

**CALIFORNIA STUDENT AID COMMISSION  
P.O. Box 419029  
Rancho Cordova, CA 95741-9029**

**AMENDMENT TO TITLE 5, CA CODE OF REGULATIONS REGARDING  
CALIFORNIA NATIONAL GUARD EDUCATION ASSISTANCE AWARD PROGRAM  
(CNG EAAP)  
(EDUCATION CODE 69999.10 *et seq.*)**

**NOTICE OF PROPOSED RULEMAKING**

**NATURE OF PROCEEDING**

Notice is given that the California Student Aid Commission (Commission) is proposing to take the action described in the Informative Digest.

A public hearing regarding this proposal is currently not scheduled. However, any interested person or duly authorized representative may request, no later than 15 days before the close of the written comment period that a public hearing be scheduled.

Following the public hearing, if one is requested, or following the written comment period, if no public hearing is requested, the Commission, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days before its adoption from the persons designated in this Notice as contact persons and will be mailed to those persons who submit written comments related to this proposal, or who provide oral testimony if a public hearing is held, or who have requested notification of any changes to the proposal.

**WRITTEN COMMENT PERIOD**

Notice is also given that any interested person, or his or her authorized representative, may submit written comments relevant to the proposed emergency regulatory action to:

California Student Aid Commission  
Attention: Kristen Trimarche  
P. O. Box 419029  
Rancho Cordova, CA 95741-9029

Comments may also be submitted by facsimile (FAX) at (916) 464-8033 or by e-mail to [CNGRegsComment@csac.ca.gov](mailto:CNGRegsComment@csac.ca.gov). Comments must be submitted before 5:00 P.M. on June 25, 2012. The Commission will consider only comments received at the Commission by that time.

**AUTHORITY AND REFERENCE**

Pursuant to the authority vested by section 69999.22 of the Education Code, and to implement, interpret, or make specific sections 69999.10-69999.30 of the Education Code, the Commission is considering changes to Division 4 of Title 5 of the California Code of Regulations as follows:

amend sections 30730-30736 to implement, interpret, and make specific sections 69999.10-69999.30 of the Education Code establishing the California National Guard Education Assistance Award Program (CNG EAAP).

## **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

The California National Guard performs an essential public purpose in protecting the health, safety, and property of California's citizens, and in order to fulfill its objectives, it is necessary for the California National Guard to have sufficient human resources to deal with a natural or human-caused disasters and emergencies. It is the intent of Legislature to provide an inducement to members of the California National Guard to maintain the required strength in the California National Guard.

The proposed regulations would implement, interpret, and make specific the elements of CNG EAAP. Specifically, the proposal would:

1. Enhance existing and include additional definitions;
2. Integrate current regulations to identify qualifying educational institutions;
3. Establish a new initial application deadline to correlate with the program administration process;
4. Specify a renewal application process; and,
5. Incorporate leave of absence and appeal processes.

There are no comparable provisions of federal law related to this proposal.

## **OTHER STATUTORY REQUIREMENT**

The Commission, in consultation with the Military Department developed the proposed regulation text for the CNG EAAP.

## **DISCLOSURES REGARDING THE PROPOSED ACTION**

The Commission has made the following initial determinations:

**MANDATE ON LOCAL AGENCIES AND SCHOOL DISTRICTS:** None

**COSTS OR SAVINGS TO STATE AGENCIES:** None

## **FISCAL IMPACT ESTIMATES**

This proposal does not impose costs on any local agency or school district for which reimbursement would be required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. This proposal does not impose other nondiscretionary cost or savings on local agencies. This proposal does not result in any cost or savings in federal funding to the state.

**EFFECT ON HOUSING COSTS:** None

## **BUSINESS IMPACT / SMALL BUSINESSES**

The Commission has made a determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposal would impose no costs upon business. The proposal does not affect small businesses as defined by California Government Code Section 11342.610. This proposal would not affect private sector or small business due to the population the program targets which is active members of the California National Guard, State Military Reserve, and Naval Militia.

### **ASSESSMENT REGARDING EFFECT ON JOBS / BUSINESSES**

The Commission has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

### **COST IMPACT ON REPRESENTATIVE PERSON OR BUSINESS**

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

### **BUSINESS REPORT**

This regulatory proposal does not require a report.

### **ALTERNATIVES**

In accordance with Government code section 11346.5, subdivision (a)(13), the Commission must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the agency's attention, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective as and less burdensome to affected private persons than the proposed action.

The Commission invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

### **CONTACT PERSONS**

Inquires concerning the proposed adoption of the regulations and written comments may be directed to:

Kristen Trimarche  
California Student Aid Commission  
P.O. Box 419029  
Rancho Cordova, CA 95741-9029

(916) 464-6439  
(916) 464-8033 Facsimile

The back-up contact person for these inquiries is:

Kathleen Stanley  
California Student Aid Commission  
P.O. Box 419029  
Rancho Cordova, CA 95741-9029

(916) 464-7203  
(916) 464-8033 Facsimile

### **AVAILABILITY OF THE STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING FILE**

Copies of the exact language of the proposed regulations and all the information upon which the proposal is based may be obtained by making a written request to the contact person named above.

These documents may also be viewed and downloaded from the Commission's Web site at [www.csac.ca.gov](http://www.csac.ca.gov).

### **AVAILABILITY OF CHANGED OR MODIFIED TEXT**

After considering all timely and relevant comments received, the Commission may adopt the proposed regulations substantially as described in this notice. If the Commission makes modifications which are sufficiently related to the originally proposed text, it will make the modified text, with changes clearly indicated, available to the public for at least 15 days before the Board adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Kristen Trimarche at the above address. The Commission will accept written comments on the modified regulations for 15 days after the date on which they are made available.

### **AVAILABILITY OF THE FINAL STATEMENT OF REASONS**

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Kristen Trimarche at the above address.

### **WEBSITE ACCESS**

Materials regarding this proposal can be found at [www.csac.ca.gov](http://www.csac.ca.gov).