and the lender are not superseded.

22. **Section 30916 (a) Repay the Loan**

Public Comment:

“In case of non-compliance where the participant has to **repay** the loan, does this include penalty and interest and how much are they? These are mainly concerns and in no way refute the validity of the need for a SNAPLE program but the barriers that stop nurses from pursuing advance careers should be taken into consideration such as the importance of flexibility. This is one of the word that constantly reminded me throughout my career which I learned right from the beginning of my nursing education. What concerns me the most is what I commonly heard from my colleagues about the reasons for not going to graduate school? In light of the nursing educator shortage, I very much would like to see the loan forgiveness program to become a reality”. *Pauline M. Canas, Univ. of Phoenix BSN student*

CSAC Action: No Changes.

No provision for repayment of penalties and interest was included in the legislation. Therefore, they were not included in the regulations.

The comments regarding barriers and reasons for not going to graduate school did not cite the barriers or reasons and, therefore, the Commission staff could not respond to this comment.

23. **Section 30916 (b) Natural Causes**

Public Comment:

“The GAC recommends that other natural causes include and reference natural disasters such as earthquakes, hurricanes.”

CSAC Action: No Changes.

In the context of the legislative language, the Commission staff interprets this as meaning any natural physical cause because it is preceded by examples that are related to physical conditions of the participant.

24. **Adequate Faculty Positions and Retention**

Public Comment:

“I find it valuable to nursing education and progress of professional nursing. The reasons for the program are well stated. The definitions provided are understandable and the refunds and requirements for refund are clearly defined. I have a question concerning faculty positions upon completion of the program. Are there adequate faculty positions available to persons incumbent upon fulfilling their obligations for loan repayment? I believe this program will assist in obtaining faculty for nursing education. This program may not entice nurses to remain in education beyond their payback commitment due to the salaries paid to educators versus the salaries available to graduate level nurses in the open market. However, I do think it is a great start at obtaining faculty, and certainly has potential for retention once nurses can personally reap the rewards as a successful nurse educator”. *Elaine Dunlop, Director, HCO/PI/JCAHO at Doctors Hospital of Manteca*

CSAC Action: No Action.

The Legislature, educational and stakeholders community foresees a great need for faculty because a large percentage of the current faculty is at or very near retirement age. Regarding retention, we hope that SNAPLE will be a means to entice nurses into the field of education and that they will remain in the field after their SNAPLE benefits have been exhausted.