



MARCH 2024

Removing Obstacles:

A Toolkit for Implementing AB 789
Satisfactory Academic Progress Requirements



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This report and corresponding materials can be found online at:

JBAY.org/resources/AB789-Implementation-Toolkit

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Introduction

Satisfactory Academic Progress (SAP) policies are among the rules most likely to impact whether low-income students can persist in postsecondary education, and yet these policies are also among the most overlooked among researchers, college access and affordability advocates, and policymakers. This began to change in 2021 when John Burton Advocates for Youth (JBAY) initiated research and developed practice and policy recommendations related to SAP standards and financial aid appeals as part of [The Overlooked Obstacle](#) series. Highlighting the disparate impact of SAP on minoritized student populations, the series revealed that nearly one in four first-year, low-income students attending a California Community College did not meet SAP for their first two consecutive semesters, jeopardizing their access to much-needed financial aid. For African American (34%) and Native American (32%) students, the rates of financial aid disqualification due to SAP are twice that of White (15%) and Asian (14%) students.¹ The unfortunate reality is that many of these students either disenroll or lose their financial aid, marking the end of their educational journeys and creating new challenges for those who wish to re-enroll.

To address these concerns, JBAY, along with the student associations from each of California's public higher education systems and five of California's leading college affordability advocates, co-sponsored [Assembly Bill \(AB\) 789](#), authored by Assemblymember Marc Berman. AB 789 was signed into law by Governor Gavin Newsom on October 8, 2023, and must be fully implemented by institutions by the start of the 2024/2025 academic year. This toolkit was developed to support financial aid offices in implementing the AB 789 provisions and creating student-friendly, equity-based SAP policies and appeals processes.



WHO DOES SAP IMPACT?

While the literature on SAP is limited, qualitative research comparing characteristics of students who meet and do not meet SAP indicates that, despite sharing a comparable level of academic motivation, students falling short of SAP standards have significantly more life responsibilities and fewer resources.² A 2021 study conducted by JBAY further explored the impact of SAP, specifically on low-income, first-year students in the California Community Colleges system. Using a data set of 76,125 Pell Grant recipients, the study determined that:

- ◆ One in four incoming community college Pell Grant recipients in California are not meeting SAP for their first two consecutive terms, disqualifying them from continued access to most forms of financial aid without a successful appeal.
- ◆ Among those who did not make SAP and remained enrolled, the vast majority (77%) had lost their Pell Grant, further decreasing their likelihood of success.
- ◆ Pell Grant recipients who do not meet SAP are significantly more likely to disenroll from college than those who do meet SAP. Fifty-eight percent of students who did not meet SAP during their first year did not return for a second year, compared to 18 percent of students who did achieve SAP.



ERIN'S STORY

Shortly after exiting foster care at 18, I enrolled in community college. The first year was really hard as I navigated adulthood, became a parent, and managed a full-time job to support my infant. I crumbled under the pressure and lost my job. Soon after, I lost my housing, and by the middle of my first semester, my baby and I were living out of our car, and I just couldn't keep up with my coursework.

Failing my classes resulted in the loss of financial aid due to Satisfactory Academic Progress (SAP). I made the decision to drop out because I knew I couldn't afford the cost and I didn't know I had the option to file an appeal. Two years later, I decided to try again. As I started to navigate the process of filing an appeal, I realized that to be eligible for reinstatement, I needed to have a verifiable injury or illness, or I needed to have experienced the death of a loved one. Not seeing my own circumstances reflected in the appeals process at my college made me feel like returning to college was not an option. I didn't have documentation to prove that I was living out of my car and routinely skipping meals to conserve what little money I did have. Without other options, I walked away again.

Five years after this experience, I decided to re-enroll and found that the criteria to prove a "special circumstance" still had not changed; however, I was determined to be successful. I had to attend school for two years while paying tuition and fees out of pocket, and eventually, I was able to transfer from community college to a four-year university, where I am currently enrolled. I can't help but imagine that had it not been for SAP-related barriers, I might have already graduated by now and be in a career.

Satisfactory Academic Progress (SAP) Basics

SAP requirements are governed by federal law. The federal SAP standards include a two-part assessment composed of both a quantitative and qualitative measure. Many state programs, including California's largest financial aid program, the Cal Grant, are linked to these same standards. Campuses have significant flexibility to set their own policies within the federal framework, and as such, these policies have historically varied widely by campus.

SATISFACTORY ACADEMIC PROGRESS (SAP)



GPA



COMPLETION
RATE



MAX
TIMEFRAME

◆ qualitative

For programs of more than two academic years, the SAP policy must specify that students have at least a 2.0 cumulative Grade Point Average (GPA) (or equivalent if using an alternative grading system) at the end of their second year or have academic standing consistent with the institution's requirements for graduation. All other programs, including all programs at community colleges of two academic years or less, have discretion as to the required GPA as long as it is consistent with the school's graduation standard. There is no requirement that the GPA standard be the same for each year.

◆ quantitative

Institutional policies must include a maximum timeframe for completion that is defined as no longer than 150 percent of the published length of the educational program.

Institutions must establish a cumulative unit completion requirement (the percentage of units attempted that are successfully completed) that allows students to complete their program within the maximum timeframe allotted.

SAP EVALUATIONS

Institutions must formally evaluate SAP on a term or annual basis. Depending on the frequency of evaluation, students who do not meet SAP for two consecutive terms or one academic year are disqualified from receiving state and federal financial aid. Students may only regain access through an appeal process or by subsequently meeting their institutions' SAP standards without the benefit of financial aid. Additionally, students become ineligible to receive financial aid as soon as it is mathematically impossible for them to graduate within the maximum 150 percent timeframe.³

FINANCIAL AID APPEALS

Federal regulations allow institutions to offer students the opportunity to appeal to regain eligibility for financial aid; however, not all institutions choose to have a SAP appeal process. If an appeal process is made available, appeals must be accepted on the basis of "injury or illness of the student, death of a relative, or other special circumstances as defined by the institution." Students whose appeals are approved are then placed on "financial aid probation" for one academic term. If it is determined during the appeal process that a student cannot regain positive SAP standing by the end of the probation period, they must develop an academic plan that ensures they can meet the institution's SAP standards by a specified point in time.





AB 789 Overview

On October 8, 2023, California Governor Gavin Newsom signed into law AB 789, which requires postsecondary institutions participating in the Cal Grant program to adhere to a common set of SAP standards, remove additional requirements that are more restrictive than those federally mandated, and ensure students have clear pathways to regain financial aid. For the complete AB 789 bill language, see Appendix A.



AB 789 FAST FAQs

When does AB 789 go into effect? All AB 789 provisions must be operationalized by the start of the fall 2024 academic year.

Is AB 789 applicable to public institutions only, or both public and private colleges and universities? AB 789 applies to any institution whose students receive Cal Grants, and therefore includes both public and private colleges and universities.

Do the AB 789 provisions align with federal statute and regulations? All AB 789 provisions are consistent with current federal statute and regulations. A complete crosswalk comparing AB 789 to current federal statute and regulations can be found in Appendix B.

Will institutions need two separate SAP policies for state and federal financial aid? Because the provisions required by AB 789 all fall within the federal requirements, institutions can utilize the same SAP policy for both state and federal financial aid.¹

Do institutions have to adopt the AB 789 provisions? Institutions that receive Cal Grant funding must adopt the AB 789 provisions as they are now a requirement for participation in the Cal Grant program.

For a complete FAQ, see [Appendix C](#).

¹An exception is the Chafee Education and Training Voucher (ETV), which affords foster youth students additional SAP flexibilities under California state law. See [Senate Bill \(SB\) 150](#) for more information.



Creating AB 789 Compliant SAP Policies

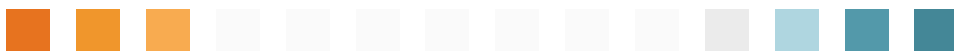
A critical first step to address the inequities perpetuated by SAP requirements is to develop a SAP policy that is not more stringent than the federal minimum standards. This is an effective strategy to maximize how many students remain in good SAP standing. An instructive case comes from Glendale Community College (GCC), which lowered the required course completion rate from 70 percent to 67 percent to align with the federal minimum requirement, and leveraged existing flexibilities in the treatment of repeated coursework (e.g., including only the higher grade in the GPA calculation). These modest changes resulted in a 30 percent decrease in the number of students not meeting SAP. In other words, 30 percent more students maintained their financial aid, increasing the likelihood that they would continue to be enrolled and complete their program.

The following provisions must be reflected in institutions' SAP policies by the start of the fall 2024 academic year.

Set the grade point average and pace of completion to the minimum federal standards. AB 789 requires institutions to adopt policies that set the qualitative and quantitative standards at the minimum thresholds. For programs of longer than two academic years, this would require a 2.0 cumulative GPA at the end of a student's second year OR academic standing consistent with the institution's requirements for graduation. Programs that are two academic years or less have discretion as to the required GPA as long as it is consistent with the institution's graduation standard. It is allowable to set a GPA standard that is lower during the first year and higher in subsequent years, as at [Cal State Fullerton](#), which requires a 1.5 cumulative GPA after a student's second term and a 2.0 cumulative GPA after their fourth term.

Institutions must also establish a cumulative pace of completion requirement that enables a student to complete their program within the 150 percent maximum timeframe. This often translates to a minimum 67 percent completion rate, meaning students must successfully complete 67 percent of all credits they attempt. It is also allowable to set a completion rate that is lower than 67 percent during the first year and higher in subsequent years, such as is the case at [Butte College](#), which requires a 50 percent cumulative course completion rate for students with fewer than 18 attempted units and a 66.66 percent completion rate for all others.

Evaluate the qualitative and quantitative standards based only on cumulative measures. AB 789 specifies that institutions "shall not require a student to satisfy the minimum grade point average and pace of completion standards for **each individual term**," as federal regulations only require SAP calculations to consider cumulative measures. It should be noted that this requirement does not prevent institutions from considering term-based measures or progress when determining a student's adherence to their academic plan while on financial aid probation.



Exclude remedial coursework from maximum timeframe calculations. Institutions that offer remedial coursework must exclude such coursework from a student's maximum timeframe calculation. This flexibility is permitted by federal statute, which explicitly states that institutions are "not required to include remedial courses" when making the assessment of the quantitative component of SAP.⁴

Exclude transfer credits that do not count towards a student's current program of study from maximum timeframe calculations. For transfer students, institutions must exclude transfer credits that do not count towards the student's current program from the maximum timeframe calculation. Per federal regulations, "only transfer credits that count toward the student's current program must be counted as both attempted and completed hours."⁵

MODEL SAP POLICY

The intent of this model SAP policy is to assist institutions with updating their formal policies and procedures. It is recommended that institutions provide a simplified version to students. See the "Enhancing Communications to Students" section on page 17 for recommendations.

SAP Policy Overview: Federal law mandates that postsecondary institutions participating in federal financial aid programs have an academic progress policy that sets minimum standards that students must meet to continue to receive financial aid. The components of the Satisfactory Academic Progress (SAP) Policy for financial aid are as follows: Grade Point Average (GPA), Pace of Progression, and Maximum Time Frame.

- ◆ **Grade Point Average:** All students receiving financial aid must maintain a 2.0 **cumulative** GPA. Transfer credits from another institution are not included in the cumulative GPA calculation.
- ◆ **Pace of Progression:** All full-time and part-time students who receive financial aid must stay on pace to graduate on time. Pace is calculated by dividing the **cumulative** number of credits a student has successfully completed by the **cumulative** number of credits they have attempted. For example, if a student attempted 30 credits and successfully completed 24 of them, their completion rate would be 80 percent. When this calculation falls below 67 percent, a student is no longer on pace to graduate on time. Only transfer credits that count toward a student's program of study are considered within this calculation as credits attempted and credits earned.
- ◆ **Maximum Time Frame:** An eligible student can receive federal financial aid while attempting up to, but not exceeding, 150 percent of the published normal completion length of their program, regardless of enrollment status. For example, a student seeking a degree that requires 60 credits could receive financial aid while attempting up to 90 credits ($60 \times 150\% = 90$). Credits transferred to [INSTITUTION] that count towards a student's current program of study, and any credits attempted at [INSTITUTION], with or without the benefit of student financial aid, must be taken into consideration. Advanced Placement (AP) units and International Baccalaureate (IB) units do not count as units attempted or completed. Financial aid will be suspended when the financial aid office determines that a student cannot mathematically complete their degree within this timeframe.

Attempted and Completed Credits: Attempted credits are any courses for credit in which a student received a grade or "P/NP," "W," "I," or "EW." All attempted credits, with the exception of ESL courses and up to 30 credits of remedial coursework, must be included in the SAP calculations. Credits for which a student receives a grade of "F," "NP," "W," "I," or "EW" are not considered successfully completed.

Repeat Coursework: A student who repeats a course and successfully earns a higher grade will have the prior course(s) stricken from their academic record. The prior credits will no longer count toward their pace of progression and cumulative GPA. If a course is repeated and both grades are equal, only the earned units from the earlier course will be included as completed units in the pace of progression calculation.

Transfer Coursework: Only credits accepted for transfer as part of a student's academic plan will be counted as part of the student's pace of progression and maximum time frame calculations.

ESL and Remedial Coursework: All ESL and up to 30 credits of remedial coursework will be excluded from the SAP maximum time frame calculation.

Changes of Program/Major: The goal of [INSTITUTION] and the financial aid office is to support students' successful completion of their academic goals. Not all students may begin their journey at [INSTITUTION] with a clear idea of what they want to study. As a result, the financial aid office accepts a change of program or major as a special or extenuating circumstance in the SAP appeal process. For more information, see the SAP Appeal Policy.

Frequency of Evaluation: A student's SAP standing is monitored at the end of every payment period. This includes fall, spring, and summer semesters. A student who does not meet one or more SAP standard at the point of evaluation will be placed on financial aid "warning status" and can continue to receive financial aid. A student who does not meet SAP for two consecutive semesters will be placed on financial aid "suspension" and will not be eligible to receive financial aid without reestablishing eligibility through an appeal.

Reestablishing Eligibility: A student who does not meet SAP is strongly encouraged to submit a SAP appeal. Students whose appeals are approved are placed on financial aid "probation status" and may have their financial aid eligibility reinstated pursuant to certain terms and conditions. For more information, see the SAP Appeals Policy. A student may also reestablish eligibility by raising their grades and regaining good SAP standing.

Key Terminology:

- ◆ **Payment Period** – fall semester/spring semester/summer (if attended)
- ◆ **Warning Status** – assigned to a student who does not make SAP after any payment period
- ◆ **Suspension** – assigned to a student who does not meet SAP in the payment period after being placed on warning status. Students on suspension must complete an appeal process to reinstate financial aid eligibility.
- ◆ **Probation Status** – assigned to a student who has appealed and has had eligibility for financial aid reinstated. Specific guidance and conditions are given to students with this status. For example, a student may have to complete a certain percentage of credits attempted in the next payment period or until the student comes back into good SAP standing.

CHECK YOUR SAP POLICY FOR AB 789 COMPLIANCE

- Sets the grade point average and pace of completion at the minimum federal standards.
- Evaluates the qualitative and quantitative standards based only on cumulative measures.
- Excludes remedial coursework from maximum timeframe calculations.
- Excludes transfer credits that do not count towards a student's current program of study from maximum timeframe calculations.



HOT TIP!

Once an institution has made updates to its SAP policy in alignment with AB 789 requirements, it will need to make evaluation adjustments in its financial aid management system (FAMS) to align with the new SAP policy standards. Institutions should also amend their SAP notification letters and communications to reflect the changes.



Developing Consistent and Accessible Appeals Processes

In 2022, JBAY facilitated a SAP Community of Practice to assist postsecondary institutions with assessing their SAP policies and appeals processes and identifying areas for improvement. Several large participating campuses evaluated their institutional data pertaining to SAP appeals. While the appeal approval rates across institutions ranged from 80 to 98 percent, only 15 to 39 percent of students deemed ineligible for financial aid due to SAP submitted an appeal. It is likely that these low submission rates were due in part to a lack of knowledge about the option to appeal; difficulty completing an appeal, including producing required documentation; or limited timeframes to submit an appeal. To ensure a low-barrier appeal process, AB 789 creates consistency in the handling of appeals and ensures that information pertaining to appeals is easy to find on institutions' websites and easy to comprehend, is communicated proactively to students close to SAP thresholds, and does not require a burdensome amount of time or information from the student to complete.

Accept both electronic and hard copy financial aid appeals. Campuses must offer and allow students to submit an electronic or hard copy SAP appeal. It is recommended that institutions include the appeal forms in easy-to-access locations on their websites that do not require a specific log-in or action, such as completing a SAP knowledge test, **to access.**

Expand the bases of appeals to include a broad range of special circumstances. Expanding and explicitly stating the bases of appeals on student-facing forms is critical to ensuring students feel their specific circumstances are reflected in the appeal process and furthers the likelihood they will submit an appeal. As a result of AB 789, institutions must consider appeals on the following bases:

- ◆ Death of a relative or other significant person
- ◆ Injury or illness, including, but not limited to, behavioral health conditions, of the student or a relative or other significant person
- ◆ Pregnancy or birth of a child
- ◆ Homelessness
- ◆ Loss of childcare
- ◆ Loss or change in employment
- ◆ Loss of access to personal or public transportation
- ◆ Being a victim of a serious crime, including, but not limited to, domestic abuse, even if the crime was not reported or did not result in criminal prosecution or civil liability
- ◆ Natural disaster
- ◆ Change of major

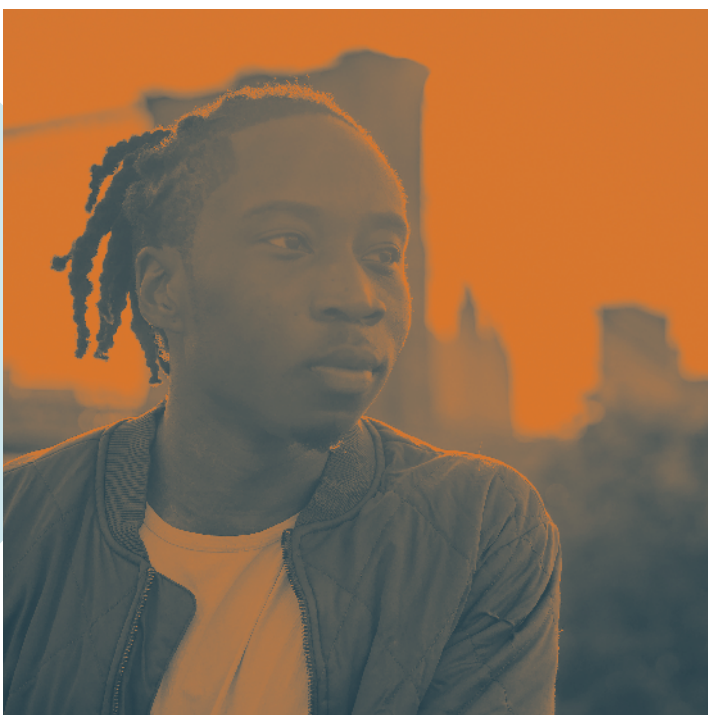
It should be noted that institutions are not limited to these special circumstances and are permitted to define and include additional special circumstances as they deem appropriate. For example, [Feather River College](#) includes among the allowable reasons for appeals family problems, inability to access support services, and/or change in financial status. They also make special consideration for CalWORKs, EOPS, DSPS, and veteran students. [CSU Channel Islands](#) allows circumstances related to financial difficulties, family difficulties, interpersonal problems, and difficulties balancing school/work/family responsibilities.

Furthermore, while appeals must be accepted on the bases articulated in AB 789, financial aid administrators are still permitted to exercise professional judgment when determining whether to approve or deny a student's appeal.

Create consistency in the handling of appeals. Historically, the processing of appeals has varied drastically from institution to institution, creating confusion for students. AB 789 establishes consistency in the handling of appeals by requiring the following:

- ◆ Appeal deadlines must be no earlier than three weeks before the end of each term. Institutions that accept appeals until later in the term (e.g., the last day of the semester) may continue to do so.
- ◆ Appeal decisions must be determined and communicated to students within 45 days of submission of a complete appeal.
- ◆ Institutions must develop a second review process for appeals that are denied and allow students to request a second review. Importantly, the second review process must be conducted by a reviewer who did not participate in the initial review.
- ◆ Institutions must not drop students with a pending appeal for non-payment of tuition and fees.

Allow students to appeal in any subsequent term, and do not limit the number of lifetime appeals a student may submit. AB 789 requires institutions to permit a student who loses financial aid eligibility to submit an appeal in any subsequent term. It also disallows institutions from limiting the number of appeals a student may submit throughout the duration of their enrollment; however, institutions are permitted to limit the number of appeals submitted per academic term.



Notify students of their option to appeal. When a student does not meet SAP for two consecutive terms or one academic year, institutions must notify them of their option to appeal, and must include information about the second review process for appeals that are denied. As noted in the introduction to this toolkit, those most severely impacted by restrictive SAP policies are Black and Latinx students. It is therefore vital to the State's goal of reducing disparities between student subpopulations that campuses utilize encouraging language that reframes the appeals process as a formality instead of a punitive measure. A study of three institutions in Minnesota found that the tone of communication had a significant impact on how many students appealed the loss of financial aid. The institution with supportive and encouraging



communication saw an appeals rate of 18 percent compared to 3 percent for a college with a severely worded letter and 13 percent for a neutral letter.⁶ As an example of a supportive and encouraging tone, the University of Wisconsin–Madison sends students an electronic alert ([Appendix D](#)) notifying them of their option to appeal that states, “99 percent of appeals submitted each year are approved, and most students go on to graduate.”

Waive third-party documentation requirements for special circumstances in which documentation cannot be reasonably obtained. In some circumstances, such as when a student experiences homelessness or is the victim of domestic violence or other crime, it can be difficult and even re-traumatizing to produce third-party documentation. In these instances, AB 789 requires institutions to waive third-party documentation and instead accept a signed statement from the student. See [Appendix E](#) for an example self-attestation form.

Accept appeals from reentering students who disenrolled while on financial aid ineligibility due to SAP. Since “time away” alone is not sufficient grounds to reinstate financial aid, students who disenrolled while on SAP dismissal are often faced with the difficult predicament of attending school and raising their grades without the benefit of financial aid in order to regain eligibility. Under AB 789, institutions are now required to accept and consider appeals from reentering students immediately upon enrollment so they may be considered for aid in their first term. Campuses can employ a “time away +1” methodology to examine changes in a student’s circumstances, such as a period of disenrollment (e.g., “time away”) in addition to an updated academic plan, changes in circumstances that previously hindered academic performance, and other factors that allow them to grant appeals.

Allow a student who fulfills the terms and conditions of their academic plan to remain on “financial aid probation.” Lastly, a student whose appeal has been approved and who has been placed on “financial aid probation” must now be allowed to remain on probation and continue to receive financial aid so long as they are adhering to their academic plan or financial aid contract. This allows students on probation to avoid arbitrarily losing access to financial aid despite showing the necessary academic progress.

MODEL SAP APPEAL POLICY

Appeal Policy Overview: Federal regulations allow a student to appeal their financial aid ineligibility if they have special circumstances that prevented them from meeting SAP. Special circumstances include but are not limited to:

- ◆ Death of a relative or other significant person
- ◆ Injury or illness, including, but not limited to, behavioral health conditions, of the student or a relative or other significant person
- ◆ Pregnancy or birth of a child
- ◆ Homelessness
- ◆ Loss of childcare
- ◆ Loss or change in employment
- ◆ Loss of access to personal or public transportation
- ◆ Being a victim of a serious crime, including, but not limited to, domestic abuse, even if the crime was not reported or did not result in criminal prosecution or civil liability
- ◆ Natural disaster
- ◆ Change of major

Submitting an Appeal: The appeal form can be found online at [LINK] and hard copies are available at the Financial Aid Office. Instructions for completing the form are emailed to all students who are deemed ineligible for financial aid due to not meeting SAP at the time of evaluation. Appeals may be submitted in any term after a student does not meet SAP; however, a student may only submit an appeal once per academic term (not including a second review for appeals that are denied). Appeals can be submitted online or in person at the Financial Aid Office.

Documentation: Supporting documentation for special circumstances is required. This may include letters from medical providers, degree or academic planning materials from a college advisor, or supporting statements from other on-campus support services such as Student Disability Services. [INSTITUTION] recognizes that, in some instances, it can be unreasonable or potentially re-traumatizing to produce supporting documentation. A student who cannot reasonably produce documentation can complete the SAP Appeal Self-Attestation Form which can be accessed by [INSTRUCTIONS/LINKS].

Appeal Time Frame: Students are encouraged to submit an appeal as soon as they receive notification from the financial aid office. Appeals must be submitted no later than three weeks before the end of the academic term in which they want financial aid eligibility restored. SAP appeals are typically reviewed within three to four weeks from the time a completed appeal is submitted. After an appeal has been reviewed, the student will be notified by email of the final decision. Appeals cannot be approved retroactively to apply to terms prior to the term in which the appeal was submitted.

Appeal Decisions: If a student's appeal is denied, they have the option to request a second review by a reviewer who did not participate in the initial review. To request a second review for a denied appeal, please contact [CONTACT INFORMATION].

CHECK YOUR APPEAL POLICY AND PROCESS FOR AB 789 COMPLIANCE

- Accepts both electronic and hard copy appeals.
- Explicitly states the special circumstances that can form the basis of an appeal and includes the complete AB 789 list of circumstances.
- Accepts appeals up until three weeks before the end of the term or later.
- Does not impose a limit on the number of appeals a student may file throughout the duration of their enrollment.
- Allows students to submit an appeal in any subsequent term following the loss of financial aid eligibility.
- Communicates appeal decisions to students within 45 days.
- Offers a second review process for appeals that are denied by a reviewer who did not participate in the initial review.
- Does not drop students with a pending appeal for non-payment of tuition and fees.
- Allows students to self-attest to circumstances in which third-party documentation cannot be reasonably obtained.
- Accepts appeals from reentering students who disenrolled while on financial aid ineligibility due to not meeting SAP.
- Allows students to remain on “financial aid probation” if they are meeting the terms and conditions of their academic plan.





Enhancing Communication to Students

In addition to creating consistent and equity-based SAP policies and appeals processes, AB 789 ensures that students are given the information they need to understand their institution's SAP standards and appeal options. Research shows that students and their support networks often struggle to complete financial aid processes and understand financial aid communications.⁷ For instance, one study found that first-generation, low-income students were surprised they had received a SAP notification despite having improved their grades, revealing a lack of awareness that SAP consists of a combination of GPA, completion rate, and attempted credits.⁸ As such, it is critically important that institutions routinely communicate information regarding SAP standards and appeal processes to students and their support networks.

Provide information to students about the institution's SAP standards and financial aid appeal process. AB 789 has three communication requirements to ensure that students receive timely, proactive, and accessible information:

1. Given that first-year students are the students most likely not to meet SAP, AB 789 requires institutions to provide information about their SAP policies and appeal processes during new student orientation. This may be during in-person events, such as "Welcome Week," or through online orientation modules required for incoming students.
2. Institutions must also request that their faculty include information using "student-friendly language" on the institution's SAP standards and appeal process on course syllabi. The intent is not that detailed policy information will be embedded within syllabi but rather that syllabi include a brief reference limited to no more than a few sentences with instructions on where to access complete information. See the syllabi statement in the accompanying box for an example.
3. Lastly, institutions must include SAP and appeals policies information on their websites and in financial aid offers using "student-friendly language."



SAMPLE SYLLABI STATEMENT YOUR GRADES MATTER!

In order to continue to receive financial aid, you must meet the Satisfactory Academic Progress (SAP) requirements. Making satisfactory academic progress means that you are maintaining a 2.0 GPA, you have successfully completed 67% of your coursework, and you will graduate on time.

If you do not maintain SAP, you may lose your financial aid. If you have questions, please contact financial aid at financialaid@txstate.edu.



Notify students after each term in which SAP has not been met. As a result of AB 789, institutions must notify students who do not achieve SAP each term, regardless of the frequency of formal SAP evaluations. While federal statute permits institutions to formally evaluate SAP at either the end of each payment period (e.g., quarterly or semesterly) or annually, there is no language that prohibits institutions from reviewing SAP standing and communicating information to students with greater frequency. These more frequent progress checks are considered “informal reviews” and cannot replace the required formal reviews.

Institutions that conduct formal reviews on a quarterly or semesterly basis and place students on warning status will not need to change their current practice so long as students who do not meet SAP at the end of each term receive a notification regarding their SAP standing. Institutions that evaluate annually will be required to conduct informal reviews after each term and provide proper notification to students. It should be noted that these informal reviews do not require institutions that evaluate annually to change their formal evaluation frequency or place students on formal financial aid warning status.

CAMPUS SPOTLIGHT: UNIVERSITY OF WISCONSIN-MADISON

The University of Wisconsin–Madison (UW–Madison) publishes their Satisfactory Academic Progress information clearly in the “Eligibility” section of their Office of Student Financial Aid website. The information begins with a list of criteria followed by an explanation of the policy in simplified language. The website also features a simple menu structure with information about what happens when students do not make SAP, how students can appeal, and other options. This segmented approach allows students to access all relevant SAP information without having to navigate from webpage to webpage, which could potentially confuse the student or stall their progress. Instead of posting the entire policy and asking students to parse the policy for relevant information, UW–Madison has highlighted the main points of the policy and only shows the student what they really need to know. Moreover, the information contains the second–person pronouns “you” to call attention to the information for the student, informing the student that the information pertains to them, and they must act.

What is Satisfactory Academic Progress?

Satisfactory Academic Progress (SAP)

Not Meeting SAP

Appeal Process

Other Options

The following three components are evaluated at the end of each academic year:

1. Undergraduate students must have a minimum cumulative grade point average of 2.0.
2. You must successfully complete a cumulative 2/3 (67%) of all credits for which you attempt.
 - **“Attempted”** coursework includes all classes that appear on your official transcript, including those with a DR (dropped) or W (withdrew) grade notation. The last day to drop classes without a DR or W notification varies each semester – check the [Registrar’s Office Session Dates](#) for specifics.
 - **“Completed”** coursework includes all classes with a passing grade (D or above). Credits that are dropped, failed, or incomplete will negatively impact your completion rate.
3. You may not enroll for more than 150% of the number of credits needed to complete your degree. Transfer credits and prior degree credits are included in this evaluation.



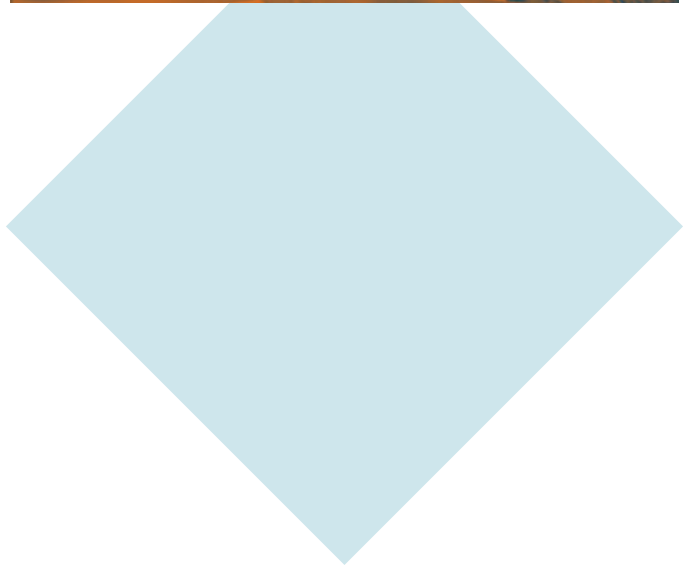
WHAT IS STUDENT-FRIENDLY LANGUAGE?

While AB 789 does not define “student-friendly language,” there are several basic tenets of text simplification that can improve readability and help students process and retain financial aid information. In addition to the tips below, institutions should use their best judgment to determine appropriate and accessible language.

- ◆ Limit jargon, acronyms, and other domain-specific terms that students may be unfamiliar with.
- ◆ Use active voice with the subject of each sentence performing the verb in the sentence (e.g., “The student must show their ID” instead of “An ID must be shown by the student”).
- ◆ Prioritize short sentences and use simple sentence structure.
- ◆ Use lower grade-level diction and vocabulary.
- ◆ Practice lexical overlap, meaning that when a difficult but necessary term is included in a sentence, it should be included in subsequent sentences and in different areas of the text to reinforce the term’s meaning for the reader through context clues and repetition.
- ◆ Segment policy information into smaller sections that pertain to student actions.
- ◆ Embed contact information.

SAMPLE NOTIFICATION LANGUAGE

This is an alert to inform you that you did not meet Satisfactory Academic Progress (SAP) standards during the [fall/spring/summer] term. If you do not meet the SAP standards by the next formal evaluation point at the end of the [INSERT] term, you will no longer be eligible for future financial aid. As a reminder, the SAP standards you must meet are listed below. We want you to be successful at [INSTITUTION] and encourage you to reach out to the on-campus resources listed below that can help you improve your academic progress.



Appendix A:

Assembly Bill No. 789



AN ACT TO AMEND SECTION 69432.7 OF THE EDUCATION CODE, RELATING TO STUDENT FINANCIAL AID.

(l)(4) By the start of the 2024–25 academic year, the institution shall develop and implement policies defining “satisfactory academic progress” in a manner that is consistent with the federal standards published in Title 34 of the Code of Federal Regulations. The institution shall also comply with all of the following requirements:

(A) Set the standards for grade point average and pace of completion at the minimum federal standards as determined by Section 668.34(a) of Title 34 of the Code of Federal Regulations.

(B) Provide information to students about the institution’s “satisfactory academic progress” standards and financial aid appeals process during new student orientation and include student–friendly language on the institution’s internet website and financial aid award letters regarding the standards and appeals process. The institution shall request its faculty to include student–friendly language on course syllabi regarding the standards and appeals process.

(C) Notify a student when the student has not achieved the “satisfactory academic progress” standards following every term of enrollment, regardless of the frequency at which “satisfactory academic progress” is formally evaluated. This subparagraph does not preclude an institution from conducting the formal evaluation annually.

(D) Evaluate whether a student satisfies the grade point average and pace of completion standards set forth in subparagraph (A) based on cumulative measures. An institution shall not require a student to satisfy the minimum grade point average and pace of completion standards for each individual term. This paragraph does not preclude an institution from requiring a student on “financial aid probation” as defined by Section 668.34(b) of Title 34 of the Code of Federal Regulations to comply with the terms of the student’s academic plan in order to maintain financial aid eligibility.

(E) Exclude remedial coursework from maximum timeframe calculations if the institution offers remedial coursework.



(F) Allow a student who fulfills the terms and conditions of the student's academic plan to remain on "financial aid probation" as defined by Section 668.34(b) of Title 34 of the Code of Federal Regulations, including continuing to receive financial aid for any term for which the student fulfills the terms and conditions of the student's academic plan.

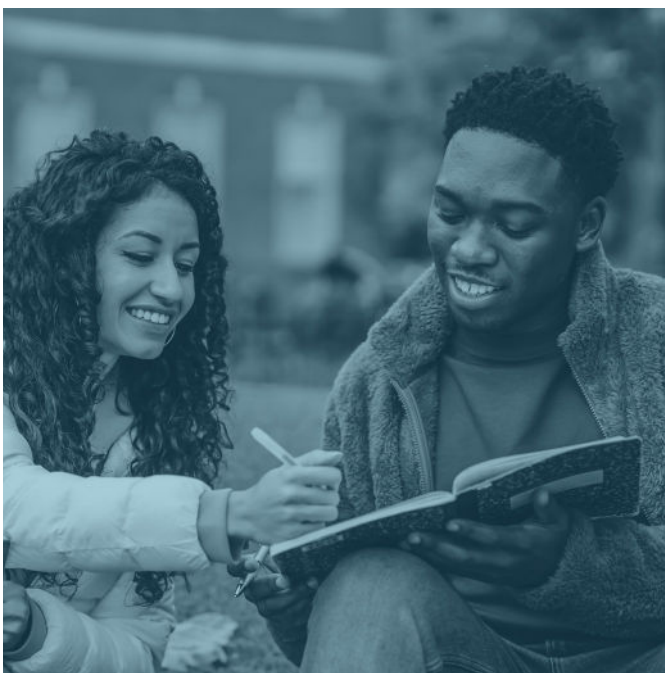
(G) In the case of a "satisfactory academic progress" determination for a transfer student, when calculating maximum timeframe as defined by Section 668.34(b) of Title 34 of the Code of Federal Regulations, only include those credits from other institutions that count towards the student's current program of study.

(H) Accept both electronic and hard copy financial aid appeals for any student who is ineligible to receive financial aid due to the determination that the student did not meet "satisfactory academic progress," as defined by the institution where the student is enrolled, subject to all of the following:

(i) A student who loses financial aid eligibility may appeal the determination during any subsequent term following loss of financial aid eligibility. The institution shall not limit the total number of appeals that may be submitted by a student throughout the duration of the student's enrollment. The institution may limit the number of appeals per term, but each appeal that is denied shall be subject to the second review process pursuant to clause (vi). The institution shall not impose deadlines for submitting an appeal that are earlier than three weeks before the end of each term.

(ii) A student who previously disenrolled while being ineligible to receive financial aid may appeal the loss of financial aid upon reenrollment, and the timing for consideration of the appeal shall allow the student, if the student meets the criteria for financial aid reinstatement, to qualify for reinstatement upon the first term of reenrollment.

(iii) The institution shall provide a student who is ineligible to receive financial aid with written notice of the financial aid appeals process, including the process for a student to file an appeal, information about the second review process for an appeal that is denied as described in clause (vi), and how a student may request a second review.



(iv) In reviewing a student's appeal, the institution may consider any additional special circumstances that the institution deems appropriate, and shall consider a broad range of special circumstances, including, but not limited to, any of the following:

- (I) Death of a relative or other significant person.
- (II) Injury or illness, including, but not limited to, behavioral health conditions, of the student or a relative or other significant person.
- (III) Pregnancy or birth of a child.
- (IV) Homelessness.
- (V) Loss of childcare.
- (VI) Loss or change in employment.
- (VII) Loss of access to personal or public transportation.
- (VIII) Being a victim of a serious crime, including, but not limited to, domestic abuse, even if the crime was not reported or did not result in criminal prosecution or civil liability.
- (IX) Natural disaster.
- (X) Change of major.



(v) The institution shall review a student's appeal and notify the student of the appeal decision within 45 days of submission of a complete appeal. The institution shall not disenroll a student for nonpayment of tuition and fees while the student's appeal is pending.

(vi) The institution shall provide a second review process for an appeal that is denied if requested by the student. The second review shall be conducted by a reviewer who did not participate in the first review.

(vii) The institution shall waive any requirement for third-party written documentation of the special circumstances forming the basis of an appeal if that documentation cannot be reasonably obtained by the student and the student signs a statement attesting to the veracity of the special circumstances presented as the grounds for appeal.

(viii) This subparagraph shall not be interpreted to require institutions to provide retroactive financial aid for a term preceding the term in which a student reenrolls.

Appendix B:

AB 789 Crosswalk with Federal Regulations

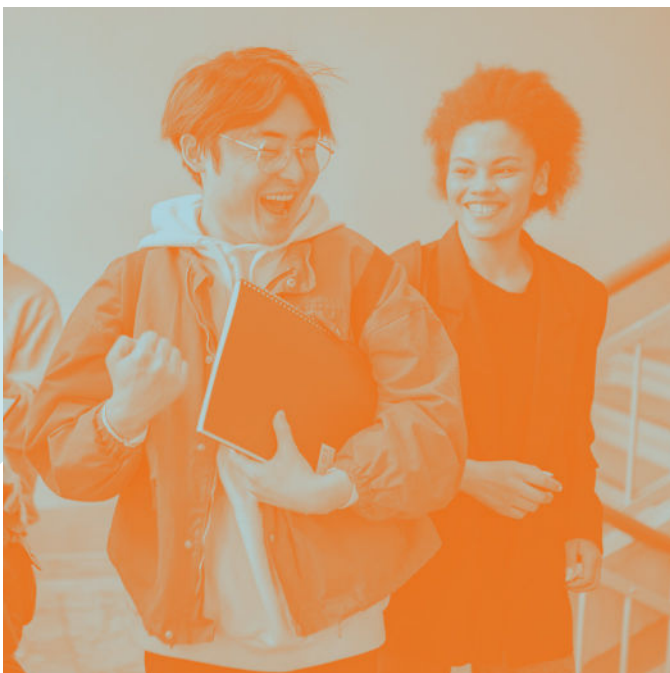
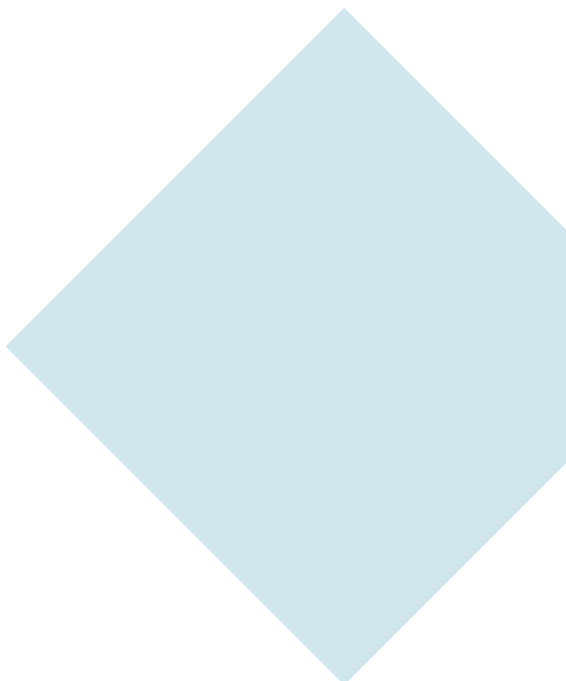
EC 69432.7(l)(4) By the start of the 2024–25 academic year, the institution shall develop and implement policies defining “satisfactory academic progress” in a manner that is consistent with the federal standards published in Title 34 of the Code of Federal Regulations. The institution shall also comply with all of the following requirements:

Section	Text	Relationship to federal law
4(A)	Set the standards for grade point average and pace of completion at the minimum federal standards as determined by Section 668.34(a) of Title 34 of the Code of Federal Regulations.	Direct reference to federal law.
4(B)	Provide information to students about the institution’s “satisfactory academic progress” standards and financial aid appeals process during new student orientation and include student-friendly language on the institution’s internet website and financial aid award letters regarding the standards and appeals process. The institution shall request its faculty to include student-friendly language on course syllabi regarding the standards and appeals process.	No federal regulations or guidance currently exist regarding how SAP policies must be communicated to students.
4(C)	Notify a student when the student has not achieved the “satisfactory academic progress” standards following every term of enrollment, regardless of the frequency at which “satisfactory academic progress” is formally evaluated. This subparagraph does not preclude an institution from conducting the formal evaluation annually.	<p>Institutions must evaluate SAP either:</p> <ul style="list-style-type: none"> At the end of each payment period if the educational program is either one academic year in length or shorter than an academic year; or For all other educational programs, at the end of each payment period or at least annually to correspond with the end of a payment period; (668.34(a)(3)) <p>There is no language that prohibits institutions that evaluate SAP annually from communicating information regarding progress to students with greater frequency.</p> <p>FSA Handbook: “You may review SAP via satisfactory progress checks more frequently, (for example, monthly), but the more frequent reviews are considered informal checks and cannot replace the review that is required to be conducted at the end of the payment period.” (2022/23 Volume 1, Chapter 1)</p>



Section	Text	Relationship to federal law
4(D)	<p>Evaluate whether a student satisfies the grade point average and pace of completion standards set forth in subparagraph (A) based on cumulative measures. An institution shall not require a student to satisfy the minimum grade point average and pace of completion standards for each individual term. This paragraph does not preclude an institution from requiring a student on “financial aid probation” as defined by Section 668.34(b) of Title 34 of the Code of Federal Regulations to comply with the terms of the student’s academic plan in order to maintain financial aid eligibility.</p>	<p><u>GPA</u>: Institutions must:</p> <ul style="list-style-type: none"> • have a policy that specifies the grade point average (GPA) that a student must achieve at each evaluation, and • have a policy that specifies, for students enrolled in an educational program of more than two academic years, that at the end of the second academic year the student must have a GPA of at least a “C” or its equivalent, or have academic standing consistent with the institution’s requirements for graduation. (668.34(a)(4)) <p><u>Pace of progression</u>: Institutions’ policies must:</p> <ul style="list-style-type: none"> • Specify the maximum time frame as a period that is no longer than 150 percent of the published length of the educational program. (668.34(b)) • Provide that at the time of each evaluation a student must be successfully completing his or her educational program at the required pace to complete the program within the maximum timeframe (668.34(a)(5), 668.34(a)(7) & 668.34(b)) <p>FSA Handbook: “Each component may include a payment period–based standard but are required to include a cumulative standard.” (2022/23 Volume 1, Chapter 1)</p>
4(E)	<p>Exclude remedial coursework from maximum timeframe calculations if the institution offers remedial coursework.</p>	<p>Federal regulations related to a maximum timeframe specify that “In making this calculation, the institution is not required to include remedial courses.” (668.34(a)(5)(ii))</p> <p>FSA Handbook: “You may include, but aren’t required to include, remedial courses when making the assessment of the quantitative component of SAP.” (2022/23 Volume 1, Chapter 1)</p>

Section	Text	Relationship to federal law
4(F)	<p>Allow a student who fulfills the terms and conditions of the student’s academic plan to remain on “financial aid probation” as defined by Section 668.34(b) of Title 34 of the Code of Federal Regulations, including continuing to receive financial aid for any term for which the student fulfills the terms and conditions of the student’s academic plan.</p> <p><i>Note: this provision is designed to ensure that institutions do not limit the number of terms a student can continue to receive aid if they are fulfilling the terms of their academic plan.</i></p>	<p>An institution may disburse funds to a student on financial aid probation if the student appeals the determination; and</p> <p>(A) The institution determines that the student should be able to meet the institution’s satisfactory academic progress standards by the end of the subsequent payment period; or</p> <p>(B) The institution develops an academic plan for the student that, if followed, will ensure that the student is able to meet the institution’s satisfactory academic progress standards by a specific point in time.</p> <p>668.34(c)(3) & 668.34(d)(2)(iii)</p> <p>A student on financial aid probation may receive Title IV, HEA program funds for one payment period. While a student is on financial aid probation, the institution may require the student to fulfill specific terms and conditions such as taking a reduced course load or enrolling in specific courses. At the end of one payment period on financial aid probation, the student must meet the institution’s satisfactory academic progress standards or meet the requirements of the academic plan developed by the institution and the student to qualify for further Title IV, HEA program funds; 668.34(a)(8)(ii)</p>



Section	Text	Relationship to federal law
4(G)	<p>In the case of a “satisfactory academic progress” determination for a transfer student, when calculating maximum timeframe as defined by Section 668.34(b) of Title 34 of the Code of Federal Regulations, only include those credits from other institutions that count towards the student’s current program of study.</p>	<p>The policy must describe how a student’s GPA and pace of completion are affected by transfers of credit from other institutions. Credit hours from another institution that are accepted toward the student’s educational program must count as both attempted and completed hours. 668.34(a)(6)</p> <p>Your policy must explain how GPA and pace of completion are affected by incomplete courses, withdrawals, and repetitions, and by transfer credits from other schools. Generally, all periods of the student’s enrollment count when assessing progress, even periods in which the student did not receive Title IV funds. However, only transfer credits that count toward the student’s current program must be counted (as both attempted and completed hours; credits not counted toward the student’s program may also be counted at your school’s discretion, as described in your SAP policy). (FSA Handbook, 2022/2023 Vol. 1, Ch 1)</p> <p>Q. When determining SAP, is it permissible to only include coursework applicable to the student’s program in the qualitative calculation, while including all coursework in the quantitative calculation?</p> <p>A. Normally, coursework assessed must be the same for both qualitative and quantitative measures. However, in the case of a transfer student, all of a student’s credits accepted towards the new program must be counted in the quantitative measurement, but transfer credits are optional in the qualitative measurement. You are not required, for instance, to factor in grades from other institutions into students’ GPA at your school. (FSA Handbook, 2022/2023 Vol. 1, Ch 1)</p>
4(H)	<p>Accept both electronic and hard copy financial aid appeals for any student who is ineligible to receive financial aid due to the determination that the student did not meet “satisfactory academic progress,” as defined by the institution where the student is enrolled, subject to all of the following:</p>	<p>Institutions that permit students to appeal must describe in their policy “How the student may reestablish his or her eligibility to receive assistance under the title IV, HEA programs” 668.34(a)(9)(i)</p> <p>There are no additional requirements related to how the appeals policy is structured.</p>

Section	Text	Relationship to federal law
4(H)(i)	<p>A student who loses financial aid eligibility may appeal the determination during any subsequent term following loss of financial aid eligibility. The institution shall not limit the total number of appeals that may be submitted by a student throughout the duration of the student’s enrollment. The institution may limit the number of appeals per term, but each appeal that is denied shall be subject to the second review process pursuant to clause (vi). The institution shall not impose deadlines for submitting an appeal that are earlier than three weeks before the end of each term.</p>	<p>Institutions that permit students to appeal must describe in their policy “How the student may reestablish his or her eligibility to receive assistance under the title IV, HEA programs” 668.34(a)(9)(i)</p> <p>There are no additional requirements related to how the appeals policy is structured.</p> <p>ED FAQ APP-Q1: How many times may a student appeal a failure to make SAP? APP-A1: The regulations do not limit the number of times a student may appeal.</p>



Section	Text	Relationship to federal law
4(H) (ii)	A student who previously disenrolled while being ineligible to receive financial aid may appeal the loss of financial aid upon reenrollment, and the timing for consideration of the appeal shall allow the student, if the student meets the criteria for financial aid reinstatement, to qualify for reinstatement upon the first term of reenrollment	<p>Institutions that permit students to appeal must describe in their policy “How the student may reestablish his or her eligibility to receive assistance under the title IV, HEA programs” 668.34(a)(9)(i)</p> <p>A student on financial aid probation may receive title IV, HEA program funds for one payment period. While a student is on financial aid probation, the institution may require the student to fulfill specific terms and conditions such as taking a reduced course load or enrolling in specific courses. At the end of one payment period on financial aid probation, the student must meet the institution’s satisfactory academic progress standards or meet the requirements of the academic plan developed by the institution and the student to qualify for further title IV, HEA program funds; 668.34(a)(8)(ii)</p> <p>(3) For the payment period following a payment period during which a student was on financial aid warning, the institution may place the student on financial aid probation, and disburse title IV, HEA program funds to the student if –</p> <p>(i) The institution evaluates the student’s progress and determines that student did not make satisfactory academic progress during the payment period the student was on financial aid warning;</p> <p>(ii) The student appeals the determination; and</p> <p>(iii)(A) The institution determines that the student should be able to meet the institution’s satisfactory academic progress standards by the end of the subsequent payment period;</p> <p>or</p> <p>(B) The institution develops an academic plan for the student that, if followed, will ensure that the student is able to meet the institution’s satisfactory academic progress standards by a specific point in time.</p> <p>(4) A student on financial aid probation for a payment period may not receive title IV, HEA program funds for the subsequent payment period unless the student makes satisfactory academic progress or the institution determines that the student met the requirements specified by the institution in the academic plan for the student. 668.34(c)(3–4)</p>

Section	Text	Relationship to federal law
4(H) (iii)	The institution shall provide a student who is ineligible to receive financial aid with written notice of the financial aid appeals process, including the process for a student to file an appeal, information about the second review process for an appeal that is denied as described in clause (vi), and how a student may request a second review.	<p>Institutions that permit students to appeal must describe in their policy “How the student may reestablish his or her eligibility to receive assistance under the title IV, HEA programs” 668.34(a)(9)(i)</p> <p>There are no additional requirements related to how the appeals policy is structured.</p>
4(H) (iv)	<p>In reviewing a student’s appeal, the institution may consider any additional special circumstances that the institution deems appropriate, and shall consider a broad range of special circumstances, including, but not limited to, any of the following:</p> <p>(I) Death of a relative or other significant person.</p> <p>(II) Injury or illness, including, but not limited to, behavioral health conditions, of the student or a relative or other significant person.</p> <p>(III) Pregnancy or birth of a child.</p> <p>(IV) Homelessness.</p> <p>(V) Loss of childcare.</p> <p>(VI) Loss or change in employment.</p> <p>(VII) Loss of access to personal or public transportation.</p> <p>(VIII) Being a victim of a serious crime, including, but not limited to, domestic abuse, even if the crime was not reported or did not result in criminal prosecution or civil liability.</p> <p>(IX) Natural disaster.</p> <p>(X) Change of major.</p>	<p>Institutions that permit students to appeal must describe in their policy “The basis on which a student may file an appeal: The death of a relative, an injury or illness of the student, or other special circumstances.” 668.34(a)(9)(ii)</p> <p>“Your policy may permit that for students who change majors, credits and grades that do not count toward the new major will not be included in the satisfactory progress determination.” (FSA Handbook, 2022/2023 Vol. 1, Ch 1)</p>
4(H) (v)	The institution shall review a student’s appeal and notify the student of the appeal decision within 45 days of submission of a complete appeal. The institution shall not disenroll a student for nonpayment of tuition and fees while the student’s appeal is pending.	<p>Institutions that permit students to appeal must describe in their policy “How the student may reestablish his or her eligibility to receive assistance under the title IV, HEA programs.” 668.34(a)(9)(i)</p> <p>There are no additional requirements related to how the appeals policy is structured.</p>

Section	Text	Relationship to federal law
4(H) (vi)	The institution shall provide a second review process for an appeal that is denied if requested by the student. The second review shall be conducted by a reviewer who did not participate in the first review.	<p>Institutions that permit students to appeal must describe in their policy “How the student may reestablish his or her eligibility to receive assistance under the title IV, HEA programs” 668.34(a)(9)(i)</p> <p>There are no additional requirements related to how the appeals policy is structured.</p>
4(H) (vii)	The institution shall waive any requirement for third-party written documentation of the special circumstances forming the basis of an appeal if that documentation cannot be reasonably obtained by the student and the student signs a statement attesting to the veracity of the special circumstances presented as the grounds for appeal.	<p>Institutions that permit students to appeal must describe in their policy “Information the student must submit regarding why the student failed to make satisfactory academic progress, and what has changed in the student’s situation that will allow the student to demonstrate satisfactory academic progress at the next evaluation.” 668.34(a)(9)(iii)</p> <p>FSA Handbook: “Your school determines the process and documentation required for an appeal.” (2022/23 Volume 1, Chapter 1)</p> <p>ED FAQ APP-Q2: What documentation is required for a student appeal?</p> <p>APP-A2: That is up to the institution. An institution may choose to request additional documentation when a particular student circumstance warrants it. The institution may decide to require more extensive documentation on an initial appeal and an update statement on a subsequent appeal.</p>
4(H) (vii)	This subparagraph shall not be interpreted to require institutions to provide retroactive financial aid for a term preceding the term in which a student reenrolls .	

Appendix C:

AB 789 Frequently Asked Questions (FAQs)

1. WHAT DOES THIS BILL DO?

AB 789 requires postsecondary institutions in California that participate in the Cal Grant program to adhere to a common set of Satisfactory Academic Progress (SAP) standards within the parameters established by federal regulations. This includes:

- ◆ establishing minimum communication standards related to SAP policies and appeals processes
- ◆ preventing institutions from imposing additional requirements that are more restrictive than those that are federally mandated
- ◆ specifying criteria for how SAP appeals must be handled
- ◆ ensuring students with a prior SAP disqualification have the opportunity to regain access to financial aid upon reentry

2. IS THIS APPLICABLE TO PUBLIC INSTITUTIONS ONLY, OR BOTH PUBLIC AND PRIVATE COLLEGES AND UNIVERSITIES?

This bill applies to any institution whose students access Cal Grants, and therefore includes both public and private colleges and universities.

3. IS THIS APPLICABLE TO GRADUATE PROGRAMS?

Since graduate-level students (i.e., those pursuing a degree beyond a bachelor's) are not eligible to receive a Cal Grant award, this bill does not apply to graduate programs.

4. HOW CAN CALIFORNIA CREATE ITS OWN SAP STANDARDS IF SAP IS REGULATED BY FEDERAL LAW?

While SAP is regulated by federal law, institutions have flexibility in how they implement the federal standards. The policies required by AB 789 all comply with current federal regulations.



5. WILL FINANCIAL AID OFFICES BE REQUIRED TO APPROVE APPEALS BASED ON THE EXTENUATING CIRCUMSTANCES OUTLINED IN THE BILL?

No, financial aid offices will still be able to exercise professional judgment to make the final determination as to whether to grant a student's appeal.

6. WILL INSTITUTIONS BE REQUIRED TO OFFER REENTERING STUDENTS FINANCIAL AID UPON REENROLLMENT?

If a student successfully appeals the loss of financial aid after a period of disenrollment, the institution will be required to reinstate financial aid upon the first term of reenrollment. Institutions will no longer be allowed to require a student to attend school for a minimum period of time without financial aid before considering an appeal. Nothing in the law requires institutions to provide financial aid retroactively for terms prior to the term in which the appeal was submitted and approved.

7. WILL INSTITUTIONAL-BASED AID (E.G., SCHOLARSHIPS) BE AFFECTED?

Because the new language is linked explicitly to the Cal Grant, institutional aid will not be affected, however, it is likely for administrative simplicity that institutions will maintain a single SAP policy that applies to both the Cal Grant and institutional aid.

8. WILL INSTITUTIONS NEED TWO SEPARATE SAP POLICIES FOR STATE AND FEDERAL FINANCIAL AID?

Because the policies required by AB 789 are all compliant with federal requirements, institutions can utilize the same policy for both state and federal financial aid.

9. WILL INSTITUTIONS HAVE TO WAIVE DOCUMENTATION REQUIREMENTS FOR ALL APPEALS?

No, institutions may still request documentation. However, institutions must waive any requirement for third-party written documentation of the special circumstances forming the basis of an appeal if such documentation cannot be reasonably obtained by the student and the student signs a statement attesting to the veracity of the special circumstances presented as the grounds for appeal.

10. DOESN'T FEDERAL LAW REQUIRE INSTITUTIONS TO OBTAIN THIRD-PARTY VERIFICATION FOR APPEALS?

Federal regulations only require that institutions that permit students to appeal must describe in their policy "Information the student must submit regarding why the student failed to make satisfactory academic progress, and what has changed in the student's situation that will allow the student to demonstrate satisfactory academic progress at the next evaluation."⁹

An [FAQ](#) created by the U.S. Department of Education addresses this issue as follows:

Q: What documentation is required for a student appeal?

A: That is up to the institution. As previously stated, an institution may choose to request additional documentation when a particular student circumstance warrants it. The institution may decide to require more extensive documentation on an initial appeal and an update statement on a subsequent appeal.¹⁰

11. ARE THERE ANY OTHER EXAMPLES OF WHEN A FINANCIAL AID ADMINISTRATOR CAN ACCEPT STUDENT SELF-REPORT WITHOUT THIRD-PARTY WRITTEN VERIFICATION?

Yes, when financial aid administrators verify homeless status for independent status, the Application and Verification Guide allows that "The determination may be based on a documented interview with the student if there is no written documentation available."

Appendix D:

University of Wisconsin–Madison Financial Aid Disqualification and Appeal Notification

This email is notification that the minimum requirements to maintain [Satisfactory Academic Progress](#) (SAP), as defined by federal regulations, have not been met and resulted in the loss of your financial aid eligibility.

However, **you have the opportunity to submit an appeal.**

The following requirement was not met:

- ◆ **Maintain a minimum 2.0 cumulative grade point average (GPA).**
- ◆ **Not enroll for more than 150% of the number of credits needed to complete your degree.** For example, a student in a 120-credit program must receive their degree within 180 attempted credits. All graded and non-graded coursework is included in the calculation and includes transfer credits, repeats, incompletes, and withdrawals. **Our records indicate that you have enrolled in enough credits to complete your degree but have not completed your degree requirements and graduated.**
- ◆ **Successfully complete a cumulative 2/3 (67%) of all credits you attempt.**
 - ◆ **“Attempted”** coursework includes all classes that appear on your official transcript, including accepted transfer credits and those with a DR (dropped) or W (withdrew) grade notation.
 - ◆ **“Completed”** coursework includes all classes with a passing grade (D or above). Credits that are dropped, failed, or incomplete will negatively affect your completion rate.

If there is a change to your grades that may improve your academic progress, please send an email to satisfactory.progress@finaid.wisc.edu with details.

Our team understands that there may be a number of reasons, including uncontrollable factors, that have led to not meeting these minimum requirements and that this is not reflective of your ability and does not limit your future success. **Our goal is to help restore your financial aid eligibility and point you to academic and other resources that may assist in completing your degree while reducing financial barriers.**

Appeal Process:

- ◆ Meet with an academic advisor to discuss resources and create an academic plan to guide your future academic success.
 - ◆ Ask this academic advisor to submit the SAP Advisor Appeal eForm after you've met.
- ◆ Submit the SAP Student Appeal eForm in your MyUW Student Center.
 - ◆ Once in your Student Center, select the Student eForms tile and then click on the Financial Aid folder. You'll see the SAP Student Appeal eForm listed.
- ◆ Appeal results are emailed to you within 1–2 weeks after we have received BOTH the student and advisor eForms.
- ◆ If your appeal is approved, we will be able to restore your financial aid eligibility. Please note that if financial aid was offered prior to this notice, the money will not be disbursed until there is a successful appeal.

What if I don't want to appeal or feel that my appeal will not be approved?

- ◆ We strongly encourage you to appeal! 99% of appeals submitted each year are approved and most students go on to graduate. You may also reach out to our office if you have a concern, but if you feel there's a barrier to the appeal process, you have the following options:
 - ◆ Bring your cumulative GPA up to a 2.0.
 - ◆ Once your cumulative GPA is above 2.0, notify our office in writing by emailing satisfactory.progress@finaid.wisc.edu.
 - ◆ Enroll and complete a high enough percentage of your classes to bring your cumulative completion rate up to 2/3 (67%).
 - ◆ Once you have increased your completion rate, notify our office in writing by emailing satisfactory.progress@finaid.wisc.edu.
 - ◆ If you continue to enroll in classes without an approved appeal, you are responsible for paying any expenses on your own. Financial aid is not retroactive if you choose not to appeal or appeal too late.

Appendix E:

Sample SAP Appeal Self-Attestation Form

Please check off the circumstances beyond your control that prevented you from maintaining Satisfactory Academic Progress (SAP). If available, attach supporting documentation to your circumstances. **If you cannot provide documentation, please provide a written explanation below.** If you need additional space, attach typed sheets to this form. The list below does not cover every possible circumstance. If your circumstance is not captured in the reasons below, please indicate "other" and specify the reason.

- | | | |
|--|--|--|
| <input type="checkbox"/> Death of a relative or other significant person | <input type="checkbox"/> Pregnancy or birth of a child | <input type="checkbox"/> Natural disaster |
| <input type="checkbox"/> Injury or illness, including behavioral health conditions (e.g., mental health or substance use disorder) of the student, a relative, or other significant person | <input type="checkbox"/> Homelessness | <input type="checkbox"/> Change of major |
| | <input type="checkbox"/> Loss of childcare | <input type="checkbox"/> Being a victim of a serious crime, including domestic abuse |
| | <input type="checkbox"/> Loss or change in employment | <input type="checkbox"/> Other (please specify):
_____ |
| | <input type="checkbox"/> Loss of access to personal or public transportation | _____ |

If you cannot provide documentation, please provide a written explanation below.
If you need additional space, attached typed sheets to this form.

Student's Signature: _____ Date: _____

Return this form and any additional documentation to [insert email here]
or in person at [insert financial aid office information here].



Endnotes

- 1 John Burton Advocates for Youth. (2021). The Overlooked Obstacle—How Satisfactory Academic Progress Policies Impede Student Success and Equity. <https://jbay.org/resources/overlooked-obstacle/>
- 2 Ocean, M. (2017). Financially eligible Pell Grant community college students' perceptions of institutional integration. *Journal of College Student Retention: Research, Theory & Practice*, 19(3), 333–356.
- 3 Gibbs, T., Powell, L., Barree, Z., Selby, S. & Sullivan, A.(2020, April 22). Satisfactory academic progress: Basics & beyond [Webinar]. National Association of Student Financial Aid Administrators. https://www.nasfaa.org/uploads/documents/SAP_Basics_Beyond_Webinar_Handout.pdf
- 4 U.S. Department of Education. (2011). Program Integrity Questions and Answers: Satisfactory Academic Progress. <https://www2.ed.gov/policy/highered/reg/hearulemaking/2009/sap.html>
- 5 Federal Student Aid. (2023). Federal Student Aid Handbook. <https://fsapartners.ed.gov/knowledge-center/fsa-handbook/2023-2024/vol1>
- 6 Headlam, C. Marano E., Yu, J. (2009). A Matter of Degree: Using Behavioral Science to Identify Barriers to Credit Intensity and Satisfactory Academic Progress, Center for Applied Behavioral Science at MDRC.
- 7 Dynarski, S.M., & Scott-Clayton, J.E. (2006). The Cost of Complexity in Federal Student Aid: Lessons from Optimal Tax Theory and Behavioral Economics. *National Tax Journal*, 59(2), 319–356. <https://doi.org/10.17310/ntj.2006.2.07>
- 8 Talusan, L., & Franke, R. (2019). (Un)Fulfilling Requirements: Satisfactory Academic Progress and its Impact on First-Generation, Low-Income, Asian American Students. *Journal of Critical Scholarship on Higher Education and Student Affairs*, 5(1), 15–28. <https://ecommons.luc.edu/jcshesa/vol5/iss1/3/>
- 9 34 C.F.R. §(a)(9)(iii)
- 10 [ED FAQ](#)

