

<b>ADDENDUM A</b>			
<b>Comment #</b>	<b>Section #</b>	<b>Substance of Comment</b>	<b>Bureau's Response</b>
3 (at p. 1)	74110(a)(1)	Clarify that only information related to California campuses are required to be included in the Annual Report.	Reject. Unnecessary as the Bureau only regulates institutions and their campuses with a physical presence in California. The institution's out-of-state campuses (if any) are not approved by the Bureau and thus would not fall under the proposed regulations.
6 (p. 3)	74110(a)(1)	Is this duplicative?	Reject. This information is not required by statute and is therefore not duplicative.

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6 (p. 3)	74110(a)(2)	This information is not necessary; moreover, satellite locations are temporary teaching facilities and if necessary to report to the Bureau these locations, institutions should at least be able to indicate if the satellite is closed.	An accurate and current list of an institution's satellite locations is necessary for the Bureau to monitor compliance with the Act. This is because a satellite location is part of the definition of an "institution" in statute (section 94843), and the Bureau has enforcement authority over all institutional sites, including satellite locations (section 94932). Thus, the Bureau may perform compliance inspections or otherwise investigate satellite locations, and what can and cannot take place at a satellite is prescribed in regulation (5 CCR 71717). Further, having this information included with the Annual Report allows the Bureau to confirm that any designated satellite location complies with the statutory definition of a "satellite" being within 50 miles of the branch or main locations (section 94862). Also, the institution is already required to notify the Bureau of satellite location additions within 30 days (5 CCR 71660). Contrary to the commentor's assertion, satellite locations are not necessarily temporary. Nevertheless, if a satellite location is closed, nothing in the regulation prevents the institution from reporting the closure to the Bureau as part of its annual reporting of satellite locations.
4 (at pp. 2-3)	74110(a)(3)	Regarding accreditor disclosures, suggests breaking down accreditation by program and campus.	Accept. Subsection was amended to include accreditation by program and campus using commentor's proposed language.
5 (at p. 2)	74110(a)(3)	Regarding accreditor disclosures, suggests breaking down accreditation by program and the effective date for each programmatic accreditation.	Accept.

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6 (p. 3)	74110(a)(3)	Can the Bureau obtain data off application and ask for changes?	Reject. Not all institutions are approved by accreditation.
7 (pp. 3-4)	74110(a)(3)	Suggests breaking down accreditation by program and campus.	Accept. Per comment #4.
3 (at pp. 1-2)	74110(a)(4-6)	For the Annual Report disclosure, it's unclear for what time period information must be provided and the amount and nature of funding; whether it is the "gross or net" amount of funding; if it is only for California students; and whether "public funds" in subsection (6) includes federal funds already in subsection (4), or if it is "asking for a percentage of the 'public funding programs' mentioned in subsection (5).	Partially Accept. Amended to clarify amount and nature of funding and which students are included. The time period is already clear; it is stated as being relevant for the "prior calendar year" in subsection (a).
6 (p. 3)	74110(a)(4-6)	Schools will have questions how to report this new material.	Not a comment on proposed language. The comment is about operations, not language.
6 (p. 3)	74110(b)	Variations in submission method based on what is being submitted.	This does not comment to the proposed change.
6 (p. 3)	74110(c)	Use of different cutoff dates.	The date the report is due has been changed. The cutoff or time period (calendar year) is unaltered.
3 (p. 2)	74110(d)	Suggests that schools be allowed to provide a "sample" enrollment agreement with the Annual Report, rather than "the enrollment agreement."	Reject. A "sample" enrollment agreement is vague; the Bureau already asks for a "the" enrollment agreement with an application for approval to operate and there have been no problems; the enrollment agreement is a standardized document that may be filled-in with specific student or program information as long as the required information is included.
6 (p. 3)	74110(d)	Why only electronic filing?	Reject. Electronic filing reduces errors. Furthermore, this has not previously been noted as a problem by schools (i.e., that they do not have the means to report electronically).

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3 (pp. 2-3)	74112	Replace "on-time" throughout Section 74112 with "100%", such as "100% Graduate Completion Rates."	Reject. Education Code section 94928(c) now defines graduates who complete a program within 100 percent of the published program length as ""On-time graduates." The regulations use similar "on-time" terms for consistency with the statute.
4 (at p. 4)	74112(b)	For schools that are too new to provide the required two years of data, they should disclose when the required two full years of data will be available; having two years of data provides more reliable data than just one year.	Accept. Subsection was amended to require disclosure of when two full years of data will be available.
5 (p. 3)	74112(b)	Having two full years of data provides more reliable data than just one year.	Accept. Per comment #4.
7 (pp.4-5)	74112(b)	Having two full years of data provides more reliable data than just one year.	Accept. Per comment #4.
3 (at p. 3)	74112(c)	For the Performance Fact Sheet disclosures, clarify that institutions approved under Education Code section 94874.8 must state "the date" when the required "two years" of data is available.	Reject. Education Code section 94874.8(B) already states that the institution shall report data for the previous two years, so it is not necessary to specify it in the regulation.
3 (at p. 4)	74112(d)(3)(A)	The proposed definition of "gainfully employed" should include not only "on-time" graduates but those that complete within 150% of the time.	Rejected (initially). Education Code section 94928(c) had defined "graduates" as those who complete within 100 percent of the time, so the regulations were written to clarify that "graduate" for purposes of gainful employment meant "on-time graduate." [Note, however that Education Code section 94928(c) was subsequently amended to change the definition to "On-time graduates", so that Education Code section 94842 became the only definition for "graduate" and accordingly, the gainful employment definition covers all graduates.]

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3 (at p. 4)	74112(d)(3)(A)	The definition of "gainfully employed" should allow reporting of all jobs, not only those that fall into the Department of Labor's classification codes.	Reject. This is contrary to the objective. Schools are to state clearly what occupations their programs lead to, and reporting outcomes should reflect whether the graduates were able to obtain jobs in occupations that the school represented the education would lead to.
4 (at p. 3)	74112(d)(3)(A)	Should require the school to also identify all occupations in which the school has claimed it prepares its graduates and proposed a new paragraph under 74110(a)(7)	Reject. Section (m) requires this data already.
4 (at pp. 4-6)	74112(d)(3)(A)	For "gainful employment" definition, should use the detailed occupation level of the Standard Occupational Classification Codes, not the broad occupation level.	Accept. Subsection amended to detailed occupation level of SOC codes for occupations identified in the school's catalog and employment listing required by Education Code section 94910(f)(2).
5 (pp. 3-6)	74112(d)(3)(A)	Should use the detailed occupation level of the Standard Occupational Classification Codes, not the broad occupation level.	Accepted in part with modification. Accepted with modifications; same changes per comment #4. Rejected website and brochures as catalog is required to be on the website and brochures enters into advertising which creates confusion of what is and is not in that category.
7 (pp. 5-7)	74112(d)(3)(A)	Should use the detailed occupation level of the Standard Occupational Classification Codes, not the broad occupation level.	Accept with modification. Per comment #4.
3 (p. 5)	74112(d)(3)(B)(i)	Requests clarification regarding whether the 21 days referred to in the definition of "gainfully employed" is within, before, or after the six months from the graduation date of the student.	Reject. Education Code section 94928(e) defines "graduates employed in the field" as those "gainfully employed" "within six months after" graduation, so the statute already provides the necessary clarity. [Note, the statute was further amended to specify that the employment must be "beginning within sixth months" after graduation.

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3 (p. 5)	74112(d)(3)(B)(i) and (ii) [relates to 74112(m)]	The regulation should specify only self-reporting of employment and no further verification requirements by school.	Reject. Limiting the definition to self-reporting would actually be further limiting the means by which a school can establish employment. Also, inasmuch as the comment is addressed to subsection 74112(m) regarding documentation supporting, data, schools should be required and allowed to verify gainful employment even if not self-reported by students, for example, directly through employers.
4 (at pp.6-8)	74112(d)(3)(B)(i)	Proposes revisions for counting a graduate as "gainfully employed" including employment for 120 days not a mere 21 days; not counting students employed by institution or its affiliates; and states that there was no rationale for choosing 30 hours per week, and it is not clear whether it is 30 hours per week for each week in a 21 day period or 30 hours for a week during a period of 21 calendar days, and "single position or concurrent aggregated single positions" is unclear.	Reject in part and accept in part. Reject 120 days because it does not provide a reasonable period of time to find employment within the 6 months allowed for reporting as provided by Education Code section 94928(e), defining "graduates employed in the field" as those gainfully employed within six months after graduation. Reject not counting students employed by the institution or affiliates as legitimate business interests run institutions to train people in occupations and then hire the graduates to improve their workforce. The 30 hour standard is based on the 30 hour standard for full time status in the Affordable Care Act. Reject clarity comment as "30 hours per week for 21 calendar days" is clear that it requires 30 hours for each week in a 21 day period. Accept revision to remove "single" from "concurrent aggregated single positions."

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5 (p. 5)	74112(d)(3)(B)(i)	Proposal is not sufficient time for gainful employment enough; recommends 5 weeks; and questions clarity of expectation of continued employment.	Rejected in part. Accepted in part. The 21 days for employment is a compromise. Each day a grad must be employed to count as being employed is one day removed from the 6 month time frame provided in statute. Too many days uses up the short period of time graduates have to find employment and be counted. Too few days risks tampering. The ABHES (Accrediting Bureau for Health Education Schools) requires only 15 days of employment to be classified as employed. Subsection was amended to provide clarity as to whose expectation of continued employment. The employer's expectation was chosen as it most directly reflects the graduates actual employability and circumstance, whereas an employee's expectations can be based on assumption or faulty information. [Note: The Bureau later agreed to accept 35 days of continued employment.]
6 (p. 4-6)	74112(d)(3)(B)(i)	Entry level positions are not always full time, therefore the standards provided are out of date.	Reject. It is true the world of employment is changing. However, the statute requires that some basic standards be enacted to help define gainful employment. Even in the changing environment, graduates can reasonably expect to obtain basic levels of employment including entry level positions.

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7 (pp. 7-8)	74112(d)(3)(B)(i)	Longer standard for counting as gainfully employed including employment for 120 days, not counting students employed by institution or its affiliates; why 30 hours per week?	Reject. 120 days does not provide a reasonable period of time to find employment within the 6 months as provided by statute. 120 days removes 2/3 of the time to find employment following graduation or results from an exam. Legitimate business interests run institutions to train people in occupations and then hire graduates themselves to improve their workforce. The 30 hour standard is based on the 30 hour standard for full time status in the Affordable Care Act.
9	74112(d)(3)(B)(i)	Gainful employment definition is a fair compromise. Oppose the comment to require 120 days for employment.	Comment was in support of current proposal.
2 (at p. 1)	74112(d)(3)(B)(ii)	Commenter suggests that the Bureau should allow a student's attestation of self employment to be received electronically.	Reject any revision to proposed language as the language does not limit how a self-attestation is received, so would include a graduate's electronic submission.
4 (at p. 8)	74112(d)(3)(B)(ii)	The proposal regarding the evidence for self-employment is insufficient; the evidence would only show intent of self-employment, not life-sustaining work. Suggests requiring evidence of business receipts and tax records, and a statement from the student.	Reject. The Bureau believes that once a person chooses and takes reasonable steps to be self-employed, then they are self-employed, regardless of whether they have customers right away, so requiring receipts and tax records is rejected. The proposal allows the school to obtain a statement from the student attesting to self-employment.
5 (pp. 6-8 )	74112(d)(3)(B)(ii)	The proposal shows intent of self-employment, not life-sustaining work.	Reject. Once a person chooses and takes reasonable steps to be self-employed, that is sufficient. Whether they have customers right away does not indicate if they are self-employed.



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6 (p. 6)	74112(d)(3)(B)(ii)	Any proactive actions show self-employment/freelance work. Additionally, there is no mechanism for moving from (i) to (ii) or vice versa. Why exclude business cards as evidence?	Reject. While many affirmative actions may show self-employment, not all rise to a level of reasonable evidence. The exclusion of business cards is based on the knowledge that some schools require that students create business cards. Additionally, schools may offer discounted rates to encourage students to purchase business cards. A graduate need only meet the standard of either (i) or (ii), once met, the student meets the definition of gainful employment.
7 (pp. 8-9)	74112(d)(3)(B)(ii)	The proposal shows intent of self-employment, not life-sustaining work.	Reject. Once a person chooses and takes reasonable steps to be self-employed, then they are self-employed. Whether they have customers right away does not indicate whether they are self-employed.
4 (at pp. 10-11)	74112(e)(1)	Require Annual Report to include the data for two previous years.	Reject. Conflicts with section 94934 of the Code, which requires an annual report for programs offered within the previous one calendar reporting period.
5 (pp. 8--9)	74112(e)(1)	Require Annual Report to include the data for two previous years.	Reject. Conflicts with section 94934 of the Code.
7 (p. 11)	74112(e)(1)	Require Annual Report include the data for two previous years.	Reject. Conflicts with section 94934 of the Code.
4 (at p. 11)	74112(e)(2)	Require only two years of data on Performance Fact Sheet, not a "minimum" of two years of data.	Accept. Subsection was amended to delete "a minimum of" limiting data to two years.
7 (pp. 11-12)	74112(e)(2)	Only two years of data on Performance Fact Sheets.	Accept. Same as #4
4 (at p. 11)	74112(f)	Provides a definition of Total Charges to be added to subsection(l).	Reject. "Total Charges" is already defined in statute by section 94870 of the Education Code.
7 (p. 12)	74112(f)	Provides a definition of Total Charges to be added to subsection(l).	Reject. Total charges defined in statute by section 94870 of the Code.

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4 (at p. 12)	74112(g)(1)	Provided model disclosures are too difficult for most students to understand; proposed alternative version.	Accept. Subsection was amended to reflect new format for increased clarity and accuracy.
5 (pp. 9-10)	74112(g)(1)	Provided model disclosures are too difficult for most students to understand.	Accept. Subsection was amended to reflect new format for increased clarity and accuracy.
7 (pp. 12-13)	74112(g)(1)	Provided model disclosures are too difficult for most students to understand.	Accept. Subsection was amended to reflect new format for increased clarity and accuracy.
9	74112(g)(1)	New federal regulations require similar, but not the same information. This creates conflicting reports.	Information collected is mandated by statute. While federal regulations may operate on a July to June year as most colleges and universities operate under a standard academic calendar, the reality is most institutions the Bureau oversees are year round institutions, many of which have varying fiscal years. The Bureau has required Annual Reports for calendar years since its reestablishment.
3 (p. 5)	74112(g)(1)(C)	Clarify that institutions only have to collect student loan information for loans incurred by students while attending that institution.	Accept. Subsection was amended to reflect new format for increased clarity and accuracy and uses terms such as "loans at this school"; "for this program" and "loans at this institution."
3 (p. 6)	74112(g)(1)(D)	Use median, not average, total student loan debt. Median is the standard used by federal government.	Reject. Median requires a large sample size to insure accuracy. The federal government has a very large sample size to draw upon. However, not all institutions reporting to the Bureau have a large sample size. Many are small and therefore have small sample sizes which can be easily skewed. Using average better addresses the various sizes of institutions which must report to students and the Bureau.

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4 (at p. 13)	74112(g)(2)	Provides a third disclosure alternative related to why a school may be ineligible for student aid. Schools maybe ineligible for reasons other than not being accredited.	Reject in part. Subsection amended per comment #5 to reflect concern rather than adding a third disclosure alternative.
5 (pp. 10-11)	74112(g)(2)	Disclosure is inaccurate. Schools may be ineligible for reasons other than not being accredited.	Accept. Subsection was amended with small addition as well to reflect larger scope for not being eligible.
7 (pp. 13-14)	74112(g)(2)	Provides a third disclosure alternative. Schools maybe ineligible for reasons other than not being accredited.	Reject in part. Subsection amended per comment #5 to reflect concern rather than adding a third disclosure alternative.
4 (at p. 13)	74112(h)	Require only two years of data on Performance Fact Sheet related to completion rates not a "minimum" of two years of data.	Accept. Subsection was amended to delete "a minimum of" limiting data to two years.
6 (p. 6)	74112(h)	Supports the inclusion of graduates in the 150% of published program time.	This comment is in support of the regulation.
7 (p. 14)	74112(h)	Only two years of data on Performance Fact Sheets.	Accept. Same as #4
3 (at p. 6)	74112(i)	Change term "placement" to "employment" because some schools do not "place" students. For example, instead of "Job Placement Rate," it would be "Job Employment Rate."	Reject. The statute, Education Code section 94929.5 refers to "job placement rate," not "job employment rate." To maintain consistency and clarity, whenever possible, the regulations use the same terms as the statute.
6 (at p. 6)	74112(i)	Allow the reporting of graduates completing within 150% of program time.	Accept. This subsection and others are amended to reflect changes consistent with SB 410.
9	74112(i)	Schools should be able to add 150% placement rate.	Accept. This subsection and others are amended to reflect changes consistent with SB 410.
6 (p. 6)	74112(i)(2)	Requirement be changed to first exam taken by the student, not first exam offered after graduation.	Reject. Section 94928(e)(1) of the Code states specifically "first examination available after a student completes an applicable educational program."

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2 (at p. 1)	74112(i)(3)	Self-employed students should be considered and displayed on the Job Placement Rate table.	Reject and revision to the proposal based on this comment. Self-employed graduates who meet the self-employment requirements are considered to be "gainfully employed" and thus can be counted as employed by the institution.
2 (at p. 1)	74112(i)(3) and 74112(d)(3)	Should be allowed to report graduates who work less than 30 hours per week as gainfully employed.	Accept. Section 74112(d)(3) now includes part time employment as within the definition of gainful employment. Those meeting the part time definition may be counted towards gainful employment. The Education Code section 94928 requires the Bureau to define when a student is gainfully employed in a part-time position, as well as a full-time position.
3 (at pp. 6-7)	74112(i)(3)	For the Performance Fact Sheet, add a new category for students who do not reply to alumni surveys or cannot be found and exclude those students from calculation; add "No Employment Information Available" to the chart.	Reject. This would effectively open the door for institutions to be less diligent in pursuing students for the purpose of these reports, which are to give as accurate a representation as reasonably possible on the Performance Fact Sheets as they may be relied upon by prospective students in making the decision of what institution or program to attend, if any.
4 (at p. 14)	74112(i)(3)	Model disclosure should add "on-time" to graduates and to be consistent with changes begun in subsection 74112(e)(2) the phrase "a minimum of" should be removed.	Reject in part. SB 410 changes on-time graduate to only refer to Completion Rate. Accept in Part. Subsection amended to reflect change of only two years.
5 (p. 11)	74112(i)[(3)]	Model disclosure should add "on-time" to graduates.	Reject. SB 410 changes on-time graduate to only refer to Completion rate.
7 (p. 14)	74112(i)(3)	Model disclosure should add "on-time" to graduates and to be consistent with changes begun in subsection 74112(e)(2) the phrase "a minimum of" should be removed.	Reject in part. SB 410 changes on-time graduate to only refer to Completion Rate. Accept in Part. Subsection amended to reflect change of only two years.

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1 (at p. 1)	74112(i)(4)	Concerned use of "job" or "project" in self-employment disclosure is not inclusive enough to cover certain professions such as masseuses and acupuncturists. Suggested adding "individual client/patient treatments" language.	Reject. Disclosure language as it is written is broad enough to include client/patient treatments as that constitutes a job or project. [Note, subsequent modification removed the paragraph the comment related to but the Bureau believes that even the revised disclosure is broad enough to cover the client-patient treatments referenced by the comment.]
3 (at p. 7)	74112(i)(4)	Regarding the self employment disclosure, as written, it presumes that school or program has singular focus on self-employment/freelance work.	Accept with edit. Central concept used as subsection is amended to reflect this change and changes based on comments 4,5 & 7. Ultimately, stated "This program may result in freelance or self-employment."
4 (at p. 14-15)	74112(i)(4)	Believes proposal of self-employment disclosure is dense, long, repetitive and provides unnecessary information. Also notes that proposal is school based where program based would be more accurate.	Accept in part with edits. Subsection has been amended to use new format suggested by comment. Title was changed to reflect that it is not an absolute but a possibility. Many proposed edits accepted with exception of deleting language at end of disclosure related to a graduate being asked to provide documentation that they are self-employed. This is a primary purpose of this disclosure; not simply to make students aware of these work styles, but to make them aware of future requirements that may be needed for verification. This was kept but placed in the new format.
5 (pp. 11-12)	74112(i)(4)	Believes proposal is dense, long, repetitive and provides unnecessary information. Also notes that proposal is school based where program based would be more accurate.	Accept in part with edits. Same as comment #4.

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7 (p. 14-15)	74112(i)(4)	Believes proposal is dense, long, repetitive and provides unnecessary information. Also notes that proposal is school based where program based would be more accurate.	Accept in part with edits. Same as comment #4.
4 (at p. 15)	74112(j)	Believes title of two disclosure tables related to license exams could be made clearer. And for consistency, requests removing the "a minimum of" per previous comment.	Accept. Subsection amended to provide new clearer title and removes "a minimum of" to maintain consistency.
5 (p. 13)	74112(j)	Believes title of two disclosure tables could be made clearer; pass rate not "passage rate."	Accept. Subsection amended to provide new clearer title per comment.
6 (p. 7)	74112(j)	Objects to removal of the 150% reporting option.	Accept with edit. Subsection amended to reflect changes brought about by SB 410. The amount of time to graduate no longer matters, just that the person is a graduate.
7 (p. 16)	74112(j)	Believes title of two disclosure tables could be made clearer. And for consistency removing the "a minimum of" per previous comment.	Accept. Same as #4
9	74112(j)	Should not remove the 150% reporting option.	Accept with edit. Subsection amended to reflect changes brought about by SB 410. The amount of time to graduate no longer matters, just that the person is a graduate.
4 (at p. 15)	74112(k)	To be consistent, remove "a minimum of" per subsection 74112(e)(2)	Accept. Subsection amended to reflect change originated in subsection 74112(e)(2)
7 (p. 16)	74112(k)	To be consistent, remove "a minimum of" per subsection 74112(e)(2)	Accept. Same as #4
2 (at p. 1)	74112(l)	States that the definition of "On-time Graduates Unavailable for Employment" is too restrictive.	Reject. Education Code section 94928(f) defines "Graduates unavailable for employment" with specific criteria. The regulations must use the same definition for consistency.
2 (at p. 1)	74112(m)(3)	For documentation required to be maintained by the institution, accept month/year rather than exact date for start and end dates for employment.	Reject. To be able to verify that a graduate is employed the required 21 days, the exact start date is required.

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4 (at p. 16)	74112(m)(3)	Proposes requirement that school should document when it verified student employment.	Accept with edit. Subsection amended to include requirement for date employment was verified.
5 (p. 13)	74112(m)(3)	Proposes requirement that school should document when it verified student employment.	Accept with edit. Same as #4
7 (p. 16)	74112(m)(3)	Proposes requirement that school should document when it verified student employment.	Accept with edit. Same as #4
3 (at pp. 7-8)	74112(m)(4)	Required placement documentation, provides that employer required data will be hard to obtain as employers have no incentive to provide requested information. Requests this subsection be deleted.	Reject. Proposal does not require that information be obtained from an employer, but if information is obtain from an employer, that information should be maintained so that it can be verified by the Bureau if necessary.
3 (at p. 8)	74112(m)(5)	The Bureau should define or suggest some items that would reasonably meet this requirement.	Reject. List of some possible items and ways to verify self-employment is located in subsection 74112(d)(3)(B)(ii).
2 (at p. 1)	74112(m)(7)	For documentation required to be maintained by the institution, the requirement to maintain copies of all communications efforts made to collect data is onerous.	Reject. The purpose is to have verifiable information. Furthermore, the exact language referred to in the comment is original language that is unaltered by this proposal.
4 (p. 3)	74110(a)(7)	Proposes to require schools to identify occupations in their annual report.	Reject. This would now duplicative. The amended section 74112(d)(3)(A) requires occupations be listed in school's catalog and a school catalog is required as part of the annual report.
<b>The following are proposals made by comment for sections which did not exist in the originally proposed text.</b>			
4 (p. 2)	Not specified	Proposal fails to address website disclosure issues based on Education Code section 94913.	Reject. Not relevant to originally proposed text.
5 (pp. 1-2)	Not specified	Proposal fails to address website disclosure issues based on Education Code section 94913 and fails to propose language in connection with Education Code section 94909(a)(16).	Reject. Not relevant to the proposal.

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5 (pp. 2-3)	74110(a)(7)	Proposes to require schools to identify occupations in their annual report and other places.	Reject. This would be duplicative. The amended section 74112(d)(3)(A) requires occupations be listed in school's catalog and a school catalog is required as part of the annual report.
7 (p. 4)	74110(a)(7)	Proposes to require schools to identify occupations in their annual report.	Reject. This would now be duplicative. The amended section 74112(d)(3)(A) requires occupations be listed in school's catalog and a school catalog is required as part of the annual report.
4 (at p. 8)	74112(d)(3)(B)(iii)	Proposes to add sub-section for part time employment standards, including a 120 day period of employment.	Accept in part. The proposal was combined with section 74112(d)(3)(B)(i) to create a part time alternative. Parts of proposal rejected for reasons given in response in section 74112(d)(3)(B)(i).
7 (p. 9)	74112(d)(3)(B)(iii)	Proposes to add subsection for part time employment standards.	Accept in part. The proposal was combined with section 74112(d)(3)(B)(i) to create a part time alternative. Parts of proposal rejected for reasons given in response in section 74112(d)(3)(B)(i).
5 (p. 8)	74112(d)(3)(B)(iii)	Proposes an option based on a student who is employed when entering a program and uses promotion and increased pay to show gainful employment based on completing the program.	Accept with addition. Proposal amended to add subsection 74112(d)(3)(B)(iii) to create a standard of gainful employment for students employed at the time they began the program.
5 (p. 8)	74112(d)(3)(B)(iv)	Proposes a requirement that employment is at least at minimum wage or self-employed compensated at minimum wage level.	Reject. The implication of legal employment is implicit, including the recognized laws for compensation. Self-employment does not guarantee profit or compensation, particularly in such a short period of time as the 6 months provided in statute.



<b>Comment #</b>	<b>Section #</b>	<b>Substance of Comment</b>	<b>Bureau's Response</b>
5 (p. 8)	74112(d)(3)(B)(v)	Proposes an explicit verification requirement.	Reject. The definition of "Graduates Employed in the Field" specifically includes "for whom the institution has documented verification of employment." Furthermore, maintaining of documentation used to support data in these reports is required by subsection (m) and subsections (3), (4), (5), & (6) all are directly related to graduates employment. Additionally, there are privacy concerns, particularly where self-employment is concerned as some fields include confidentiality. Finally, there are no guarantees that the new self-employed graduate will have any clients in such a short period as the six month reporting period required by statute.
4 (at p. 9)	74112(d)(3)(C)	Proposes an addition to "gainful employment" definition based on a student who is employed when entering a program and ends up in a different job or with a promotion and increased based in part on completing the program.	Accept with addition. Proposal amended to add subsection 74112(d)(3)(B)(iii) to create a standard of gainful employment for students employed at the time they began the program.
7 (pp. 9-10)	74112(d)(3)(C)	Proposes an option based on a student who is employed when entering a program and uses promotion and increased pay to show gainful employment based on completing the program.	Accept with addition. Proposal amended to add subsection 74112(d)(3)(B)(iii) to create a standard of gainful employment for students employed at the time they began the program.
4 (at pp. 9-10)	74112(d)(3)(D)	Proposes a requirement to be counted as "gainfully employed" that employment is at least at minimum wage or self-employed compensated at minimum wage level.	Reject. The implication of legal employment is implicit, including the recognized laws for compensation under California's minimum wage laws. Self-employment does not guarantee profit or compensation, particularly in such a short period of time as the 6 month period provided in statute for schools to report gainful employment.

<b>Comment #</b>	<b>Section #</b>	<b>Substance of Comment</b>	<b>Bureau's Response</b>
7 (p. 10)	74112(d)(3)(D)	Proposes a requirement that employment is at least at minimum wage or self-employed compensated at minimum wage level.	Reject. The implication of legal employment is implicit, including the recognized laws for compensation. Self-employment does not guarantee profit or compensation, particularly in such a short period of time as the 6 months provided in statute.
4 (at p. 10)	74112(d)(3)(E)	Proposes an explicit verification requirement that employment must be verified by employers.	Reject. The definition of "Graduates Employed in the Field" specifically includes "for whom the institution has documented verification of employment." Furthermore, maintaining documentation used to support data in these reports is required by subsection (m) and subsections (3), (4), (5), & (6) all are directly related to documentation for verification of students' employment.
7 (pp. 10-11)	74112(d)(3)(E)	Proposes an explicit verification requirement.	Reject. The definition of "Graduates Employed in the Field" specifically includes "for whom the institution has documented verification of employment." Furthermore, maintaining of documentation used to support data in these reports is required by subsection (m) and subsections (3), (4), (5), & (6) all are directly related to graduates employment.
5 (pp. 13-14)	74112(n)	Proposes new section (n) regarding the student having a "reasonable" amount of time to read the disclosures, without the representative being present.	Accept in part; rejected in part. Accepted and modified text regarding reasonable amount of time, but not that a school representative had to leave because the student may have questions during the review process.