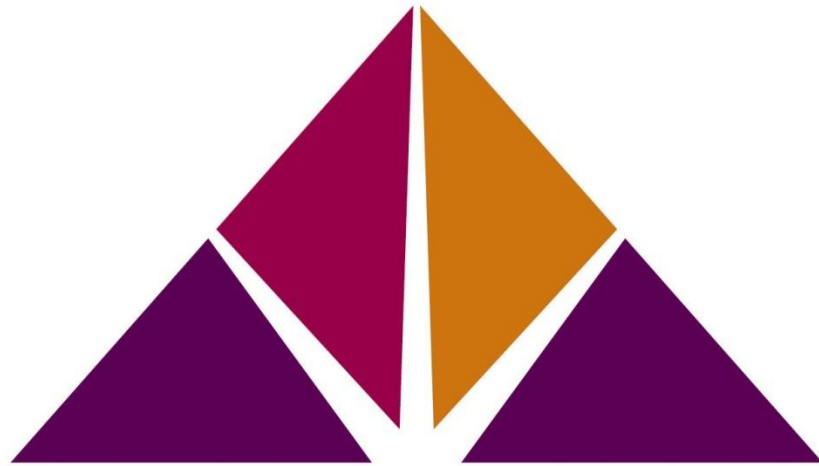


Application Workshop
Approval to Operate for an Institution
Non-Accredited



BPPPE

Bureau for Private Postsecondary Education

Applicants
Guide to Laws and Regulations
Ninth Edition November 2019

STATE OF CALIFORNIA



DEPARTMENT OF CONSUMER AFFAIRS

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P.O. Box 980818, West Sacramento, CA 95798-0818
P (916) 431-6959, F (916) 263-1897, www.bppe.ca.gov

Law (Statute)

California Private Postsecondary Education Act of 2009
(California Education Code **(CEC)**, Title 3, Division 10, Part 59, Chapter 8)

Regulations

Title 5. California Code of Regulations (**5 CCR**)
Division 7.5. Private Postsecondary Education

Bureau Mission Statement

The Bureau protects students and consumers through the oversight of California's private postsecondary educational institutions by conducting qualitative reviews of educational programs and operating standards, proactively combatting unlicensed activity, impartially resolving student and consumer complaints, and conducting outreach.

CEC §94887

Granting an Approval to Operate

An approval to operate shall be granted only after an applicant has presented sufficient evidence to the bureau, and the bureau has independently verified the information provided by the applicant through site visits or other methods deemed appropriate by the bureau, that the applicant has the capacity to satisfy the minimum operating standards.

The bureau shall deny an application for an approval to operate if the application does not satisfy those standards.

5 CCR §71700

Applicability of Standards

The Bureau may request that an institution document compliance with the standards set forth in the Act and this Division to obtain and maintain an approval to operate.



Application Review Process

- Upon the Bureau receiving an institution's application, a receipt letter will be mailed to the institution to confirm the application was received, and provide the assigned application number.
- Within 30 days of receiving the application, the bureau will assess the application to make sure the application is complete. What does this mean? We are looking to make sure all required documents have been submitted (catalog, enrollment agreement, financials, etc.). This review is not to evaluate for compliance. If the application is incomplete we will send a letter to the applicant requesting the additional documents. Once all of the documents have been received, the application will be placed in the queue for the next available analyst.
- Once the application is assigned to an analyst, the analyst will conduct a thorough review of the application and all supporting documents to determine compliance with the minimum operating standards.
- If there are any deficiencies, the analyst will send the applicant a detailed letter explaining the deficiencies and how to come into compliance.
- The applicant will then have approximately 30 days to respond to this letter and provide corrections and/or supporting documentation in response to the deficiencies outlined.
- After the applicant submits a response to the deficiency letter, the analyst will assess the institution's response to determine compliance, and forward the application to the next level review.
- If applicable, the application will then be submitted to the Quality of Education Unit (QEU) to review the educational programs if they are not solely approved by another licensing entity.
- The QEU will review the educational programs and may set up a meeting to review the platform of the instruction (for distance education).
- Once the QEU has completed their review, they will forward their findings to the Licensing Analyst to complete the approval or denial of the application.
- Once a manager has agreed with the recommendation of approval or denial, a letter is sent to the institution to communicate an approval or denial of the application.



Bureau for Private Postsecondary Education
P.O. Box 980818
West Sacramento, CA 95798-0818

OFFICE USE ONLY
Date Stamp _____
SAIL application # _____
Application fee _____ Date _____
School Code _____
Revenue Code 1257009M

Application for Approval to Operate for an Institution Non Accredited

(California Education Code §§ 94885, 94887; Title 5, California Code of Regulations §§ 71110-71340)

(\$5,000.00 Non Refundable Application Fee)

1. INSTITUTION (5 C.C.R. Section 71110)

Name of Institution: _____

Physical Address of the Primary Administrative
Location in California: _____

City _____ State _____ Zip _____

Institution's
Mailing Address: _____

City _____ State _____ Zip _____

Phone Number: _____ Fax Number: _____

Website Address: _____

Physical Address of Main Campus: _____

City _____ State _____ Zip _____

Phone Number: _____ Fax Number: _____

Physical Address of Branch/Satellite
If not applicable so state: _____

City _____ State _____ Zip _____

Phone Number: _____ Fax Number: _____

Contact Person for this Application

Name _____ Email Address _____

Address _____

City _____ State _____ Zip _____

Telephone Number _____ Fax Number _____

2. FORM OF BUSINESS ORGANIZATION (5 C.C.R. Section 71120)

Individually owned; sole proprietorship

General Partnership

Limited Partnership

For Profit Corporation

Non-Profit Corporation

Limited Liability Corporation

State where incorporated

Date of Incorporation

(Attach copies of the articles of incorporation and bylaws.)

3.1 OWNER(S) (5 CCR Section 71110, 71130)

List all people who own or control 25% or more of the stock or interest in the Institution or any other person who exercises substantial control over the institution’s management or policies, or any other financial involvement in the institution. Attach separate sheets if necessary.

Please check here if addition sheet(s) is (are) attached.

Name

Title:

Physical Address (Home Address)

Federal Employer Identification Number for Partnerships;
Social Security Number for sole owners*:

City

State

Zip

Telephone Number

Email Address

Percentage of Ownership:

Nature of Interest:

Name

Title

Physical Address (Home Address)

Federal Employer Identification Number for Partnerships;
Social Security Number for sole owners*:

City

State

Zip

Telephone Number

Email Address

Percentage of Ownership:

Nature of Interest:

*Disclosure of your federal employer identification number (EIN) or social security number (SSN) is mandatory. Section 30 of the Business and Professions Code and Public Law 94-455 (42USCA 405 (c)(2)(C) authorize collection of your EIN/SSN. Your EIN/SSN will be used exclusively for tax enforcement purposes, for purposes of compliance with any judgment or order for family support in accordance with Section 11350.6 of the Welfare and Institutions Code, or for verification of licensure or examination status by a licensing or examination entity that utilizes a national examination and where licensure is reciprocal with the requesting state. If you fail to disclose your EIN/SSN, you will be reported to the Franchise Tax Board, which may assess a \$100 penalty against you.

3.2 Attach a Statement from anyone listed in 3.1 who:

a) Was found in any judicial or administrative proceeding to have violated the Act or the law of any other state related to untrue or misleading advertising, the solicitation of prospective students for enrollment in an educational service, or the operation of a postsecondary school.

b) Was denied any type of license on grounds set forth in Section 480 of the Business and Professions Code.

c) Was adjudicated as responsible for the closure of an institution in which there were unpaid liabilities to the state or federal government or any uncompensated pecuniary losses suffered by students

d) Has stipulated to a judgment or administrative order or entered a consent decree involving any matters described in this section.

e) Was convicted of any misdemeanor or felony as provided in Section 480(a)(1) of the Business and Professions Code.

Please check here if there is an (are) attachment(s)

3.3 Explanation of Pending Actions

Provide an attachment(s) explaining any legal action pending against the institution or ownership or any of the institution’s owners, officers, corporate directors administrators or instructors by any federal, state, or local law enforcement agency involving alleged acts of fraud, dishonesty, financial mismanagement, unpaid liabilities to any governmental agency or claims for pecuniary loss suffered by any student.

Please check here if there is an (are) attachment(s)

4. AGENT FOR SERVICE OF PROCESS WITHIN CALIFORNIA (5 C.C.R. Section 71135)

Name

Physical Address
(not the address of the school)

City

State

Zip

Email Address

Telephone Number

Fax Number

I confirm my contact information listed above and acknowledge that I am the designated agent for service of process.

Signature

Date

5. ORGANIZATION AND MANAGEMENT (5 C.C.R. Section 71140)

Include an organization chart that shows the governance and administrative structure of the institution and the relationship between faculty and administrative positions.

Document is attached: Yes No

Provide a description of the job duties and responsibilities of each administrative and faculty position.

Document(s) is (are) attached: Yes No

Identify the chief executive officer, chief operating officer, and chief academic officer and describe their education, experience, and qualifications to perform their duties and responsibilities.

Document(s) is (are) attached: Yes No

6. GOVERNING BOARD (5 C.C.R. Section 71150)

If the institution has a governing board, include the name, e-mail address, work address and telephone number of each member of the governing board.

Document is attached: Yes No (If No, explain why)

7. MISSION AND OBJECTIVES (5 C.C.R. Section 71170)

Describe in detail the institution’s mission and objectives

Document is attached: Yes No

8. INSTITUTION REPRESENTATIVE (5C.C.R. Section 71160)

Name	Email Address	
Address		
City	State	Zip
Telephone Number	Fax Number	

9. EXEMPLARS OF STUDENT AGREEMENTS (5 C.C.R. Section 71180)

Include exemplars of all student enrollment agreements and instruments of indebtedness.

Document is attached: Yes No

10. FINANCIAL AID POLICIES, PRACTICES, AND DISCLOSURES (5 C.C.R. Section 71190)

If the institution receives financial aid because its students qualify for it under any state or federal financial aid program, include a statement of the policies, practices, and disclosures regarding financial aid.

Document is attached: Yes No

11. ADVERTISING AND OTHER PUBLIC STATEMENTS (5 C.C.R. Section 71200)

Include copies of advertising and other statements disseminated to the public in any manner by the institution or its representatives that concern, describe, or represent the institution and each educational program offered by the institution.

Document is attached: Yes No (If No, explain why)

If advertising is broadcasted by television or radio, include a copy of the script.

Document is attached: Yes No (If No, explain why)

12. INSTRUCTION AND DEGREES OFFERED (5 C.C.R. Section 71210)

Identify and describe the educational program(s) the institution offers or proposes to offer.

If the educational program is a degree program, identify the full title including the name of a specific major field of learning involved, which the institution will place on each degree awarded.

List the following for each educational program offered:

1. The admissions requirements, including minimum levels of prior education, preparation, or training;
2. If applicable, information regarding the ability-to-benefit examination as required by section 94904 of the Code.
3. The types and amount of general education required.
4. The title of the educational programs and other components of instruction offered.
5. The method of instruction.
6. The graduation requirements.
7. If the educational program is designed to fit or prepare students for employment in any occupation, identify each occupation and job title to which each educational program is represented to lead.

Document is attached: Yes No

13. DESCRIPTION OF EDUCATIONAL PROGRAM (5 C.C.R. Section 71220)

Each educational program meets the requirements of 5 C.C.R. section 71710? Yes _____ No _____

Educational Program:

1. Describe each educational program.
2. The equipment to be used during the educational program
3. The number and qualifications of the faculty needed to teach the educational program.
4. A projection and the bases for the projection of the number of students that the institution plans to enroll in the educational program during each of the three years following the date the application is submitted.
5. The learning, skills, and other competencies to be acquired by students who complete the education program
6. If licensure is a goal of an education program, a copy of the approval from the appropriate licensing agency. A copy of the intent to approve conditioned solely upon institutional approval from the Bureau will also meet this requirement.

Please Note: Upon request, the institution shall provide to the Bureau copies of the required curriculum or syllabi (5 C.C.R. section 71220, 71710)

Document is attached: _____ Yes _____ No

14. INSTRUCTION IN LANGUAGES OTHER THAN ENGLISH (5 C.C.R. Section 71230)

For an educational program, or a portion of it, in a language other than English, describe all the following for each educational program or portion:

The language in which each educational program will be offered.

A statement that the institution has contracted with sufficient duly qualified faculty who will teach each language group of students.

The language of the textbooks and other written materials to be used by each language group of students.

Document is attached: _____ Yes _____ No (if no, indicate reason)

15. FINANCIAL RESOURCES AND STATEMENTS (5 C.C.R. Section 71240)

This institution has and can maintain the financial resources required pursuant to 5 C.C.R. section 71745.

Please check one: _____ Yes _____ No

Submit current, audited financial statements that are in compliance with 5 C.C.R. section 74115 along with this application for approval to operate.

Documents are attached: _____ Yes _____ No

16. FACULTY (5 C.C.R. Section 71250)

The institution has contracted with sufficient duly qualified faculty members who meet the qualification of 5 C.C.R. section 71720.

Please check one: _____ Yes _____ No

17. FACILITIES AND EQUIPMENT (C.C.R. Section 71260)

For each program offered, describe the facilities and the equipment, which is available for use by students at the main, branch, and satellite locations of the institution.

Document is attached: Yes No

For facilities that are leased or rented, include the name and address of the lessor or landlord, together with a copy of any use, lease, or rental agreements for the facilities.

Document is attached: Yes No (if no, indicate reason)

Include building diagrams or campus maps. The diagrams or maps shall identify the location of classrooms, laboratories, workshops, and libraries.

Document is attached: Yes No

Include specifications of significant equipment that demonstrate that the equipment meets the standards prescribed by the Code and is sufficient to enable students to achieve the educational objectives of each educational program.

For each item of significant equipment, indicate whether the equipment is owned, leased, rented, or licensed for short or long term, or owned by another and loaned to be used without charge.

Document is attached: Yes No

List all permits, certifications, or other evidence of inspections or authorizations to operate required by the jurisdictions within which the institution operates that the institution has obtained, and/or an explanation as to why those permits, certification, or inspections have not yet been obtained.

Document is attached: Yes No (if no, indicate reason)

18. LIBRARIES AND OTHER LEARNING RESOURCES (5 C.C.R. Section 71270)

Describe library holdings, services, and other learning resources, including policies and procedures for supplying them to students who do not receive classroom instruction.

Include an explanation of how the library and other learning resources are sufficient to support the instructional needs of students.

If no facilities exist at the institution, how and when students may obtain access to a library and other learning resources as required by the curriculum.

Document is attached: Yes No (if no, indicate reason)

19. JOB PLACEMENT ASSISTANCE (5 C.C.R. Section 71280)

If an institution represents to the public, in any manner, that it offers job placement assistance, include a description of the job placement assistance that it provides.

Document is attached: Yes No (if no, indicate reason)

20. COPY OF CATALOG (5 C.C.R. Section 71290)

Include a copy of the institution's catalog, including addenda reflecting newly approved educational programs, in published or proposed-to-be-published form.

Document is attached: Yes No

21. GRADUATION OR COMPLETION DOCUMENTS (5 C.C.R. Section 71300)

Submit a copy of the document that is awarded to a graduating student upon successful completion of each educational program.

Document is attached: Yes No

22. RECORDKEEPING; CUSTODIAN OF RECORDS (5 C.C.R. Section 71310)

Describe how records required by Article 9 of the Act are or will be organized and maintained, the types of documents contained in student files, how the records are stored, and whether academic and financial records are maintained in separate files.

Include a statement of the institution's procedures for security and safekeeping of records.

Document is attached: Yes No

Custodian Of Records

Name Email Address

Physical Address

City State Zip

Telephone Number

Location of Records

Provide the physical address(es) and telephone number(s) of the location of the buildings where records are or will be stored.

23. SELF-MONITORING PROCEDURES

Describe the procedures used by the institution to assure that the institution is operated and maintained in compliance with the Act and this Division.

Document is attached: Yes No

24. ADDITIONAL INFORMATION (5 C.C.R. Section 71340)

Include any material facts, which have not otherwise been disclosed in the application that without inclusion would cause the information in the application to be false, misleading or incomplete or that might reasonably affect the Bureau's decisions to grant an approval to operate.

Document is attached: Yes No

The institution may also include any other facts that the institution would like the Bureau to consider in deciding whether to grant an approval to operate.

Document is attached: Yes No

DECLARATION UNDER PENALTY OF PERJURY (5 C.C.R. Section 71380)

- Each owner of the institution, or
 - If the institution is incorporated, by the chief executive officer of the corporation and each owner of 25 percent or more of the stock, or interest in the institution, or
 - By each member of the governing body of a nonprofit corporation.
-

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.

Signature

Date

Name

Address

City

State

Zip

Owning _____%, Member, Board of Directors _____ General Partner _____ Chief Executive Officer _____

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.

Signature

Date

Name

Address

City

State

Zip

Owning _____%, Member, Board of Directors _____ General Partner _____ Chief Executive Officer _____

Attach Additional Sheet(s) if Necessary

TAB 1

Additional Documents

Section 1. Institution

Check	Items to include:
	Is the application form in the original format?
	Is section 1 on the application form completely filled out?
	Additional locations identified to include type of location?

Section 1. Institution

5 CCR §71100. Application Form.

(a) An applicant seeking approval to operate pursuant to Section 94886 of the Code, other than Approval to Operate by Accreditation pursuant to Section 94890(a)(1) of the Code, shall complete the "Application for Approval to Operate for an Institution Not Accredited," Form Application 94886 (rev. 2/10). An applicant seeking approval to operate by accreditation pursuant to Section 94890(a)(1) of the Code shall comply with section 71390.

(b) An applicant shall submit the completed form, the information or documentation required by this Article, the appropriate application fee as provided in Section 94930.5(a)(1) of the Code, and any appropriate annual fee as required by Article 1 of Chapter 5 of this Division, to the Bureau.

(c) An application that fails to contain all of the information required by this article shall render it incomplete.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94886, 94887, 94888, 94890 and 94930.5, Education Code.

5 CCR §71110. Institution's Name, Address, Telephone Number of Primary Administrative Office.

An institution shall provide the following information on the Form Application 94886:

(a) The name, telephone number, fax number and website address of the institution.

(b) The address of the institution's primary administrative location in California identified by street address. The institution's primary administrative location in California shall be deemed the institution's principal place of business.

(c) The mailing address of the institution, identified either by street address or by post office box number.

(d) The street address of each campus and branch at which the educational programs will be offered, including the identification of the institution's main location and branch locations. If an institution is applying for a branch in conjunction with the main location, all required information must be provided for each location.

(e) The name, address, email address, fax number and phone number of an individual who will function as the institution's contact person for the purposes of the Form Application 94886.

(f) The social security number for individuals or federal employer identification number for each partnership who is identified in the Form Application 94886 pursuant to section 71130(a)(1).

Note: Authority cited: Section 30, Business and Professions Code; and Sections 94803, 94877 and 94888, Education Code. Reference: Section 30, Business and Professions Code; and Sections 94887 and 94888, Education Code.

5 CCR §71717. Satellite Locations.

(a) An institution offering instruction at a satellite location as defined by section 94862 of the Code shall only offer instruction for educational programs that are approved for the main campus or a branch.

(b) The institution shall not maintain any permanent student records there.

(c) No solicitation or enrollment of students shall occur at a satellite.

(d) Advertising indicating the location of a satellite shall indicate the nature of the classroom.

Note: Authority cited: Sections 94803, 94877 and 94885, Education Code. Reference: Sections 94862 and 94885, Education Code.

5 CCR §74150. Use of Term "University."

(a) For the purpose of this section, "university" means an institution of higher education that confers a master's or a doctor's degree upon the completion of programs of graduate or professional study and that may also confer a bachelor's degree upon the completion of programs of undergraduate study.

(b) Unless previously approved by the Bureau, no institution shall use the word "university" in its name or in connection with a description of itself or its educational programs unless (1) the institution is a university as defined in subdivision (a) of this section or (2) the institution uses other words in conjunction with "university" to prevent the use of "university" from being deceptive or misleading in any manner.

Note: Authority cited: Sections 94803 and 94877, Education Code. Reference: Sections 94897 and 94932, Education Code.

CEC §94816. Applicant

"Applicant" means a person, as defined in Section 94855, who has submitted an application to the board for an approval to operate or for a renewal of an approval to operate. An approval to operate shall be issued only to an applicant.

CEC §94843. Institution

"Institution" means any private postsecondary educational institution, including its branch campuses and satellite locations.

CEC §94849. Main campus

"Main campus" means the institution's sole or primary teaching location.

CEC §94819. Branch Campus

"Branch campus" means a site other than the main campus or a satellite location.

CEC §94858. Private Postsecondary Educational Institute

"Private postsecondary educational institution" means a private entity with a physical presence in this state that offers postsecondary education to the public for an institutional charge.

CEC §94862. Satellite Location

"Satellite location" means an auxiliary classroom or teaching site within 50 miles of the branch or main location.

CEC §94865. Site

"Site" means a main or branch campus or satellite location.

CEC §94897. Prohibited Business Practices

An institution shall not do any of the following:

(i) Use a name in any manner improperly implying any of the following:

(1) The institution is affiliated with any government agency, public or private corporation, agency, or association if it is not, in fact, thus affiliated.

(2) The institution is a public institution.

(3) The institution grants degrees, if the institution does not grant degrees.

(l) Use the terms "approval," "approved," "approval to operate," or "approved to operate" without stating clearly and conspicuously that approval to operate means compliance with state standards as set forth in this chapter. If the bureau has granted an institution approval to operate, the institution may indicate that the institution is "licensed" or "licensed to operate," but may not state or imply either of the following:

(1) The institution or its educational programs are endorsed or recommended by the state or by the bureau.

(2) The approval to operate indicates that the institution exceeds minimum state standards as set forth in this chapter.

Tab 2

Additional Documents

Section 2. Form of Business Organization

Check	Items to include:
	Is section 2 on the application form completely filled out?
	For Corporations: Copy of Articles of Incorporation and Bylaws.
	If the institution will operate under a dba, submit a copy of the Fictitious Business Name Statement.
	Limited Liability Companies: Copy of Articles of Organization and Operating Agreements.
	For Partnerships: Copy of Partnership/Operating Agreements.

Section 2. Form of Business Organization

5 CCR §71120. Form of Business Organization.

The institution shall specify the form of business organization of the institution (e.g., sole proprietorship, general or limited partnership, for-profit corporation, nonprofit corporation, or Limited Liability Corporation). If the institution is incorporated, the institution shall also identify the state within which the institution is incorporated and the date of incorporation, and provide copies of the articles of incorporation and bylaws.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94851, 94887 and 94888, Education Code.

Tab 3

Additional Documents

Section 3. Owner(s)

Check	Items to include:
	Is section 3 on the application form completely filled out?
	Sole Proprietorship: provide social security numbers.
	Partnerships: provide FEIN.
	If multiple layers of ownership, provide a clear listing of all levels.
	Does section 3.2 apply to any of the individuals listed in section 3.1? If so attach explanations.
	Does section 3.3 apply to any owners, officers, directors, administrators or instructors? Is so attach explanations.

Note: Nature of interest designation may include parent company, substantial control, partner, etc.

Section 3. Owner(s)

5 CCR §71130. Institution Ownership and Control; Violations of Law.

(a)(1) The institution shall identify the name, address, email address, and telephone number of each person, as defined in section 94855 of the Code, who owns or controls 25% or more of the stock or an interest in the institution and, to the extent applicable, each general partner, officer, corporate director, member of the board of directors and any other person who exercises substantial control over the institution's management or policies. **For the purpose of this paragraph, a person exercises "substantial control over the institution's management or policies" if the person has the authority to cause the institution to expend money or incur debt in the amount of five thousand dollars (\$5,000) or more in any year.**

(2) For each address required, the institution shall provide a physical home address, and may request that the address, email address, and telephone number, of each person described in paragraph (1) be maintained as personal information.

(b) The institution shall describe the nature and percentage of the ownership interest and any other financial involvement in the institution of any person identified in subdivision (a) of this section.

(c) The institution shall provide a statement from any person identified in subdivision (a) of this section who -

(1) Was found in any judicial or administrative proceeding to have violated the Act or the law of any other state related to untrue or misleading advertising, the solicitation of prospective students for enrollment in an educational service, or the operation of a postsecondary school;

(2) Was denied any type of license on grounds set forth in Section 480 of the Business and Professions Code;

(3) Was adjudicated as responsible for the closure of an institution in which there were unpaid liabilities to the state or federal government or any uncompensated pecuniary losses suffered by students;

(4) Has stipulated to a judgment or administrative order or entered a consent decree involving any of the matters described in this section.

(5) Was convicted of any misdemeanor or felony as provided in Section 480(a)(1) of the Business and Professions Code;

(d) The institution shall furnish an explanation of any legal action pending against the institution or ownership or any of the institution's owners, officers, corporate directors, administrators, or instructors by any federal, state, or local law enforcement agency involving alleged acts of fraud, dishonesty, financial mismanagement, unpaid liabilities to any governmental agency or claims for pecuniary loss suffered by any student.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94885, 94887 and 94888, Education Code; and Sections 30 and 480, Business and Professions Code.

CEC §94851. Owner

"Owner" means an individual in the case of a sole proprietorship, partners in a partnership, members in a limited liability company, or shareholders in a corporation.

CEC §94852. Ownership

"Ownership" means a legal or equitable interest in an institution, including ownership of assets or stock.

CEC §94853. Parent Company

"Parent company" means a partnership, limited liability company, or corporation that owns more than 50 percent of the stock or interest in an institution.

CEC §94855. Person

"Person" means a natural person or a business organization, irrespective of its form.

CEC §94856. Person in Control

"Person in control" means a person who, by his or her position's authority or conduct, directs the management of an institution.

5 CCR §70000. Definitions.

(o) "**Institution director**" means the person who is responsible for administering the daily operations of the institution and has supervisory authority over all other administrators and instructors.

BUSINESS AND PROFESSIONS CODE SECTION 480

480. (a) A board may deny a license regulated by this code on the grounds that the applicant has one of the following:

(1) Been convicted of a crime. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action that a board is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4, 1203.4a, or 1203.41 of the Penal Code.

(2) Done any act involving dishonesty, fraud, or deceit with the intent to substantially benefit himself or herself or another, or substantially injure another.

(3) (A) Done any act that if done by a licentiate of the business or profession in question, would be grounds for suspension or revocation of license.

(B) The board may deny a license pursuant to this subdivision only if the crime or act is substantially related to the qualifications, functions, or duties of the business or profession for which application is made.

(b) Notwithstanding any other provision of this code, a person shall not be denied a license solely on the basis that he or she has been convicted of a felony if he or she has obtained a certificate of rehabilitation under Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of the Penal Code or that he or she has been convicted of a misdemeanor if he or she has met all applicable requirements of the criteria of rehabilitation developed by the board to evaluate the rehabilitation of a person when considering the denial of a license under subdivision (a) of Section 482.

(c) Notwithstanding any other provisions of this code, a person shall not be denied a license solely on the basis of a conviction that has been dismissed pursuant to Section 1203.4, 1203.4a, or 1203.41 of the Penal Code. An applicant who has a conviction that has been dismissed pursuant to Section 1203.4, 1203.4a, or 1203.41 of the Penal Code shall provide proof of the dismissal.

(d) A board may deny a license regulated by this code on the ground that the applicant knowingly made a false statement of fact that is required to be revealed in the application for the license.

Tab 4

Additional Documents

Section 4. Agent for Service of Process

Check	Items to include:
	Is section 4 on the application form completely filled out?
	Original signature of agent?
	Original signature dated?
	Is the address listed different from the address of the school?

Section 4. Agent for Service of Process

5 CCR §71135. Agent for Service of Process.

The institution shall include in its Form Application 94886 the name, physical address, telephone number, fax number, and e-mail address for the agent for service of process in California as required by section 94943.5 of the Code. The agent shall be at an address other than the address of the institution or any branch. The agent must confirm the information and acknowledge in writing that he or she is the designated agent for service of process. The information shall be kept current pursuant to section 74190.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94887, 94888 and 94943.5, Education Code.

5 CCR §74190. Agents for Service of Process; Changes.

Each institution shall maintain the name, physical address, telephone number, and e-mail address for the agent for service of process in California as required by 94943.5 of the Code. The agent shall be at an address other than the address of the institution or any branch. The agent must confirm the information and acknowledge in writing that he or she is the designated agent for service of process. The institution shall inform the Bureau in writing of any change in the information for the agent for service of process, signed by the agent, within 7 days. Until the Bureau actually receives written notice of any change in the agent's name and/or address, service on the prior agent shall be valid. This information is considered public information.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94887, 94888 and 94943.5, Education Code.

CEC §94943.5. Agent for Service of Process

An institution shall designate and maintain an agent for service of process within this state, and provide the name, address, and telephone number of the agent to the bureau. The bureau shall furnish the agent's name, address, and telephone number to a person upon request.

Tab 5

Additional Documents

Section 5. Organization and Management

Check	Items to include:
	Is section 5 on the application form completely filled out?
	Is the Chief Executive Officer (CEO) identified?
	Is the Chief Operating Officer (COO) identified?
	Is the Chief Academic Officer (CAO) identified?
	Is the organization chart included? Does the chart reflect the governance and administrative structure of the institution and the relationship between faculty and administrative positions?
	Are all job duties/duty statements for all positions provided?
	Are all resumes for the CEO, COO and CAO provided?

Section 5. Organization and Management

5 CCR §71140. Organization and Management.

- (a) The institution shall include in its Form Application 94886 an organization chart that shows the governance and administrative structure of the institution and the relationship between faculty and administrative positions.
- (b) The institution shall provide a description of the job duties and responsibilities of each administrative and faculty position.
- (c) The institution shall identify the chief executive officer, chief operating officer, and chief academic officer and describe their education, experience, and qualifications to perform their duties and responsibilities.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94885, 94887 and 94888, Education Code.

5 CCR §70000. Definitions.

(c) "**Chief academic officer**" means the person primarily responsible for the administration of an institution's academic affairs including the supervision of faculty, development of educational programs and curricula, and implementation of the institution's mission, purposes and objectives.

(d) "**Chief executive officer**" means the person primarily responsible for the overall administration of an institution, including the supervision of the chief academic officer and the chief operating officer. The chief executive officer is often, but need not be, called the "president."

(e) "**Chief operating officer**" means the person primarily responsible for the administration of an institution's business operation, including finances, management, personnel, and contracting for goods, services, or property.

(o) "**Institution director**" means the person who is responsible for administering the daily operations of the institution and has supervisory authority over all other administrators and instructors.

(p) "**Instructor**" means a person who is responsible to conduct one or more classes or components of an institution's educational program.

CEC §94841. Faculty

"Faculty" means the instructional staff of an institution, whether these persons are employees or independent contractors.

5 CCR §71730. Administration.

- (a) Each institution shall have a chief executive officer, a chief operating officer and chief academic officer. One person may serve more than one function.
- (b) The duties, responsibilities, and performance evaluation criteria for each administrator shall be set forth in a personnel manual or other writing maintained by the institution.
- (c) An institution with one or more branch locations shall establish written institutional policies, consistent with subdivision (d), regarding the division and sharing of administrative responsibilities between the central administration at the main location and the administration at the branch locations.
- (d) The administrative staffing at each branch location shall reflect the purposes, size, and educational operations at that location and at any satellite location for which the branch has administrative responsibilities.
- (e) The chief academic officer shall possess a degree or equivalent acceptable experience at least equal to the highest qualifications required of the institution's faculty. Chief academic officers employed on the date of implementation of these regulations, who do not meet the qualifications for their positions, shall have three years to earn the necessary degrees or experience to qualify them for their position.
- (f) The institution shall employ administrative personnel who have the expertise to ensure the achievement of the institution's mission and objectives and the operation of the educational programs.
- (g) The institution shall not employ or continue to employ any administrative personnel who were adjudicated in a judicial or administrative proceeding as having violated any provision of the Act or this chapter or as having committed any act that would constitute grounds for the denial of a license under Section 480 of the Business and Professions Code.

Note: Authority cited: Sections 94803, 94877 and 94885, Education Code. Reference: Section 94885, Education Code; and Section 480, Business and Professions Code.

Tab 6

Additional Documents

Section 6. Governing Board

Check	Items to include:
	Is section 6 on the application form completely filled out?
	Has each member of the Governing Board been identified?
	For each member include e-mail address, work address and telephone number.

Section 6. Governing Board

5 CCR §71150. Governing Board.

If the institution has a governing board, the Form Application 94886 shall include the name, work address, email address, and telephone number of each member of the governing board.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94885, 94887 and 94888, Education Code.

Tab 7

Additional Documents

Section 7. Mission and Objectives

Check	Items to include:
	Is section 7 on the application form completely filled out?
	Has the Mission been identified?
	Has the Objectives been identified?
	Does the Mission and Objectives of the institution match the educational programs?
	Document attached?

Section 7. Mission and Objectives

5 CCR §71170. Mission and Objectives.

The institution shall describe in detail its mission and objectives.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94887 and 94888, Education Code.

5 CCR §71705. Mission and Objectives.

An institution shall have a written statement of its mission and the objectives for each educational program. The mission and the objectives shall indicate:

- the kind of education offered,
- for whom the instruction is intended,
- and the expected outcomes for graduates.

Note: Authority cited: Sections 94803, 94885 and 94877, Education Code. Reference: Section 94885, Education Code.

5 CCR §70000. Definitions.

(q) "Mission" means an institution's stated educational reasons to exist. A mission statement contains all of the following characteristics:

- (1) The mission includes the institution's broad expectations concerning the education that students will receive, including the acquisition of the body of knowledge presented in the educational program, the development of intellectual, analytical, and critical abilities, and the fostering of values such as a commitment to pursue lifelong learning; and
- (2) The mission relates to the educational expectations of the institution's students, faculty and community that the institution serves.

(r) "Objectives" are the goals and methods by which the institution fulfills its mission and transforms it into measurable student learning outcomes for each educational program.

Tab 8

Additional Documents

Section 8. Institution Representative

Check	Items to include:
	Is section 8 on the application form completely filled out?

Section 8. Institution Representative

5 CCR §71160. Institution Representative.

The Form Application 94886 shall contain the name, work address, email address, fax number and telephone number of the person with whom the Bureau will correspond and conduct legal transactions on behalf of the institution.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94887 and 94888, Education Code.

Tab 9

Additional Documents

Section 9. Exemplars of Student Agreements

Check	Items to include:
	Is section 9 on the application form completely filled out?
	Is the Enrollment Agreement attached?
	Is the Enrollment Agreement checklist attached with all page numbers listed?
	Are the instruments of indebtedness attached (if applicable)?

Section 9. Exemplars of Student Agreements

5 CCR §71180. Exemplars of Student Agreements.

The institution shall include, with its Form Application 94886, exemplars of all student enrollment agreements and instruments of indebtedness.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94885, 94887, 94888 and 94902, Education Code.

CEC §94839. Enrollment

"Enrollment" means the execution of an enrollment agreement.

CEC §94840. Enrollment Agreement

"Enrollment agreement" means a written contract between a student and institution concerning an educational program.

CEC §94859. Recruiter

"Recruiter" means an employee of an institution whose principal job responsibilities are the recruitment of students other than on the institution's premises.

CEC §94860. Recruitment

"Recruitment" means actions taken by recruiters seeking enrollment of students.

CEC §94902. General Enrollment Requirements

(a) A student shall enroll solely by means of executing an enrollment agreement. The enrollment agreement shall be signed by the student and by an authorized employee of the institution.

(b) An enrollment agreement is not enforceable unless all of the following requirements are met:

(1) The student has received the institution's catalog and School Performance Fact Sheet prior to signing the enrollment agreement.

(2) At the time of the execution of the enrollment agreement, the institution held a valid approval to operate.

(3) Prior to the execution of the enrollment agreement, the student and the institution have signed and dated the information required to be disclosed in the Student Performance Fact Sheet pursuant to subdivisions (a) to (d), inclusive, of Section 94910. Each of these items in the Student Performance Fact Sheet shall include a line for the student to initial and shall be initialed and dated by the student.

(c) A student shall receive a copy of the signed enrollment agreement, in writing or electronically, regardless of whether total charges are paid by the student.

CEC §94903. Waiving Provisions Prohibited

A student may not waive any term or receipt of any disclosure required by this article.

CEC §94904. Ability to Benefit Students

(a) Before an ability-to-benefit student may execute an enrollment agreement, the institution shall have the student take an independently administered examination from the list of examinations prescribed by the United States Department of Education pursuant to Section 484(d) of the federal Higher Education Act of 1965 (20 U.S.C. Sec.

1070a et seq.) as it is, from time to time, amended. The student shall not enroll unless the student achieves a score, as specified by the United States Department of Education, demonstrating that the student may benefit from the education and training being offered.

(b) If the United States Department of Education does not have a list of relevant examinations that pertain to the intended occupational training, the bureau may publish its own list of acceptable examinations.

CEC §94905. Professions Requiring Licensure, Internships

(a) During the enrollment process, an institution offering educational programs designed to lead to positions in a profession, occupation, trade, or career field requiring licensure in this state shall exercise reasonable care to determine if the student will not be eligible to obtain licensure in the profession, occupation, trade, or career field at the time of the student's graduation and shall provide all students enrolled in those programs with a written copy of the requirements for licensure established by the state, including any applicable course requirements established by the state. If the minimum course requirements of the institution exceed the minimum requirements for state licensure, the institution shall disclose this information, including a list of those courses that are not required for state licensure. The institution shall not execute an enrollment agreement with a student that is known to be ineligible for licensure, unless the student's stated objective is other than licensure.

(b) During the enrollment process, an institution may discuss internships and student jobs available to the student during the student's attendance at the institution. If the institution discusses internships and student jobs, the institution shall disclose the number of requests for internship and student job placement assistance received by the institution during the immediately preceding calendar year and the number of actual placements during that year.

CEC §94906. Language of Enrollment Agreement

(a) An enrollment agreement shall be written in language that is easily understood. If English is not the student's primary language, and the student is unable to understand the terms and conditions of the enrollment agreement, the student shall have the right to obtain a clear explanation of the terms and conditions and all cancellation and refund policies in his or her primary language.

(b) If the recruitment leading to enrollment was conducted in a language other than English, the enrollment agreement, disclosures, and statements shall be in that language.

CEC §94907. Mandatory Internal Dispute Resolution Prohibited

An enrollment agreement shall not contain a provision that requires a student to invoke an internal institutional dispute procedure before enforcing any contractual or other legal rights or remedies.

CEC §94908. Size of Text in Required Documents

Any information or statement required by this article to be included in the catalog, School Performance Fact Sheet, or enrollment agreement shall be printed in at least the same size font as the majority of the text in that document.

CEC §94911. Minimum Requirements for Enrollment Agreement

An enrollment agreement shall include, at a minimum, all of the following:

- (a) The name of the institution and the name of the educational program, including the total number of credit hours, clock hours, or other increment required to complete the educational program.
- (b) A schedule of total charges, including a list of any charges that are nonrefundable and the student's obligations to the Student Tuition Recovery Fund, clearly identified as nonrefundable charges.
- (c) In underlined capital letters on the same page of the enrollment agreement in which the student's signature is required, the total charges for the current period of attendance, the estimated total charges for the entire educational program, and the total charges the student is obligated to pay upon enrollment.
- (d) A clear and conspicuous statement that the enrollment agreement is legally binding when signed by the student and accepted by the institution.
- (e) (1) A disclosure with a clear and conspicuous caption, "STUDENT'S RIGHT TO CANCEL," under which it is explained that the student has the right to cancel the enrollment agreement and obtain a refund of charges paid through attendance at the first class session, or the seventh day after enrollment, whichever is later.
(2) The disclosure shall contain the institution's refund policy and a statement that, if the student has received federal student financial aid funds, the student is entitled to a refund of moneys not paid from federal student financial aid program funds.
(3) The text shall also include a description of the procedures that a student is required to follow to cancel the enrollment agreement or withdraw from the institution and obtain a refund.
- (f) A statement specifying that, if the student obtains a loan to pay for an educational program, the student will have the responsibility to repay the full amount of the loan plus interest, less the amount of any refund.
- (g) A statement specifying that, if the student is eligible for a loan guaranteed by the federal or state government and the student defaults on the loan, both of the following may occur:
 - (1) The federal or state government or a loan guarantee agency may take action against the student, including applying any income tax refund to which the person is entitled to reduce the balance owed on the loan.
 - (2) The student may not be eligible for any other federal student financial aid at another institution or other government assistance until the loan is repaid.
- (h) The transferability disclosure that is required to be included in the school catalog, as specified in paragraph (15) of subdivision (a) of Section 94909.
- (i) (1) The following statement: "Prior to signing this enrollment agreement, you must be given a catalog or brochure and a School Performance Fact Sheet, which you are encouraged to review prior to signing this agreement. These documents contain important policies and performance data for this institution. This institution is required to have you sign and date the information included in the School Performance Fact Sheet relating to completion rates, placement rates, license examination passage rates, salaries or wages, and the most recent three-year cohort default rate, if applicable, prior to signing this agreement."

(2) Immediately following the statement required by paragraph (1), a line for the student to initial, including the following statement: "I certify that I have received the catalog, School Performance Fact Sheet, and information regarding completion rates, placement rates, license examination passage rates, salary or wage information, and the most recent three-year cohort default rate, if applicable, included in the School Performance Fact sheet, and have signed, initialed, and dated the information provided in the School Performance Fact Sheet."

(j) The following statements:

(1) "Any questions a student may have regarding this enrollment agreement that have not been satisfactorily answered by the institution may be directed to the Bureau for Private Postsecondary Education at (address), Sacramento, CA (ZIP Code), (Internet Web site address), (telephone and fax numbers)."

(2) "A student or any member of the public may file a complaint about this institution with the Bureau for Private Postsecondary Education by calling (toll-free telephone number) or by completing a complaint form, which can be obtained on the bureau's Internet Web site (Internet Web site address)."

(k) The following statement above the space for the student's signature:

"I understand that this is a legally binding contract. My signature below certifies that I have read, understood, and agreed to my rights and responsibilities, and that the institution's cancellation and refund policies have been clearly explained to me."

CEC §94912. Signature, Initials Required

Prior to the execution of an enrollment agreement, the information required to be disclosed pursuant to subdivisions (a) to (d), inclusive, of Section 94910 shall be signed and dated by the institution and the student. Each of these items shall also be initialed and dated by the student.

5 CCR §71800. Enrollment Agreement.

In addition to the requirements of section 94911 of the Code, an institution shall provide to each student an enrollment agreement that contains at the least the following information:

(a) The name and address of the institution and the addresses where instruction will be provided.

(b) Period covered by the enrollment agreement.

(c) Program start date and scheduled completion date.

(d) Date by which the student must exercise his or her right to cancel or withdraw, and the refund policy, including any alternative method of calculation if approved by the Bureau pursuant to section 94921 of the Code.

(e) Itemization of all institutional charges and fees including, as applicable:

(1) tuition;

(2) registration fee (non-refundable);

(3) equipment;

(4) lab supplies or kits;

(5) Textbooks, or other learning media;

(6) uniforms or other special protective clothing;

(7) in-resident housing;

(8) tutoring;

- (9) assessment fees for transfer of credits;
- (10) fees to transfer credits;
- (11) Student Tuition Recovery Fund fee (non-refundable);
- (12) any other institutional charge or fee.

(f) Charges paid to an entity other than an institution that is specifically required for participation in the educational program.

Note: Authority cited: Sections 94803, 94877 and 94885, Education Code. Reference: Sections 94885, 94902, 94906, 94911 and 94927, Education Code.

5 CCR §76215. Student Tuition Recovery Fund Disclosures.

(a) A qualifying institution shall include the following statement on both its enrollment agreement and school catalog:

“The State of California established the Student Tuition Recovery Fund (STRF) to relieve or mitigate economic loss suffered by a student in an educational program at a qualifying institution, who is or was a California resident while enrolled, or was enrolled in a residency program, if the student enrolled in the institution, prepaid tuition, and suffered an economic loss. Unless relieved of the obligation to do so, you must pay the state-imposed assessment for the STRF, or it must be paid on your behalf, if you are a student in an educational program, who is a California resident, or are enrolled in a residency program, and prepay all or part of your tuition.

You are not eligible for protection from the STRF and you are not required to pay the STRF assessment, if you are not a California resident, or are not enrolled in a residency program.”

(b) In addition to the statement required under subdivision (a) of this section, a qualifying institution shall include the following statement in its school catalog:

“It is important that you keep copies of your enrollment agreement, financial aid documents, receipts, or any other information that documents the amount paid to the school. Questions regarding the STRF may be directed to the Bureau for Private Postsecondary Education, 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833, (916) 431-6959 or (888) 370-7589.

To be eligible for STRF, you must be a California resident or are enrolled in a residency program, prepaid tuition, paid or deemed to have paid the STRF assessment, and suffered an economic loss as a result of any of the following:

1. The institution, a location of the institution, or an educational program offered by the institution was closed or discontinued, and you did not choose to participate in a teach-out plan approved by the Bureau or did not complete a chosen teach-out plan approved by the Bureau.
2. You were enrolled at an institution or a location of the institution within the 120 day period before the closure of the institution or location of the institution, or were enrolled in an educational program within the 120 day period before the program was discontinued.
3. You were enrolled at an institution or a location of the institution more than 120 days before the closure of the institution or location of the institution, in an educational program offered by the institution as to which the Bureau determined there was a significant decline in the quality or value of the program more than 120 days before closure.

4. The institution has been ordered to pay a refund by the Bureau but has failed to do so.
5. The institution has failed to pay or reimburse loan proceeds under a federal student loan program as required by law, or has failed to pay or reimburse proceeds received by the institution in excess of tuition and other costs.
6. You have been awarded restitution, a refund, or other monetary award by an arbitrator or court, based on a violation of this chapter by an institution or representative of an institution, but have been unable to collect the award from the institution.
7. You sought legal counsel that resulted in the cancellation of one or more of your student loans and have an invoice for services rendered and evidence of the cancellation of the student loan or loans.

To qualify for STRF reimbursement, the application must be received within four (4) years from the date of the action or event that made the student eligible for recovery from STRF.

A student whose loan is revived by a loan holder or debt collector after a period of non collection may, at any time, file a written application for recovery from STRF for the debt that would have otherwise been eligible for recovery. If it has been more than four (4) years since the action or event that made the student eligible, the student must have filed a written application for recovery within the original four (4) year period, unless the period has been extended by another act of law.

However, no claim can be paid to any student without a social security number or a taxpayer identification number.”

Note: Authority cited: Sections 94803, 94877 and 94923, Education Code. Reference: Section 94923, Education Code.

5 CCR §71716. Distance Educational Programs - Specific Provisions for Instruction Not in Real Time.

(a) An institution offering a distance educational program where the instruction is not offered in real time shall transmit the first lesson and any materials to any student within seven days after the institution accepts the student for admission.

(b) The student shall have the right to cancel the agreement and receive a full refund pursuant to section 71750 before the first lesson and materials are received.

Cancellation is effective on the date written notice of cancellation is sent. The institution shall make the refund pursuant to section 71750. If the institution sent the first lesson and materials before an effective cancellation notice was received, the institution shall make a refund within 45 days after the student's return of the materials.

(c)(1) An institution shall transmit all of the lessons and other materials to the student if the student:

(A) has fully paid for the educational program; and

(B) after having received the first lesson and initial materials, requests in writing that all of the material be sent.

(2) If an institution transmits the balance of the material as the student requests, the institution shall remain obligated to provide the other educational services it agreed to provide, such as responses to student inquiries, student and faculty interaction, and evaluation and comment on lessons submitted by the student, but shall not be obligated

to pay any refund after all of the lessons and material are transmitted.

(d) The enrollment agreement shall disclose the institution's and student's rights and duties under this section.

Note: Authority cited: Sections 94803, 94877 and 94885, Education Code. Reference: Section 94885, Education Code.

5 CCR §70000. Definitions.

(z) "**Tuition**" means the cost for instruction normally charged on a per unit or per hour basis. It does not include itemized fees paid to the Bureau or the cost of textbooks, supplies, transportation, or equipment.

CEC §94824. Class Day

"Class day" means a day a student is scheduled to attend a class session, or for students receiving instruction through distance education, any calendar day except Saturday, Sunday, or any holiday enumerated in Section 6700 of the Government Code.

CEC §94825. Class Session

"Class session" means part of a class day that an institution conducts instruction in a particular subject.

CEC §94854. Period of Attendance

"Period of attendance" means a semester, quarter, or trimester for educational programs measured in credit hours and the entire educational program if measured in clock hours.

CEC §94844. Institutional Charges

"Institutional charges" means charges for an educational program paid directly to an institution.

CEC §94850. Noninstitutional charges

"Noninstitutional charges" means charges for an educational program paid to an entity other than an institution that are specifically required for participation in an educational program.

CEC §94870. Total Charges

"Total charges" means the sum of institutional and noninstitutional charges.

CEC §94899.5. Collection of Tuition

(a) Institutions that offer short-term programs designed to be completed in one term or four months, whichever is less, may require payment of all tuition and fees on the first day of instruction.

(b) For those programs designed to be four months or longer, an institution shall not require more than one term or four months of advance payment of tuition at a time. When 50 percent of the program has been offered, the institution may require full payment.

(c) The limitations in this section shall not apply to any funds received by an institution through federal and state student financial aid grant and loan programs, or through any

other federal or state programs.

(d) An institution that provides private institutional loan funding to a student shall ensure that the student is not obligated for indebtedness that exceeds the total charges for the current period of attendance.

(e) At the student's option, an institution may accept payment in full for tuition and fees, including any funds received through institutional loans, after the student has been accepted and enrolled and the date of the first class session is disclosed on the enrollment agreement.

CEC §94916. Statement On Loans To Students

An institution extending credit or lending money to an individual for institutional and noninstitutional charges for an educational program shall cause any note, instrument, or other evidence of indebtedness taken in connection with that extension of credit or loan to be conspicuously marked on its face in at least 12-point type with the following notice:

"Notice"

"You may assert against the holder of the promissory note you signed in order to finance the cost of the educational program all of the claims and defenses that you could assert against this institution, up to the amount you have already paid under the promissory note."

CEC §94917. Enforceability of Loans

A note, instrument, or other evidence of indebtedness relating to payment for an educational program is not enforceable by an institution unless, at the time of execution of the note, instrument, or other evidence of indebtedness, the institution held an approval to operate.

CEC §94918. Compliance With Federal Statutes

In making consumer loans to students, an institution shall also comply with the requirements of the Federal Truth in Lending Act pursuant to Title 15 of the United States Code.

5 CCR §71750. Withdrawals and Refunds.

(a) Every institution shall make refunds that are no less than the refunds required under the Act and this Division.

(b) An institution may not enforce any refund policy that is not specified in the catalog as required pursuant to section 94909(a)(8)(B) of the Code, and must refund all institutional charges upon a student's withdrawal. Withdrawal policy procedures pursuant to section 94909(a)((8)(B) of the Code shall include, at a minimum: the acceptable methods of delivery of a notice to withdraw; whether withdrawal can be accomplished by conduct, and if so, how; the position or positions to whom the notice to withdraw must be delivered; and the date that the notice to withdraw is considered effective, which shall be no later than the date received by the institution.

(c) A pro rata refund pursuant to section 94919(c) or 94920(d) or 94927 of the Code shall be no less than the total amount owed by the student for the portion of the educational program provided subtracted from the amount paid by the student, calculated as follows:

(1) The amount owed equals the daily charge for the program (total institutional charge, divided by the number of days or hours in the program), multiplied by the number of days student attended, or was scheduled to attend, prior to withdrawal.

(2) Except as provided for in subdivision (a)(3) of this section, all amounts paid by the student in excess of what is owed as calculated in subdivision (a)(1) shall be refunded.

(3) Except as provided herein, all amounts that the student has paid shall be subject to refund unless the enrollment agreement and the refund policy outlined in the catalog specify amounts paid for an application fee or deposit not more than \$250.00, books, supplies, or equipment, and specify whether and under what circumstances those amounts are non-refundable. Except when an institution provides a 100% refund pursuant to section 94919(d) or section 94920(b) of the Code, any assessment paid pursuant to section 94923 of the Code is non-refundable.

(4) For purposes of determining a refund under the Act and this section, a student shall be considered to have withdrawn from an educational program when he or she withdraws or is deemed withdrawn in accordance with the withdrawal policy stated in its catalog.

(d) If an institution has collected money from a student for transmittal on the student's behalf to a third party for a bond, library usage, or fees for a license, application, or examination and the institution has not paid the money to the third party at the time of the student's withdrawal or cancellation, the institution shall refund the money to the student within 45 days of the student's withdrawal or cancellation.

(e) An institution shall refund any credit balance on the student's account within 45 days after the date of the student's completion of, or withdrawal from, the educational program in which the student was enrolled. For purposes of this subdivision and section 94919(d) of the Code, "day" means calendar day.

(f) The institution shall maintain a cancellation and withdrawal log, kept current on a monthly basis, which shall include the names, addresses, telephone numbers, and dates of cancellations or withdrawal of all students who have cancelled the enrollment agreement with, or withdrawn from, the institution during the calendar year.

Note: Authority cited: Sections 94803, 94877 and 94885, Education Code. Reference: Sections 94885, 94919 and 94920, Education Code.

CEC §94919. Institutions Participating In Federal Student Financial Aid Programs

(a) An institution that participates in the federal student financial aid programs complies with this article by complying with applicable regulations of the federal student financial aid programs under Title IV of the federal Higher Education Act of 1965.

(b) The institution shall advise each student that a notice of cancellation shall be in writing, and that a withdrawal may be effectuated by the student's written notice or by the student's conduct, including, but not necessarily limited to, a student's lack of attendance.

(c) The institution shall also provide a pro rata refund of nonfederal student financial aid program moneys paid for institutional charges to students who have completed 60 percent or less of the period of attendance.

(d) Institutions shall refund 100 percent of the amount paid for institutional charges, less a reasonable deposit or application fee not to exceed two hundred fifty dollars (\$250), if notice of cancellation is made through attendance at the first class session, or the seventh day after enrollment, whichever is later.

CEC §94920. Mandatory Cancellation, Withdrawal, and Refund Policies

An institution that does not participate in the federal student financial aid programs shall do all of the following:

- (a) The institution shall advise each student that a notice of cancellation shall be in writing, and that a withdrawal may be effectuated by the student's written notice or by the student's conduct, including, but not necessarily limited to, a student's lack of attendance.
- (b) Institutions shall refund 100 percent of the amount paid for institutional charges, less a reasonable deposit or application fee not to exceed two hundred fifty dollars (\$250), if notice of cancellation is made through attendance at the first class session, or the seventh day after enrollment, whichever is later.
- (c) The bureau may adopt by regulation a different method of calculation for instruction delivered by other means, including, but not necessarily limited to, distance education.
- (d) The institution shall have a refund policy for the return of unearned institutional charges if the student cancels an enrollment agreement or withdraws during a period of attendance. The refund policy for students who have completed 60 percent or less of the period of attendance shall be a pro rata refund.
- (e) The institution shall pay or credit refunds within 45 days of a student's cancellation or withdrawal.

CEC §94921. Alternative Refund Calculations

An institution offering an educational program for which the refund calculations set forth in this article cannot be utilized because of the unique way in which the educational program is structured, may petition the bureau for an alternative method of calculating tuition refunds.

CEC §94922. Waiving Provisions Prohibited

A student may not waive any provision of this article.

Unaccredited Degree Granting Institutions

5 CCR §71775. Pre-enrollment Disclosure; Notice to Prospective Degree Program Students.

(a) An unaccredited institution enrolling a student in a degree program that has received provisional approval shall, prior to execution of an enrollment agreement, provide the student with the following notice, which shall be in at least 12-point type in the same font as the enrollment agreement:

“Notice to Prospective Degree Program Students

This institution is provisionally approved by the Bureau for Private Postsecondary Education to offer degree programs. To continue to offer this degree program, this institution must meet the following requirements:

- Become institutionally accredited by an accrediting agency recognized by the United States Department of Education, with the scope of the accreditation covering at least one degree program.
- Achieve accreditation candidacy or pre-accreditation, as defined in regulations, by (date two years from date of provisional approval), and full accreditation by (date five years from date of provisional approval).

If this institution stops pursuing accreditation, the following will happen:

- The institution must stop all enrollment in its degree programs, and
- Provide a teach-out to finish the educational program or provide a refund.

An institution that fails to comply with accreditation requirements by the required dates shall have its approval to offer degree programs automatically suspended.

Institutional Representative Initials: _____

Student Initials: _____

Date: _____

Date: _____”

(b) The student and an institutional representative shall initial and date the notice prior to executing an enrollment agreement. An initialed copy of the notice shall be given to the student and the original shall be retained in the enrolled student’s records.¹²

(c) The notice shall also be posted immediately adjacent to wherever an institution’s degree granting programs are described and shall include, at a minimum, the following locations:

- (1) The institution’s catalog.
- (2) The institution’s website.
- (3) The institution’s degree program brochures.

NOTE: Authority cited: Sections 94803, 94877, and 94885.5, Education Code. Reference: Sections 94885, 94885.5, 94897, 94900, 94900.5, 94909, 94927.5 and 94932, Education Code.

“Notice to Prospective Degree Program Students

This institution is provisionally approved by the Bureau for Private Postsecondary Education to offer degree programs. To continue to offer this degree program, this institution must meet the following requirements:

- Become institutionally accredited by an accrediting agency recognized by the United States Department of Education, with the scope of the accreditation covering at least one degree program.

- Achieve accreditation candidacy or pre-accreditation, as defined in regulations, by (date two years from date of provisional approval), and full accreditation by (date five years from date of provisional approval).

If this institution stops pursuing accreditation, the following will happen:

- The institution must stop all enrollment in its degree programs, and

- Provide a teach-out to finish the educational program or provide a refund.

An institution that fails to comply with accreditation requirements by the required dates shall have its approval to offer degree programs automatically suspended.

Institutional Representative Initials: _____
Date: _____

Student Initials: _____
Date: _____”



Enrollment Agreement Checklist

Name of Institution:	Application #:
Reviewer Name:	Institution Code:

Pursuant to the California Private Postsecondary Education Act of 2009 (CEC) and Title 5, Division 7.5 of the California Code of Regulations (5, CCR), an institution shall be in compliance with the enrollment agreement minimum requirements. The minimum requirements listed in the table below summarize relevant sections of the CEC and 5, CCR, or requests specific documentation in regards to the CEC and 5, CCR. Attached for your reference and convenience is the full text of those laws.

Instructions: For each numbered item listed in the table below:

1. Under "Enrollment Agreement Page No." write the page number(s) where the minimum requirement can be found in the enrollment agreement. If the minimum requirement is not applicable to your institution, write "N/A."
2. In your institution's enrollment agreement, indicate where each numbered minimum requirement is located, by writing and circling the corresponding "Item No." on the applicable enrollment agreement page;
3. Item Nos. 2, 3, and 22 are for your information and do not require a response; and
4. Complete and sign the declaration at the end of this document.

Item No.	Enrollment Agreement Minimum Requirements The Enrollment Agreement shall include CEC §94911 (§ references the section of the CEC and 5, CCR)	Review #1	Review #2
		DATE	DATE
		Enrollment Agreement Page No.	Enrollment Agreement Page No.
1	Provide a separate statement indicating how you provide the enrollment agreement, disclosures and statements to students when they are unable to understand the terms and conditions of the enrollment agreement due to English not being their primary language. If you recruit, or intend to recruit, in a language other than English, please provide a copy of your enrollment agreement, disclosures, and statements in that language. (CEC §94906(a)(b))	X	X

2	The enrollment agreement shall not contain a provision that requires a student to invoke an internal institutional dispute procedure before enforcing any contractual or other legal rights or remedies. (CEC §94907)	X	X
3	Any information required by the CEC to be included in the enrollment agreement shall be printed in at least the same size font as the majority of the text in that document. (CEC §94908)	X	X
4	The enrollment agreement shall include: the name of the institution and the name of the educational program, including the total number of credit hours, clock hours, or other increment required to complete the educational program. (CEC §94911(a))		
5	The enrollment agreement shall contain the following: (a) The name and address of the institution and the addresses where instruction will be provided. (b) Period covered by the enrollment agreement. (c) Program start date and scheduled completion date. (d) The date by which the student must exercise his or her right to cancel or withdraw, and the refund policy. (5,CCR §71800(a) through (d)) (b)-Please provide curent Enrollment Agreement	a) b) c) d)	a) b) c) d)
6	The enrollment agreement shall contain the following: (e) Itemization of all institutional charges and fees including, as applicable: (1) Tuition; (2) registration fee (non-refundable); (3) equipment; (4) lab supplies or kits; (5) textbooks, or other learning media; (6) uniforms or other special protective clothing; (7) in-resident housing; (8) tutoring; (9) assessment fees for transfer of credits; (10) fees to transfer credits;	1) 2) 3) 4) 5) 6) 7) 8) 9) 10)	1) 2) 3) 4) 5) 6) 7) 8) 9) 10)

	(11) Student Tuition Recovery Fund fee (non-refundable); and (12) any other institutional charge or fee. (f) Charges paid to an entity other than an institution that is specifically required for participation in the education program. (5,CCR §71800(e) through (f))	11) 12) f)	11) 12) f)
7	The enrollment agreement shall include a schedule of total charges, including a list of nonrefundable charges and the student's obligation to the Student Tuition Recovery Fund, clearly identified as a nonrefundable charge. (CEC §94911(b))		
8	The enrollment agreement shall include in underlined capital letters on the same page as the student's signature: <u>TOTAL CHARGES FOR THE CURRENT PERIOD OF ATTENDANCE;</u> <u>ESTIMATED TOTAL CHARGES FOR THE ENTIRE EDUCATIONAL PROGRAM; and</u> <u>THE TOTAL CHARGES THE STUDENT IS OBLIGATED TO PAY UPON ENROLLMENT.</u> (CEC §94911(c))		
9	The enrollment agreement and schedule of student charges shall include specific required language related to the Student Tuition Recovery Fund (STRF). <i>See CCR §76215(a) for the full text of the law for required language.</i> (5,CCR §76215(a))		
10	The enrollment agreement shall include the following disclosures: (1) A clear and conspicuous caption, "STUDENT'S RIGHT TO CANCEL," under which it is explained that the student has the right to cancel and obtain a refund of charges paid through attendance at the first class session, or the seventh day after enrollment, whichever is later. (2) The institution's refund policy and a statement that, if the student has received federal student financial aid funds, the student is entitled to a refund of moneys not paid from federal student financial aid program funds. (3) A description of the procedures that a student is required to follow to cancel the enrollment agreement or withdraw from the institution and obtain a refund. (CEC §94911(e)(1)(2)(3))	1) 2) 3)	1) 2) 3)

11	<p>The enrollment agreement shall include a statement specifying that, if the student obtains a loan to pay for an educational program, the student will have the responsibility to repay the full amount of the loan plus interest, less the amount of any refund. (CEC §94911(f))</p>		
12	<p>The enrollment agreement shall include a statement specifying that, if the student defaults on a federal or state loan, both the following may occur: (1) The federal or state government or a loan guarantee agency may take action against the student, including applying any income tax refund to which the person is entitled to reduce the balance owed on the loan. (2) The student may not be eligible for any other federal student financial aid at another institution or other government financial assistance until the loan is repaid. (CEC §94911(g)(1)(2))</p>	<p>1) 2)</p>	<p>1) 2)</p>
13	<p>The enrollment agreement shall include the transferability disclosure that is required to be included in the school catalog. (CEC §94911(h) and §94909(a)(15))</p> <p style="text-align: center;">"NOTICE CONCERNING TRANSFERABILITY OF CREDITS AND CREDENTIALS EARNED AT OUR INSTITUTION"</p> <p>"The transferability of credits you earn at (insert name of institution) is at the complete discretion of an institution to which you may seek to transfer. Acceptance of the (insert degree, diploma, or certificate) you earn in (insert name of educational program *) is also at the complete discretion of the institution to which you may seek to transfer. If the (insert credits or degree, diploma, or certificate) that you earn at this institution are not accepted at the institution to which you seek to transfer, you may be required to repeat some or all of your coursework at that institution. For this reason you should make certain that your attendance at this institution will meet your educational goals. This may include contacting an institution to which you may seek to transfer after attending (insert name of institution) to determine if your (insert credits or degree, diploma or certificate) will transfer." *If institution offers more than one educational program, only the program in which the student is enrolling must be listed.</p>		
14	<p>The enrollment agreement shall include specific required statements directing students to the Bureau for unanswered questions and for filing a complaint with the Bureau. (CEC §94911(j)(1)(2))</p>		

"Any questions a student may have regarding this enrollment agreement that have not been satisfactorily answered by the institution may be directed to the Bureau for Private Postsecondary Education at (*insert address* *), www.bppe.ca.gov, (*insert telephone number and fax number**)."

***The following may be used for inserts:**

Address: 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833

P.O. Box 980818, West Sacramento, CA 95798-0818

Telephone and Fax #'s: (888) 370-7589 or by fax (916) 263-1897

(916) 431-6959 or by fax (916) 263-1897

"A student or any member of the public may file a complaint about this institution with the Bureau for Private Postsecondary Education by calling (888) 370-7589 toll-free or by completing a complaint form, which can be obtained on the bureau's internet web site www.bppe.ca.gov."

***The following may be used for inserts:**

Toll-free telephone #: (888) 370-7589

Web site Address: www.bppe.ca.gov

15	<p>The enrollment agreement shall include specific required statements and a line for the student to initial. (CEC §94911(i)(1)(2))</p> <p>(1) "Prior to signing this enrollment agreement, you must be given a catalog or brochure and a School Performance Fact Sheet, which you are encouraged to review prior to signing this agreement. These documents contain important policies and performance data for this institution. This institution is required to have you sign and date the information included in the School Performance Fact Sheet relating to completion rates, placement rates, license examination passage rates, and salaries or wages, and the most recent three-year cohort default rate, if applicable, prior to signing this agreement."</p> <p>(2) <u>Immediately following the statement required by paragraph (1), a line for the student to initial, including the following statement:</u></p> <p>"I certify that I have received the catalog, School Performance Fact Sheet, and information regarding completion rates, placement rates, license examination passage rates, and salary or wage information, and the most recent three-year cohort default rate, if applicable, included in the School Performance Fact sheet, and have signed, initialed, and dated the information provided in the School Performance Fact Sheet."</p>
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16	<p>A student shall enroll solely by means of executing an enrollment agreement. The enrollment agreement shall be signed by the student and by an authorized employee of the institution. (CEC §94902(a))</p>		
17	<p>The enrollment agreement shall include a clear and conspicuous statement that the enrollment agreement is legally binding when signed by the student and accepted by the institution. (CEC §94911(d))</p>		
18	<p>The enrollment agreement shall include a specific required statement above the space for the student's signature. (CEC §94911(k))</p> <p>"I understand that this is a legally binding contract. My signature below certifies that I have read, understood, and agreed to my rights and responsibilities, and that the institution's cancellation and refund policies have been clearly explained to me."</p>		
19	<p>An institution extending credit or lending money to an individual for institutional and noninstitutional charges for an educational program shall cause any note, instrument, or other evidence of indebtedness taken in connection with that extension of credit or loan to be conspicuously marked on its face in at least 12-point type with the following notice: (CEC §94916)</p> <p style="text-align: center;">"NOTICE"</p> <p>"YOU MAY ASSERT AGAINST THE HOLDER OF THE PROMISSORY NOTE YOU SIGNED IN ORDER TO FINANCE THE COST OF THE EDUCATIONAL PROGRAM ALL OF THE CLAIMS AND DEFENSES THAT YOU COULD ASSERT AGAINST THIS INSTITUTION, UP TO THE AMOUNT YOU HAVE ALREADY PAID UNDER THE PROMISSORY NOTE."</p>		
	<p>A note, instrument, or other evidence of indebtedness relating to payment for an educational program is not enforceable by an institution unless, at the time of execution of the note, instrument, or other evidence of indebtedness, the institution held an approval to operate. (CEC §94917)</p>	X	X
	<p>In making consumer loans to students, an institution shall also comply with the requirements of the Federal Truth in Lending Act pursuant to Title 15 of the United States Code. (CEC §94918)</p>	X	X

20	The enrollment agreement shall disclose that an institution offering a distance educational program where the instruction is not offered in real time shall transmit the first lesson and any materials to any student within seven days after the institution accepts the student for admission. (5,CCR §71716(a))		
21	For institutions offering a distance educational program where the instruction is not offered in real time, the enrollment agreement shall disclose that the student shall have the right to cancel the enrollment agreement and receive a full refund before the first lesson and materials are received. Cancellation is effective on the date written notice of cancellation is sent. The institution shall make the refund pursuant to section 71750 of the Regulations. If the institution sent the first lesson and materials before an effective cancellation notice was received, the institution shall make a refund within 45 days after the student's return of the materials. (5,CCR §71716(b))		
22	For institutions offering a distance educational program where the instruction is not offered in real time, the enrollment agreement shall disclose that (1) An institution shall transmit all lessons and materials to the student if the student has fully paid for the educational program and, after having received the first lesson and initial materials, requests in writing that all of the material be sent. (2) If an institution transmits the balance of the material as the student requests, the institution shall remain obligated to provide the other educational services it agreed to provide, but shall not be obligated to pay any refund after all of the lessons and material are transmitted. (5,CCR §71716(c)(1)(2))		
23	For institutions offering a distance educational program where the instruction is not offered in real time, the enrollment agreement shall disclose the institution's and students' rights and duties under 5, CCR §71716(a)(b)(c). (5,CCR §71716(d))	X	X

To the best of my knowledge, I declare that the information submitted is true and correct.

Signature

Date

Printed Name and Title

Tab 10

Additional Documents

Section 10. Financial Aid Policies, Practices, and Disclosures

Check	Items to include:
	Is section 10 on the application form completely filled out?
	Is the policy attached?
	Are all disclosures identified?

Section 10. Financial Aid Policies, Practices, and Disclosures

5 CCR §71190. Financial Aid Policies, Practices and Disclosures.

If an institution receives financial aid because its students qualify for it under any state or federal financial aid program, the Form Application 94886 shall include a statement of its policies, practices, and disclosures regarding financial aid.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94885, 94887, 94888, 94909, 94911, 94919, 94920 and 94926, Education Code.

5 CCR §70000. Definitions.

(I) "**Financial aid officer**" means any person involved in administering the participation of the institution or any of its students in any federal or state student loan or grant program, including any person who assists students to apply for, disburses the proceeds of, or regularly explains student rights and obligations under, loans or grants subject to any federal or state program.

CEC §94897. Prohibited Business Practices

An institution shall not do any of the following:

o) Require a prospective student to provide personal contact information in order to obtain, from the institution's Internet Web site, educational program information that is required to be contained in the school catalog or any information required pursuant to the consumer information requirements of Title IV of the federal Higher Education Act of 1965, and any amendments thereto.

Financial Aid includes all forms of financial assistance that comes from public monies, to include Workforce Innovation and Opportunity Act, GI Bill, EDD, etc...

Tab 11

Additional Documents

Section 11. Advertising and Other Public Statements

Check	Items to include:
	Is section 11 on the application form completely filled out?
	Are copies of all advertisement attached?
	If no copies are attached have you explained why?
	Are copies of scripts attached?
	If no copies are attached have you explained why?

Section 11. Advertising and Other Public Statements

5 CCR §71200. Advertising and Other Public Statements.

(a) The institution shall include in its Form Application 94886 copies of advertising and other statements disseminated to the public in any manner by the institution or its representatives that concern, describe, or represent each of the following:

- (1) The institution.
- (2) Each educational program offered by the institution.

(b) If advertising is broadcast by television or radio, the Form Application 94886 shall also include a copy of the script.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94887, 94888 and 94897, Education Code.

5 CCR §74140. Retention of Advertising.

Every institution shall retain, for a minimum of five years, copies of all advertising, including

- (a) flyers, brochures, newspaper, and other print advertisements,
- (b) scripts for, and audio and video recordings of, broadcast advertisements, and
- (c) internet content, and
- (d) scripts for telephone solicitations.

The institution shall make these records immediately available for inspection and copying during normal business hours to site visit teams and the Bureau.

Note: Authority cited: Sections 94803, 94877 and 94932, Education Code. Reference: Sections 94897 and 94932, Education Code.

CEC §94868. offer to the Public

"To offer to the public" means to advertise, publicize, solicit, or recruit.

CEC §94897. Prohibited Business Practices

An institution shall not do any of the following:

- (b) Promise or guarantee employment, or otherwise overstate the availability of jobs upon graduation.
- (c) Advertise concerning job availability, degree of skill, or length of time required to learn a trade or skill unless the information is accurate and not misleading.
- (d) Advertise, or indicate in promotional material, without including the fact that the educational programs are delivered by means of distance education if the educational programs are so delivered.
- (e) Advertise, or indicate in promotional material, that the institution is accredited, unless the institution has been accredited by an accrediting agency.
- (f) Solicit students for enrollment by causing an advertisement to be published in "help wanted" columns in a magazine, newspaper, or publication, or use "blind" advertising that fails to identify the institution.
- (i) Use a name in any manner improperly implying any of the following:
 - (1) The institution is affiliated with any government agency, public or private corporation,

agency, or association if it is not, in fact, thus affiliated.

(2) The institution is a public institution.

(3) The institution grants degrees, if the institution does not grant degrees.

(l) Use the terms "approval," "approved," "approval to operate," or "approved to operate" without stating clearly and conspicuously that approval to operate means compliance with state standards as set forth in this chapter. If the bureau has granted an institution approval to operate, the institution may indicate that the institution is "licensed" or "licensed to operate," but may not state or imply either of the following:

(1) The institution or its educational programs are endorsed or recommended by the state or by the bureau.

(2) The approval to operate indicates that the institution exceeds minimum state standards as set forth in this chapter.

Tab 12

Additional Documents

Section 12. Instruction and Degrees Offered

Check	Items to include:
	Is section 12 on the application form completely filled out?
	For EACH program (separately) did you provide the below listed information?
	Title of the program
	Admission requirements
	Does the program require prior education, preparation or training? If so did you identify the minimum levels required?
	Do you accept Ability to Benefit students? If so, did you provide the information regarding the examination?
	Did you provide the method of instruction? (traditional classroom, on-line, correspondence)
	If method of instruction is distance education: <ul style="list-style-type: none">• Provide instructional method(s) and platform(s) that will be used for the program(s).• Describe how students are assessed, prior to admission, in order to determine whether each student has the skills and competencies to succeed in a distance education environment.
	What are the graduation requirements?
	Did you provide a list of each occupation and job title to which the educational program is designed to fit or prepare a student for employment?
	For Degree Programs: Is an accreditation plan attached? For accreditation plan resources visit the Bureau's website: https://bppe.ca.gov/schools/accredplan_resources.shtml

Section 12. Instruction and Degrees Offered

5 CCR §71210. Instruction and Degrees Offered.

(a) The institution shall identify and describe the educational program it offers, or proposes to offer. If the educational program is a degree program, the institution shall identify the full title which it will place on each degree awarded.

(b) In addition to the general title, such as "Bachelor of Arts" or "Master of Science," each degree title shall include the name of a specific major field of learning involved.

(c) In addition, the institution shall list the following for each educational program offered:

- (1) The admissions requirements, including minimum levels of prior education, preparation, or training;
- (2) If applicable, information regarding the ability-to-benefit examination as required by section 94904 of the Code;
- (3) The types and amount of general education required;
- (4) The title of the educational programs and other components of instruction offered, including a description of the level of the courses (e.g., below college level, undergraduate level, graduate level);
- (5) The method of instruction;
- (6) The graduation requirements; and
- (7) Whether the educational program is designed to fit or prepare students for employment in any occupation. If so, the Form Application 94886 shall identify each occupation and job title to which the institution represents the educational program will lead.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94887, 94888, 94904 and 94910, Education Code.

Identify and Describe

CEC §94837. Educational Program

"Educational program" means a planned sequence composed of a single course or module, or set of related courses or modules, that provides the education, training, skills, or experience, or a combination of these.

CEC §94830. Degree

"Degree" means a recognized educational credential awarded by an institution that signifies satisfactory completion of the requirements of a postsecondary educational program at the associate's level or above.

CEC §94831. Degree Title

"Degree title" means the designated subject area of the educational program that appears on the face of the document awarded to a student.

5 CCR §70000. Definitions.

(i) "**Degree program**" means an educational program leading to the award of an academic degree as defined in section 94830 of the Code.

(h) "**Credit**" means a measure of college or university level instruction that is evaluated by duly qualified faculty; it is also the same as "unit" or "unit of credit."

(m) "**Full-time study**" means the equivalent of, if measured in credit hours, 24 semester or trimester, or 36 quarter hours, or if measured in clock hours, 900 hours, to be completed within 30 weeks of instruction.

(n) "**Innovative method of instruction**" or "**unique method of instruction**" means a new method of instruction, not previously generally recognized by accredited and approved degree granting institutions, as a reasonable approach to teaching a specific curriculum.

(s) "**Prior experiential learning**" or "**college level learning experience**" means learning of a postsecondary nature as documented learning from a related profession, college level equivalent tests, military training or other college level equivalent experience.

(t) "**Quarter**" means at least 10 weeks of instruction or its equivalent as described in subdivision (u)(2) of this section.

(u) "**Quarter unit**" means either of the following:

- (1) At least ten (10) hours of college or university level instruction during a quarter plus a reasonable period of time outside of instruction which an institution requires a student to devote to preparation for planned learning experiences, such as preparation for instruction, study of course material, or completion of educational projects; or
- (2) Planned learning experiences equivalent to the learning and preparation described in paragraph (1) as determined by duly qualified faculty responsible for evaluating learning outcomes for the award of unit credits.

(w) "**Semester**" means at least 15 weeks of instruction or its equivalent as described in subdivision (x)(2) of this section.

(x) "**Semester unit**" means either of the following:

- (1) At least fifteen (15) hours of college or university level instruction during a semester plus a reasonable period of time outside of instruction which an institution requires a student to devote to preparation for planned learning experiences, such as preparation for instruction, study of course material, or completion of educational projects; or
- (2) Planned learning experiences equivalent to the learning and preparation described in paragraph (1) as determined by duly qualified faculty responsible for evaluating learning outcomes for the award of unit credits.

(aa) "Unit" or "unit of credit" means a measure of college or university level instruction that is evaluated by duly qualified faculty.

Note: Authority cited: Sections 94803 and 94877, Education Code. Reference: Sections 94818, 94830, 94844, 94885 and 94923, Education Code

Admission requirements

5 CCR §71770. Admissions Standards and Transferred Credits Policy.

(a) The institution shall establish specific written standards for student admissions for each educational program. These standards shall be related to the particular educational program. An institution shall not admit any student who is obviously unqualified or who does not appear to have a reasonable prospect of completing the program. In addition to any specific standards for an educational program, the admissions standards must specify as applicable that:

(1) Each student admitted to an undergraduate degree program, or a diploma program, shall possess a high school diploma or its equivalent, or otherwise successfully take and pass the relevant examination as required by section 94904 of the Code.

(2) Each student admitted into a post-baccalaureate degree program shall possess a bachelor's degree or its equivalent. If a graduate program leads to a profession or an occupation requiring state licensure and the licensing agency does not require that a member of the profession or occupation possess a Bachelor's degree or its equivalent, this subdivision does not apply.

(b) The institution shall specify the maximum credit it will transfer from another institution for each educational program, and the basis upon which the transferred credit will be awarded.

(1) Except as limited by subdivision (c) of this section, a maximum of 75 percent of the units or credit that may be applied toward the award of a bachelor's degree may be derived from a combination of any or both of the following:

(A) Units earned at institutions approved by the Bureau, public or private institutions of higher learning accredited by an accrediting association recognized by the U. S. Department of Education, or any institution of higher learning, including foreign institutions, if the institution offering the undergraduate program documents that the institution of higher learning at which the units were earned offers degree programs equivalent to degree programs approved by the Bureau or accredited by an accrediting association recognized by the U.S. Department of Education;

(B) Challenge examinations and standardized tests such as the College Level Placement Tests (CLEP) for specific academic disciplines.

(2) No more than 20% of graduate semester units or the equivalent in other units awarded by another institution may be transferred for credit toward a Master's degree. An institution may accept transfer credits only from the institutions of higher learning

described in subsection (1)(A).

(3) No more than 30 graduate semester credits or its equivalent awarded by another institution may be credited toward a doctoral degree. This subdivision does not apply to graduate programs that lead to a profession or an occupation requiring state licensure where the licensing agency has a regulation permitting a different standard.

(c) If credit for prior experiential learning is to be granted, the policy for granting such credit shall be included in the institution's catalog.

(1) An institution may grant credit to a student for prior experiential learning only if:

(A) The prior learning is equivalent to a college or university level of learning;

(B) The learning experience demonstrates a balance between theory and practice and;

(C) The credit awarded for the prior learning experience directly relates to the student's degree program and is applied in satisfaction of some of the degree requirements.

(2) Each college or university level learning experience for which credit is sought shall be documented by the student in writing.

(3) Each college or university level learning experience shall be evaluated by faculty qualified in that specific subject area who shall ascertain (1) to what college or university level learning the student's prior experience is equivalent and (2) how many credits toward a degree may be granted for that experience.

(4) The faculty evaluating the prior learning shall prepare a written report indicating all of the following:

(A) The documents in the student's record on which the faculty member relied in determining the nature of the student's prior experience;

(B) The bases for determining that the prior experience (i) is equivalent to college or university level learning and (ii) demonstrates a balance between theory and practice; and

(C) The bases for determining (i) to what college or university level the experience is equivalent and (ii) the proper number of credits to be awarded toward the degree for that experience.

(5)(A) The institution shall designate at least one administrator to be responsible for the review of faculty determinations regarding the award of credit for prior experiential learning.

(B) The administrator shall document the institution's periodic review of faculty evaluations to assure that the faculty written evaluations and awards of credit comply with this section and the institution's policies and are consistent.

(6) The amount of credit awarded for prior experiential learning shall not be related to the amount charged the student for the assessment process.

(7)(A) Of the first 60 semester credits awarded a student in an undergraduate program, no more than 15 semester credits may be awarded for prior experiential learning.

(B) Of the second 60 semester units (i.e., credits 61 to 120) awarded a student in an undergraduate program, no more than 15 semester credits may be awarded for prior

experiential learning.

(C) Of the first 30 semester credits awarded a student in a graduate program, no more than 6 semester credits may be awarded for prior experiential learning.

(D) Of the second 30 semester credits (i.e., credits 31 to 60) awarded a student in a graduate program, no more than 3 semester credits may be awarded for prior experiential learning.

(E) No credit for experiential learning may be awarded after a student has obtained 60 semester credits in a graduate program.

Note: Authority cited: Sections 94803, 94877 and 94885, Education Code. Reference: Sections 94885 and 94909, Education Code.

Ability to Benefit

CEC §94811. Ability-to-Benefit Student

"Ability-to-benefit student" means a student who does not have a certificate of graduation from a school providing secondary education, or a recognized equivalent of that certificate.

CEC §94904. Ability to Benefit Students

(a) Before an ability-to-benefit student may execute an enrollment agreement, the institution shall have the student take an independently administered examination from the list of examinations prescribed by the United States Department of Education pursuant to Section 484(d) of the federal Higher Education Act of 1965 (20 U.S.C. Sec. 1070a et seq.) as it is, from time to time, amended. The student shall not enroll unless the student achieves a score, as specified by the United States Department of Education, demonstrating that the student may benefit from the education and training being offered.

(b) If the United States Department of Education does not have a list of relevant examinations that pertain to the intended occupational training, the bureau may publish its own list of acceptable examinations.

Instruction

5 CCR §71715. Instruction

(a) Instruction shall be the central focus of the resources and services of the institution.

(b) The institution shall document that the instruction offered leads to the achievement of the learning objectives of each course.

(c) Direct instruction requires the physical presence of one or more students and one or more faculty members at the same location. Direct instruction includes instruction presented in a classroom, seminar, workshop, lecture, colloquium, laboratory, tutorial, or other physical learning settings consistent with the mission, purposes, and objectives of the institution.

(d) Distance education as defined in section 94834 of the Code, does not require the physical presence of students and faculty at the same location but provides for interaction between students and faculty by such means as telecommunication, correspondence, electronic and computer augmented educational services, postal service, and facsimile transmission. In addition to the other requirements of this chapter and the Act, an institution offering distance education shall:

- (1) ensure that the educational program offered through distance education is appropriate for delivery through distance education methods;
- (2) assess each student, prior to admission, in order to determine whether each student has the skills and competencies to succeed in a distance education environment;
- (3) ensure that the materials and programs are current, well organized, designed by faculty competent in distance education techniques and delivered using readily available, reliable technology;
- (4) provide for meaningful interaction with faculty who are qualified to teach using distance education methods;
- (5) maintain clear standards for satisfactory academic progress;
- (6) timely complete student evaluations of learning outcomes by duly qualified faculty, which are appropriate for use with the distance education methods used, and evaluated by duly qualified faculty.
- (7) employ a sufficient number of faculty to assure that (A) the institution's response to, or evaluation of, each student lesson is returned to the student within 10 days after the lesson is received by the institution; and (B) the institution's response to, or evaluation of, each student project or dissertation is returned to the student within the time disclosed in the catalog; and
- (8) shall maintain a record of the dates on which lessons, projects, and dissertations were received and responses were returned to each student.

Authority cited: Sections 94803, 94885 and 94887, Education Code. Reference: Sections 94834 and 94885, Education Code.

CEC §94846. Instruction

"Instruction" means an institution's specific, formal arrangements in which its faculty present a part of the curriculum.

5 CCR §70000. Definitions.

(a) "**Academic Freedom**" means the degree to which faculty at an institution are allowed latitude with respect to their discussions with students and the positions they take. Under such a policy, a faculty member can articulate or even advocate positions or concepts which may be controversial in nature without fear of retribution or reprisal.

Method

5 CCR §71716. Distance Educational Programs - Specific Provisions for Instruction Not in Real Time. (a) An institution offering a distance educational program where the instruction is not offered in real time shall transmit the first lesson and any materials to any student within seven days after the institution accepts the student for admission.

(b) The student shall have the right to cancel the agreement and receive a full refund pursuant to section 71750 before the first lesson and materials are received.

Cancellation is effective on the date written notice of cancellation is sent. The institution shall make the refund pursuant to section 71750. If the institution sent the first lesson and materials before an effective cancellation notice was received, the institution shall make a refund within 45 days after the student's return of the materials.

(c)(1) An institution shall transmit all of the lessons and other materials to the student if the student:

(A) has fully paid for the educational program; and

(B) after having received the first lesson and initial materials, requests in writing that all of the material be sent.

(2) If an institution transmits the balance of the material as the student requests, the institution shall remain obligated to provide the other educational services it agreed to provide, such as responses to student inquiries, student and faculty interaction, and evaluation and comment on lessons submitted by the student, but shall not be obligated to pay any refund after all of the lessons and material are transmitted.

(d) The enrollment agreement shall disclose the institution's and student's rights and duties under this section.

Note: Authority cited: Sections 94803, 94877 and 94885, Education Code. Reference: Section 94885, Education Code.

CEC §94834. Distance Education

"Distance education" means transmission of instruction to students at a location separate from the institution.

Graduation Requirements

5 CCR §71850. Minimum Educational Requirements in Order to Award an Undergraduate Degree.

Graduation requirements for an undergraduate degree program shall meet minimum credit requirements and shall include provisions for general education appropriate to the level and type of degree. The institution shall specify the distribution of general education credit requirements by subject area for each undergraduate degree program.

(a) A Bachelor's degree may be awarded to a student whom the institution can document has achieved sequential learning equivalent in general education and equivalent in depth of achievement in a designated major field to that acquired in four years of study beyond high school, as measured by a minimum of 120 semester credits or its equivalent. At least 25 percent of the credit requirements for a Bachelor's degree shall be in general education.

(b) An Associate degree may be awarded only to a student whom the institution can document has achieved sequential learning equivalent to that acquired in two years of study beyond high school, as measured by a minimum of 60 semester credits or its equivalent. Except as provided in subdivision (c) of this section, at least 25 percent of the credit requirements for an Associate degree shall be in general education.

(c) The Specialized Associate degree (Occupational) or the Associate of Applied Science degree may be awarded only to a student who completes at least the learning

outcomes equivalent to a minimum of 60 semester credits or the equivalent. A minimum of seventy-five percent of the credits shall be in the occupational area for which training is offered. The general education offered as part of a Specialized Associate degree (Occupational) or an Associate of Applied Science degree program shall be such as is necessary for a student to achieve the educational objectives of the program in which the student is enrolled. General education shall be at the same level of quality as that taught in approved Bachelor's or Associate degree programs.

Note: Authority cited: Sections 94803, 94877 and 94885, Education Code. Reference: Section 94885, Education Code.

5 CCR §71865. Minimum Educational Requirements in Order to Award a Graduate Degree.

(a) A Master's degree may only be awarded to a student who demonstrates at least the achievement of learning in a designated major field that is equivalent in depth to that normally acquired in a minimum of 30 semester credits or its equivalent or one year of study beyond the Bachelor's degree.

(b) A professional Doctoral degree may only be awarded to a student who has completed a prescribed level of study normally requiring a minimum of three academic years of full-time graduate study or the equivalent in part-time study; or, if the program leads to a profession or occupation requiring state licensure, which satisfies the requirements of the state agency. The degree shall include the name of the field in which it is offered (e.g., Juris Doctor or Doctor of Music).

(c)(1) A Doctor of Philosophy degree (Ph.D.) is a research-oriented degree requiring a minimum of three years of full-time graduate education or the equivalent in part-time study. Such a doctoral program shall include substantial instruction in both theory and research at an advanced level in a designated field and specialty, and may only be awarded to a student who has completed a program of study that includes research methodology and demonstrated learning achievement through original research directly attributable to the student. Each educational program leading to a Doctor of Philosophy degree shall involve preparation for scholarship and systematic inquiry.

(2)(A) Each Doctor of Philosophy program shall include a minimum of two formal evaluations of the student by a doctoral committee. The doctoral committee shall be composed of at least three members of the institution's own faculty who meet the qualifications in subdivision (c)(3).

(B) The first evaluation shall consider the student's qualifications, including the student's knowledge, skills, and conceptual framework, for undertaking rigorous inquiry into the student's designated field.

(C) The second evaluation shall consider the design procedures and products of a formal original inquiry proposed and completed by the student.

(3) The faculty members who serve on each student's doctoral examining committee shall meet the following qualifications:

(A) Each member shall have earned a Doctoral degree from: an institution that is approved by the Bureau or previously approved by a predecessor agency of the Bureau; or an accredited institution in the United States or Canada; or other state approved institution that documents that the institution at which the faculty member earned his or her degree is equivalent to an institution that is approved by the Bureau;

or an institution outside the United States or Canada and in addition provides a comprehensive evaluation of the degree performed by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES).

(B) The chair and the majority of the committee shall have earned degrees related to the student's field of investigation.

(C) A minimum of 50% of the faculty on the committee shall have degrees conferred by an institution accredited by an accrediting association recognized by the United States Department of Education or the American Bar Association, unless the accreditation does not exist.

(D) All of the faculty shall have three or more years of field or research experience related to their degrees obtained after they obtained their degrees.

(E) All of the faculty shall have been active in their field of scholarship or profession during the five year period preceding their participation on the committee.

(4) The formal evaluation procedures shall provide the committee as a whole with the opportunity to jointly examine the candidate.

(5) If the candidate is not physically present and the evaluation must take place by telephone or other means of electronic communication, one of the following shall apply:

(A) One faculty member on the student's doctoral committee from the main location (i.e., the state in which the program is licensed or otherwise officially approved) must be present at the location where the doctoral student is examined.

(B) A proctor, selected and approved by the doctoral committee, shall sit as an observer with the student at the distant location and verify, under penalty of perjury under the laws of the State of California, the identity of the student and the facts that the student received no prompting by anyone and did not have access to unallowed materials during the evaluation process.

(6) If a project includes more than one student, the individual student's role and contributions shall be clearly identified and documented.

(7) The institution shall maintain a written record of the evaluations. This record shall include the names and signatures of all committee members who participated in the evaluations.

(d) No more than 25 percent of the credits required for graduate degree programs may be awarded for a final product such as a thesis, dissertation, or product.

(e) Dissertations, theses and other products submitted by a student as part of a graduate program shall be signed by all faculty members recommending the student for an award of a degree.

Note: Authority cited: Sections 94803, 94877 and 94885, Education Code. Reference: Section 94885, Education Code.

Accreditation

94885.5. Accreditation Required for Degree Granting Institutions

(a) If an institution that has not been accredited by an accrediting agency recognized by the United States Department of Education seeks to offer one or more degree

programs, the institution shall satisfy the following requirements in order to be issued a provisional approval to operate from the bureau:

(1) The institution may not offer more than two degree programs during the term of its provisional approval to operate.

(2) The institution shall submit an accreditation plan, approved by the bureau, for the institution to become fully accredited within five years of issuance of its provisional approval to operate. The plan shall include, at a minimum, identification of an accreditation agency recognized by the United States Department of Education, from which the institution plans to seek accreditation, and outline the process by which the institution will achieve accreditation candidacy or pre-accreditation within two years, and full accreditation within five years, of issuance of its provisional approval.

(3) The institution shall submit to the bureau all additional documentation the bureau deems necessary to determine if the institution will become fully accredited within five years of issuance of its provisional approval to operate.

(b) If an institution is granted a provisional approval to operate pursuant to subdivision (a), the following is required:

(1) Students seeking to enroll in that institution shall be notified in writing by the institution, prior to the execution of the student's enrollment agreement, that the institution's approval to operate is contingent upon it being subsequently accredited.

(2) Within the first two years of issuance of the provisional approval, a visiting committee, empaneled by the bureau pursuant to Section 94882, shall review the institution's application for approval and its accreditation plan, and make a recommendation to the bureau regarding the institution's progress to achieving full accreditation.

(3) The institution shall provide evidence of accreditation candidacy or pre-accreditation within two years of issuance of its provisional approval, and evidence of accreditation within five years of issuance of its provisional approval, with the scope of that accreditation covering the offering of at least one degree program.

(c) An institution required to comply with this section that fails to do so by the dates provided, as required, shall have its provisional approval to operate automatically suspended on the applicable date. The bureau shall issue an order suspending the institution and that suspension shall not be lifted until the institution complies with the requirements of this section. A suspended institution shall not enroll new students in any of its degree programs and shall execute a teach-out plan for its enrolled students.

(d) (1) The bureau shall, upon the timely submission of sufficient evidence that an unaccredited institution is making strong progress toward obtaining accreditation, grant an institution's request for an extension of time, not to exceed two years, to meet the requirements of this section.

(2) Evidence submitted to the bureau pursuant to paragraph (1) shall include, but is not limited to, an amended accreditation plan adequately identifying why preaccreditation, accreditation candidacy, or accreditation outlined in the original plan submitted to the bureau was not achieved, active steps the institution is taking to comply with this section, and documentation from an accrediting agency demonstrating the institution's likely ability to meet the requirements of this section.

(3) The bureau may establish policies and procedures to comply with the requirements in this subdivision. Establishment of these policies and procedures are exempt from

Chapter 3.5 (commencing with Section 11340), Chapter 4 (commencing with Section 11370), Chapter 4.5 (commencing with Section 11400), and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

(e) An institution issued a provisional approval under this section is required to comply with all other laws and regulations.

(f) The bureau shall adopt emergency regulations for purposes of implementing this section. The adoption of these regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare for purposes of Sections 11346.1 and 11349.6 of the Government Code. These emergency regulations shall become law through the regular rulemaking process within one year of the enactment of this section.

Bureau for Private Postsecondary Education Approved Ability-to-Benefit Tests

Test	Publisher	Passing Scores	Audience	Effective Date
Wonderlic Basic Skills Test (WBST) Verbal Forms VS-1 & VS-2; Quantitative Forms QS-1 & QS-2 (Online & Paper and Pencil Versions)	Wonderlic, Inc., 400 Lakeview Parkway, Suite 200 Vernon Hills, IL 60061. Telephone (847) 247-2544 Fax (847) 680-9492	Verbal – 200 Quantitative - 210	General	July 1, 2015
Spanish Wonderlic Basic Skills Test (Spanish WBST) Verbal Forms VS-1 & VS-2 Quantitative Forms QS-1 & QS-2 (Online & Paper and Pencil Versions)	Wonderlic, Inc., 400 Lakeview Parkway, Suite 200 Vernon Hills, IL 60061. Telephone (847) 247-2544 Fax (847) 680-9492	Verbal – 200 Quantitative - 200	Students whose native language is Spanish	July 1, 2015
Combined English Language Skills Assessment (CELSA) Forms 1 and 2.	Association of Classroom Teacher Testers (ACTT) 1187 Coast Village Road, Suite 1, #378, Montecito, CA 93108 Telephone (805) 965-5704 Fax (805) 965-5807 email: actt@cappassoc.com	Form 1 – 97 Form 2 – 97	Students whose native language is not English and who are not fluent in English	November 1, 2002
ACCUPLACER (Reading Comprehension, Sentence Skills, and Arithmetic)	The College Board, 250 Vesey Street, New York, New York 10281 Telephone (800) 607-5223 Fax (212) 253-4061	Reading Comprehension – 55 Sentence Skills – 60 Arithmetic – 34	General	November 1, 2002
Language Proficiency Assessment Test-Spanish (LPAT-S)	Association of Classroom Teacher Testers (ACTT) 1187 Coast Village Road, Suite 1, #378, Montecito, CA 93108 Telephone (805) 965-5704 Fax (805) 965-5807 email: actt@cappassoc.com	Reading Comprehension – 17 Mathematics - 14	Appropriate for schools approved to offer instruction in Spanish	September 1, 2017

<p>Language Proficiency Assessment Test- Vietnamese (LPAT-V)</p>	<p>Association of Classroom Teacher Testers (ACTT) 1187 Coast Village Road, Suite 1, #378, Montecito, CA 93108 Telephone (805) 965-5704 Fax (805) 965-5807 email: actt@cappassoc.com</p>	<p>Reading Comprehension – 17 Mathematics - 14</p>	<p>Appropriate for schools approved to offer instruction in Vietnamese</p>	<p>May 31, 2019</p>
<p>Language Proficiency Assessment Test-Chinese (LPAT-C)</p>	<p>Association of Classroom Teacher Testers (ACTT) 1187 Coast Village Road, Suite 1, #378, Montecito, CA 93108 Telephone (805) 965-5704 Fax (805) 965-5807 email: actt@cappassoc.com</p>	<p>Reading Comprehension – 17 Mathematics - 14</p>	<p>Appropriate for schools approved to offer instruction in Chinese</p>	<p>August 8, 2019</p>

Tab 13

Additional Documents

Section 13. Description of Educational Programs

Check	Items to include:
	Is section 13 on the application form completely filled out?
For EACH program (separately) provide the below listed information:	
	Did you describe the educational program?
	Did you provide the program/ curriculum outline as well as syllabi for each program?
	Does the course outline identify the learning skills and other competencies to be acquired by the student?
	Did you describe the equipment?
	Did you provide the number of faculty needed to teach the educational program?
	Did you provide the projection of the number of students that the institution plans to enroll in the program during each of the next three years?
	Did you provide the bases for these projections?
	Did you provide a copy of the approval from the appropriate licensing agency?

Section 13. Description of Educational Programs

5 CCR §71220. Description of Educational Program.

For each educational program that the institution offers or proposes to offer, the Form Application 94886 shall contain a statement that the educational program meets the requirements of section 71710, as well as the following:

- (a) A description of the educational program.
- (b) A description of the equipment to be used during the educational program.
- (c) A description of the number and qualifications of the faculty needed to teach the educational program.
- (d) A projection, and the bases for the projection, of the number of students that the institution plans to enroll in the educational program during each of the three years following the date the Form Application 94886 was submitted.
- (e) A description of the learning, skills, and other competencies to be acquired by students who complete the educational program.
- (f) If licensure is a goal of an educational program, a copy of the approval from the appropriate licensing agency if required. A copy of the intent to approve conditioned solely upon institutional approval from the Bureau will also meet this requirement. Upon request, the institution shall provide to the Bureau copies of the curriculum or syllabi required pursuant to section 71710.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94875, 94887, 94888, 94899, 94905 and 94909, Education Code.

5 CCR §71710. Educational Program.

In order to meet its mission and objectives, the educational program defined in section 94837 of the Code shall be comprised of a curriculum that includes:

- (a) those subject areas that are necessary for a student to achieve the educational objectives of the educational program in which the student is enrolled;
- (b) subject areas and courses or modules that are presented in a logically organized manner or sequence to students;
- (c) course or module materials that are designed or organized by duly qualified faculty.

For each course or module, each student shall be provided with a syllabus or course outline that contains:

- (1) a short, descriptive title of the educational program;
- (2) a statement of educational objectives;
- (3) length of the educational program;
- (4) sequence and frequency of lessons or class sessions;
- (5) complete citations of textbooks and other required written materials;
- (6) sequential and detailed outline of subject matter to be addressed or a list of skills to be learned and how those skills are to be measured;
- (7) instructional mode or methods.
- (d) if degree granting, require research of an appropriate degree that utilizes a library and other learning resources;
- (e) specific learning outcomes tied to the sequence of the presentation of the material to measure the students' learning of the material; and
- (f) evaluation by duly qualified faculty of those learning outcomes.

Note: Authority cited: Sections 94803, 94885 and 94877, Education Code. Reference: Sections 94837 and 94885, Education Code.

5 CCR §71735. Facilities and Equipment.

(a) An institution shall have sufficient facilities and necessary equipment to support the achievement of the educational objectives of all of the courses and educational programs in which students are enrolled. If an institution represents that the educational service will fit or prepare a student for employment in a particular occupation or as described in particular job titles, either of the following conditions shall be met:

(1) The equipment used for instruction or provided to the student shall be comparable in model type or features to equipment generally used in those occupations or job titles at the time the instruction is offered.

(2) The institution shall establish that the equipment used for instruction or provided to a student is not obsolete and is sufficient for instructional purposes to reasonably assure that a student acquires the necessary level of education, training, skill, and experience to obtain employment in the field of training and to perform the tasks associated with the occupation or job title to which the educational program was represented to lead.

(b) An institution's facilities, including heating and cooling, ventilation, lighting, classrooms, laboratories, and campus environs, shall be well-maintained. The institution shall maintain all valid permits required by any public agencies relating to the health and safety of the institution's facilities and equipment on file, and such permits shall be available to the Bureau upon request.

Note: Authority cited: Sections 94803, 94877 and 94885, Education Code. Reference: Section 94885, Education Code.

5 CCR §71720. Faculty.

(a) An Educational Program Leading to a Degree.

(1) An institution offering an educational program that leads to a degree shall employ duly qualified faculty sufficient in number to provide the instruction, student advisement, and learning outcomes evaluation necessary for the institution to document its achievement of its stated mission and objectives, and for students to achieve the specific learning objectives of each course offered;

(2) Each institution shall develop and implement written policies and procedures providing for the participation by duly qualified faculty in the conducting of research, development of curricula, academic planning, enforcement of standards of academic quality, pursuit of academic matters related to the institution's mission and objectives, establishment of criteria for contracting with new faculty, and evaluation of faculty credentials;

(3) In determining the number of faculty sufficient to satisfy subdivision (a)(1) of this section and to implement the policies established pursuant to subdivision (a)(2) of this section, the institution shall base its faculty requirements on all of the following factors:

(A) The educational level and number of students;

(B) The number of hours needed for direct interaction between students and faculty per course, quarter, semester, or other term;

(C) The number of hours needed to be spent on evaluating written materials prepared by students, such as distance education, papers, and examinations, per course,

quarter, semester, or other term;

(D) The number of group meetings per course, quarter, semester, or other term;

(E) The faculty duties established by the institution as required under subdivision (a)(2) of this section; and

(F) The number of hours per week or units per term considered full-time for faculty in the institution.

(4) The faculty shall have sufficient expertise to support the institution's awarding of a degree identifying a specialty or major field of emphasis, demonstrated by, at a minimum:

(A) That the person possesses one of the following:

1. a degree from: an institution approved by the Bureau or previously approved by a predecessor agency of the Bureau; or an accredited institution in the United States or Canada; or other state approved institution that documents that the institution at which the faculty member earned his or her degree is equivalent to an institution that is approved by the Bureau; or an institution outside the United States or Canada and in addition provides a comprehensive evaluation of the degree performed by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services(NACES).

2. a credential generally recognized in the field of instruction.

(B) The degree, professional license, or credential possessed by the person shall be at least equivalent to the level of instruction being taught or evaluated;

(5) The institution's faculty as a whole shall possess a diverse educational background which shall be demonstrated in part by earned degrees from a variety of colleges and universities or by credentials generally recognized in the field of instruction;

(6) When contracting for educational services, the institution shall maintain control of, and responsibility for, all academic matters, and shall assure that the instruction and faculty satisfy the standards established by the Act and this chapter;

(7) The institution shall not employ or continue to employ any faculty who were adjudicated in a judicial or administrative proceeding as having violated any provision of the Act or this chapter or as having committed any act that would constitute grounds for the denial of a license under Section 480 of the Business and Professions Code;

(8) Each institution shall have a written Academic Freedom Policy which describes the latitude the institution allows faculty in the classroom so faculty will not inadvertently violate the principles of academic freedom. These policies shall be made available to any person upon request. The institution shall not take adverse action based on a staff member's exercise of academic freedom consistent with the institution's policy; and

(9) The institution shall maintain records documenting that each faculty member is duly qualified and was qualified to perform the duties to which the faculty member was assigned, including providing instruction, evaluating learning outcomes, evaluating graduate dissertations, theses, and student projects, and participating on doctoral committees.

(b) Instructors in an Educational Program Not Leading to a Degree.

(1) An institution shall employ instructors who possess the academic, experiential and professional qualifications to teach, including a minimum of three years of experience, education and training in current practices of the subject area they are teaching. If an instructor does not possess the required three years of experience, education and

training in the subject area they are teaching, the institution shall document the qualifications the instructor possesses that are equivalent to the minimum qualifications.

(2) Each instructor shall maintain their knowledge by completing continuing education courses in his or her subject area, classroom management or other courses related to teaching.

(3) The institution shall not employ or continue to employ an instructor who was adjudicated in a judicial or administrative proceeding as having violated any provision of the Act or this chapter, or as having committed any act that would constitute grounds for the denial of a license under Section 480 of the Business and Professions Code.

Note: Authority cited: Sections 94803, 94877 and 94885, Education Code. Reference: Section 94885, Education Code; and Section 480, Business and Professions Code.

CEC §94828. Curriculum

"Curriculum" means an organized set of courses or modules of instruction that are prerequisites to the award of a degree or diploma.

CEC §94892. Approval By Other Government Agency

If an agency of this state other than the bureau or of the federal government provides an approval to offer an educational program and the institution already has a valid approval to operate issued by the bureau, that agency's educational program approval may satisfy the requirements of this article without any further review by the bureau. The bureau may incorporate that educational program into the institution's approval to operate when the bureau receives documentation signifying the conferral of the educational program approval by that agency.

CEC §94899. Approval Required for Programs Leading to Licensed Profession

If an institution offers an educational program in a profession, occupation, trade, or career field that requires licensure in this state, the institution shall have an educational program approval from the appropriate state licensing agency to conduct that educational program in order that a student who completes the educational program, except as provided in Section 94905, is eligible to sit for any required licensure examination.

Tab 14

Additional Documents

Section 14. Instruction in Languages Other Than English

Check	Items to include:
	Is section 14 on the application form completely filled out?
	Do you provide instruction in languages other than English?
	If YES than provide the following information:
	Did you identify the language for each program?
	Is the statement attached that the institution has contracted with sufficient duly qualified faculty?
	Did you provide a description of the textbooks and other written materials to be used for the specific language?

Section 14. Instruction in Languages Other Than English

5 CCR §71230. Instruction in Languages Other Than English.

If the institution offers an educational program, or a portion of it, in a language other than English, the Form Application 94886 shall contain a description of all of the following for each educational program or portion thereof.

- (a) The language in which each educational program will be offered.
- (b) A statement that the institution has contracted with sufficient duly qualified faculty who will teach each language group of students.
- (c) The language of the textbooks and other written materials to be used by each language group of students.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94885, 94887 and 94888, Education Code.

Tab 15

Additional Documents

Section 15. Financial Resources and Statements

Check	Items to include:
	Is section 15 on the application form completely filled out?
	Is the complete REVIEWED financial statement attached?
	Was it completed by a licensed CPA?
	Was it completed according to GAAP?
	Is the CPA an employee, officer, corporate director or member of the governing board?
	Is the report "current"?
	Does the report show that all operating expenses can be paid within 30 days?
	Does the report show the total current assets to total current liabilities ratio to be 1.25 to 1.00 or greater?
	If utilizing a parent companies financial statement is the below information provided?
	Consent in writing to be sued in California.
	Consents in writing to be subject to the jurisdiction of the Bureau with respect to the institution's regulation under the Act and this Chapter.
	Has an agent for service of process been identified?
	Agrees in writing to pay any refund, claim, penalty, or judgment that the institution is obligated to pay.
	Files financial reports, maintains financial records, and consents in writing to permit the inspection and copying of financial records to the same extent as is required of the institution.

Section 15. Financial Resources and Statements

5 CCR §71240. Financial Resources and Statements.

(a) The Form Application 94886 shall contain a statement that the institution has and can maintain the financial resources required pursuant to section 71745.

(b) The institution shall submit current, reviewed financial statements at the time it applies for approval to operate. Each set of financial statements shall comply with Section 74115 of this chapter.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94885, 94887, 94888 and 94897, Education Code.

5 CCR §71745. Financial Resources.

(a) The institution shall document that it has at all times sufficient assets and financial resources to do all of the following:

(1) Provide all of the educational programs that the institution represented it would provide.

(2) Ensure that all students admitted to its educational programs have a reasonable opportunity to complete the programs and obtain their degrees or diplomas.

(3) Maintain the minimum standards required by the Act and this chapter.

(4) Pay timely refunds as required by Article 13 of the Act.

(5) Pay all operating expenses due within 30 days.

(6) Maintain a ratio of current assets to current liabilities of 1.25 to 1.00 or greater at the end of the most recent fiscal year when using generally accepted accounting principles, or for an institution participating in Title IV of the federal Higher Education Act of 1965, meet the composite score requirements of the U.S. Department of Education. For the purposes of this section, current assets does not include: intangible assets, including goodwill, going concern value, organization expense, startup costs, long-term prepayment of deferred charges, and non-returnable deposits, or state or federal grant or loan funds that are not the property of the institution but are held for future disbursement for the benefit of students. Unearned tuition shall be accounted for in accordance with general accepted accounting principles.

(b) At an institution's request, the Bureau may consider the financial resources of a parent company if the parent company, as defined by section 94853 of the Code, meets and maintains all of the following provisions:

(1) consents in writing to be sued in California;

(2) consents in writing to be subject to the jurisdiction of the Bureau with respect to the institution's regulation under the Act and this Chapter;

(3) designates and maintains an agent for service of process, consistent with section 74190;

(4) agrees in writing to pay any refund, claim, penalty, or judgment that the institution is obligated to pay; and

(5) files financial reports, maintains financial records, and consents in writing to permit the inspection and copying of financial records to the same extent as is required of the institution.

(c) An institution shall provide to the Bureau its most current financial statements upon request.

Note: Authority cited: Sections 94803, 94877 and 94885, Education Code. Reference: Section 94885, Education Code.

5 CCR §74115. Financial Statements.

(a) This section applies to every set of financial statements required to be prepared or filed by the Act or by this chapter.

(b) A set of financial statements shall contain, at a minimum, a balance sheet, an income statement, and a cash flow statement, and the preparation of financial statements, shall comply with all of the following:

(1) Audited and **reviewed financial statements** shall be conducted and prepared in accordance with the generally accepted accounting principles established by the American Institute of Certified Public Accountants by an independent certified public accountant who is not an employee, officer, or corporate director or member of the governing board of the institution.

(2) Financial statements prepared on an annual basis as required by section 74110(b) shall be prepared in accordance with the generally accepted accounting principles established by the American Institute of Certified Public Accountants. Nonprofit institutions shall provide annual financial statements as required under generally accepted accounting principles for nonprofit organizations.

(3) The financial statements shall establish that the institution meets the requirements for financial resources required by Section 71745.

(4) If an audit performed to determine compliance with any federal or state student financial aid program reveals any failure to comply with the requirements of the program and the noncompliance creates any liability or potential liability for the institution, the financial statements shall reflect the liability or potential liability.

(5) Any audits shall demonstrate that the accountant obtained an understanding of the institution's internal financial control structure, assessed any risks, and has reported any material deficiencies in the internal controls.

(c) Work papers for the financial statements shall be retained for five years from the date of the statements and shall be made available to the Bureau upon request.

(d) "Current" with respect to financial statements means completed no sooner than 120 days prior to the time it is submitted to the Bureau, and covering no less than the most recent complete fiscal year. If more than 8 months will have elapsed between the close of the most recent complete fiscal year and the time it is submitted, the fiscal statements shall also cover no less than five months of that current fiscal year.

Note: Authority cited: Sections 94803 and 94877, Education Code. Reference: Sections 94885 and 94934, Education Code.

CEC §94853. Parent Company

"Parent company" means a partnership, limited liability company, or corporation that owns more than 50 percent of the stock or interest in an institution.

Tab 16

Additional Documents

Section 16. Faculty

Check	Items to include:
	Is section 16 on the application form completely filled out?
	Is the statement attached that the institution has contracted with sufficient duly qualified faculty members who meet the qualifications of CCR 71720?
Non Degree Programs:	
	Do the instructors have at a minimum three years of experience, education and training in the subject area they are teaching?
Degree Programs:	
	Do the instructors have at a minimum the degree, professional license, or credential equivalent to the level of instruction being taught or evaluated?
	Does the degree meet the requirements of CCR 71720(a)(4)(A)?
All Programs:	
	Provide a list of faculty member's names and qualifications including diplomas, transcripts, curriculum vitae, and teaching contracts. Did you provide the qualification for each faculty member?
	Is there documentation in the faculty personnel files verifying these qualifications are met?
	Is there documentation in the faculty personnel files verifying the instructors have not been adjudicated in a judicial or administrative proceeding as having violated any provisions of the ACT or Regulations? Or having committed any act that would constitute grounds for the denial of a license under Section 480 of the Business and Professions Code?
	Provide a course schedule and identify the faculty teaching each course?
	Identify who created the curriculum and provide their resume/cv?

Section 16. Faculty

5 CCR §71250. Faculty.

The Form Application 94886 shall include a statement that the institution has contracted with sufficient duly qualified faculty members who meet the qualifications of section 71720.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94885, 94887 and 94888, Education Code.

CEC §94841. Faculty

"Faculty" means the instructional staff of an institution, whether these persons are employees or independent contractors.

5 CCR §70000. Definitions.

(j) "Duly qualified faculty" or "faculty member" means a person or people who satisfy the requirements of section 71720.

(p) "Instructor" means a person who is responsible to conduct one or more classes or components of an institution's educational program.

(g) "Credential" means publicly demonstrated skills and experiences whose achievement has been recognized by an official credential or award given by a professional association. This recognition can also be achieved if there is a general acceptance and recognition of those credentials by members of the profession or industry in the field in which the person will teach.

5 CCR §71720. Faculty.

(a) An Educational Program Leading to a Degree.

(1) An institution offering an educational program that leads to a degree shall employ duly qualified faculty sufficient in number to provide the instruction, student advisement, and learning outcomes evaluation necessary for the institution to document its achievement of its stated mission and objectives, and for students to achieve the specific learning objectives of each course offered;

(2) Each institution shall develop and implement written policies and procedures providing for the participation by duly qualified faculty in the conducting of research, development of curricula, academic planning, enforcement of standards of academic quality, pursuit of academic matters related to the institution's mission and objectives, establishment of criteria for contracting with new faculty, and evaluation of faculty credentials;

(3) In determining the number of faculty sufficient to satisfy subdivision (a)(1) of this section and to implement the policies established pursuant to subdivision (a)(2) of this section, the institution shall base its faculty requirements on all of the following factors:

(A) The educational level and number of students;

(B) The number of hours needed for direct interaction between students and faculty per course, quarter, semester, or other term;

- (C) The number of hours needed to be spent on evaluating written materials prepared by students, such as distance education, papers, and examinations, per course, quarter, semester, or other term;
- (D) The number of group meetings per course, quarter, semester, or other term;
- (E) The faculty duties established by the institution as required under subdivision (a)(2) of this section; and
- (F) The number of hours per week or units per term considered full-time for faculty in the institution.
- (4) The faculty shall have sufficient expertise to support the institution's awarding of a degree identifying a specialty or major field of emphasis, demonstrated by, at a minimum:
- (A) That the person possesses one of the following:
1. a degree from: an institution approved by the Bureau or previously approved by a predecessor agency of the Bureau; or an accredited institution in the United States or Canada; or other state approved institution that documents that the institution at which the faculty member earned his or her degree is equivalent to an institution that is approved by the Bureau; or an institution outside the United States or Canada and in addition provides a comprehensive evaluation of the degree performed by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services(NACES).
 2. a credential generally recognized in the field of instruction.
- (B) The degree, professional license, or credential possessed by the person shall be at least equivalent to the level of instruction being taught or evaluated;
- (5) The institution's faculty as a whole shall possess a diverse educational background which shall be demonstrated in part by earned degrees from a variety of colleges and universities or by credentials generally recognized in the field of instruction;
- (6) When contracting for educational services, the institution shall maintain control of, and responsibility for, all academic matters, and shall assure that the instruction and faculty satisfy the standards established by the Act and this chapter;
- (7) The institution shall not employ or continue to employ any faculty who were adjudicated in a judicial or administrative proceeding as having violated any provision of the Act or this chapter or as having committed any act that would constitute grounds for the denial of a license under Section 480 of the Business and Professions Code;
- (8) Each institution shall have a written Academic Freedom Policy which describes the latitude the institution allows faculty in the classroom so faculty will not inadvertently violate the principles of academic freedom. These policies shall be made available to any person upon request. The institution shall not take adverse action based on a staff member's exercise of academic freedom consistent with the institution's policy; and
- (9) The institution shall maintain records documenting that each faculty member is duly qualified and was qualified to perform the duties to which the faculty member was assigned, including providing instruction, evaluating learning outcomes, evaluating graduate dissertations, theses, and student projects, and participating on doctoral committees.
- (b) Instructors in an Educational Program Not Leading to a Degree.
- (1) An institution shall employ instructors who possess the academic, experiential and professional qualifications to teach, including a minimum of three years of experience,

education and training in current practices of the subject area they are teaching. If an instructor does not possess the required three years of experience, education and training in the subject area they are teaching, the institution shall document the qualifications the instructor possesses that are equivalent to the minimum qualifications.

(2) Each instructor shall maintain their knowledge by completing continuing education courses in his or her subject area, classroom management or other courses related to teaching.

(3) The institution shall not employ or continue to employ an instructor who was adjudicated in a judicial or administrative proceeding as having violated any provision of the Act or this chapter, or as having committed any act that would constitute grounds for the denial of a license under Section 480 of the Business and Professions Code.

Note: Authority cited: Sections 94803, 94877 and 94885, Education Code. Reference: Section 94885, Education Code; and Section 480, Business and Professions Code.

Tab 17

Additional Documents

Section 17. Facilities and Equipment

Check	Items to include:
	Is section 17 on the application form completely filled out?
	For EACH Program and/or EACH location have you provided a description of the facilities and the equipment?
	For EACH location that is leased or rented have you provided an executed/signed lease agreement? (this may be proposed)
	For EACH location did you provide a campus map identifying the locations of the classrooms, laboratories, workshops and libraries?
	For EACH educational program did you provide specifications on significant equipment and identify whether the equipment is owned, leased or rented?
	For EACH location have you provided copies of all permits, certificates or evidence of inspection?
	Check: http://www.calgold.ca.gov/

Section 17. Facilities and Equipment

5 CCR §71260. Facilities and Equipment.

- (a) For each program offered, the Form Application 94886 shall contain a description of the facilities and the equipment which is available for use by students at the main, branch, and satellite locations of the institution.
- (b) For facilities that are leased or rented, the Form Application 94886 shall contain the name and address of the lessor or landlord, together with a copy of any use, lease, or rental agreements for the facilities.
- (c) The description of the physical facilities shall include building diagrams or campus maps to assist the Bureau in locating these facilities. The diagrams or maps shall identify the location of classrooms, laboratories, workshops, and libraries.
- (d) The description shall include specifications of significant equipment that demonstrate that the equipment meets the standards prescribed by the Code and this chapter and is sufficient to enable students to achieve the educational objectives of each education program.
- (e) For each item of significant equipment, the description shall indicate whether the equipment is owned, leased, rented, or licensed for short- or long-term, or owned by another and loaned to be used without charge.
- (f) The Form Application 94886 shall contain a list of all permits, certifications, or other evidence of inspections or authorizations to operate required by the jurisdictions within which the institution operates that the institution has obtained, and/or an explanation as to why those permits, certifications, or inspections have not yet been obtained.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94885, 94887 and 94888, Education Code.

5 CCR §71735. Facilities and Equipment.

- (a) An institution shall have sufficient facilities and necessary equipment to support the achievement of the educational objectives of all of the courses and educational programs in which students are enrolled. If an institution represents that the educational service will fit or prepare a student for employment in a particular occupation or as described in particular job titles, either of the following conditions shall be met:
- (1) The equipment used for instruction or provided to the student shall be comparable in model type or features to equipment generally used in those occupations or job titles at the time the instruction is offered.
- (2) The institution shall establish that the equipment used for instruction or provided to a student is not obsolete and is sufficient for instructional purposes to reasonably assure that a student acquires the necessary level of education, training, skill, and experience to obtain employment in the field of training and to perform the tasks associated with the occupation or job title to which the educational program was represented to lead.
- (b) An institution's facilities, including heating and cooling, ventilation, lighting, classrooms, laboratories, and campus environs, shall be well-maintained. The institution shall maintain all valid permits required by any public agencies relating to the health and safety of the institution's facilities and equipment on file, and such permits shall be available to the Bureau upon request.

Note: Authority cited: Sections 94803, 94877 and 94885, Education Code. Reference: Section 94885, Education Code.

5 CCR §70000. Definitions.

(y) "**Significant equipment**" means equipment that is necessary for achieving the stated educational objectives.

Tab 18

Additional Documents

Section 18. Libraries and Other Learning Resources

Check	Items to include:
	Is section 18 on the application form completely filled out?
	Does the institution have a library?
	If no, is there an attached document identifying how and when students may obtain access to a library and other learning resources as required by the curriculum?
	If yes, are all of the below provided?
	A description of the library holdings, services and any other learning resources?
	Copies of policies and procedures on how these services are provided to students who do not receive classroom instruction?
	A description of how the institution provides students and faculty with access to the regular services of a professional librarian or information specialist experienced in the electronic retrieval of information?

Section 18. Libraries and Other Learning Resources

5 CCR §71270. Libraries and Other Learning Resources.

The Form Application 94886 shall include a description of library holdings, services, and other learning resources, including policies and procedures for supplying them to students who do not receive classroom instruction. The description need not consist of a list of each holding. The description shall include an explanation of how the library and other learning resources are sufficient to support the instructional needs of students and, if no facilities exist at the institution, how and when students may obtain access to a library and other learning resources as required by the curriculum.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94885, 94887 and 94888, Education Code.

5 CCR §71740. Library and Other Learning Resources.

(a) A degree granting institution shall make available for student use a library and other learning resources.

(b) An institution shall provide or make provisions for the library and other learning resources needed to support each educational program it offers, including resources such as reference works, periodicals, monographs, and media and equipment specific to the educational programs offered.

(c) An institution shall describe onsite library and other learning resources, if any, that enable students to pursue inquiries, searches for information and documentation, and assignments connected with their study programs.

(d) An institution that depends for library and other learning resources primarily on other institutions' collections and resources not in its possession shall do all of the following:

(1) Describe those library and other learning resources, in the application and catalog.

(2) Provide students and faculty with access to the regular services of a professional librarian or information specialist experienced in the electronic retrieval of information, who shall provide support for faculty in curriculum matters and actively serve as a resource guide for both graduate and undergraduate students.

(3) Assure that students have access to the library collections and resources of another institution, organization, or library.

(4) Document compliance with paragraphs (1), (2), and (3).

Note: Authority cited: Sections 94803, 94877 and 94885, Education Code. Reference: Section 94885, Education Code.

CEC §94836. Educational Materials

"Educational materials" means textbooks, supplies, implements, tools, machinery, computers, electronic devices, or other goods related to any education, training, or experience required for participation in an educational program.

Tab 19

Additional Documents

Section 19. Job Placement Assistance

Check	Items to include:
	Is section 19 on the application form completely filled out?
	Is the description of job placement assistance attached?
	If no job placement assistance is provided have you included a statement indicating so?

Section 19. Job Placement Assistance

5 CCR §71280. Student Services - Job Placement Assistance.

If an institution represents to the public, in any manner, that it offers job placement assistance, the Form Application 94886 shall include a description of the job placement assistance that it provides.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94887 and 94888, Education Code.

CEC §94897. Prohibited Business Practices

An institution shall not do any of the following:

- (b) Promise or guarantee employment, or otherwise overstate the availability of jobs upon graduation.
- (c) Advertise concerning job availability, degree of skill, or length of time required to learn a trade or skill unless the information is accurate and not misleading.

CEC §94905. Professions Requiring Licensure, Internships

(a) During the enrollment process, an institution offering educational programs designed to lead to positions in a profession, occupation, trade, or career field requiring licensure in this state shall exercise reasonable care to determine if the student will not be eligible to obtain licensure in the profession, occupation, trade, or career field at the time of the student's graduation and shall provide all students enrolled in those programs with a written copy of the requirements for licensure established by the state, including any applicable course requirements established by the state. If the minimum course requirements of the institution exceed the minimum requirements for state licensure, the institution shall disclose this information, including a list of those courses that are not required for state licensure. The institution shall not execute an enrollment agreement with a student that is known to be ineligible for licensure, unless the student's stated objective is other than licensure.

(b) During the enrollment process, an institution may discuss internships and student jobs available to the student during the student's attendance at the institution. If the institution discusses internships and student jobs, the institution shall disclose the number of requests for internship and student job placement assistance received by the institution during the immediately preceding calendar year and the number of actual placements during that year.

Tab 20

Additional Documents

Section 20. Catalog

Check	Items to include:
	Is section 20 on the application form completely filled out?
	Is the Catalog attached?
	Is the Catalog checklist attached with all page numbers listed?
	Is the School Performance Fact Sheet attached?

Section 20. Catalog

5 CCR §71290. Copy of Catalog.

The Form Application 94886 shall include a copy of the institution's catalog, in published or proposed-to-be-published form. The catalog shall meet the requirements of the Act and of section 71810.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94887, 94888, 94902, 94908, 94909 and 94911, Education Code.

CEC §94897. Prohibited Business Practices

An institution shall not do any of the following:

- (l) Use the terms "approval," "approved," "approval to operate," or "approved to operate" without stating clearly and conspicuously that approval to operate means compliance with state standards as set forth in this chapter. If the bureau has granted an institution approval to operate, the institution may indicate that the institution is "licensed" or "licensed to operate," but may not state or imply either of the following:
 - (1) The institution or its educational programs are endorsed or recommended by the state or by the bureau.
 - (2) The approval to operate indicates that the institution exceeds minimum state standards as set forth in this chapter.
- (o) Require a prospective student to provide personal contact information in order to obtain, from the institution's Internet Web site, educational program information that is required to be contained in the school catalog or any information required pursuant to the consumer information requirements of Title IV of the federal Higher Education Act of 1965, and any amendments thereto.

CEC §94908. Size of Text in Required Documents

Any information or statement required by this article to be included in the catalog, School Performance Fact Sheet, or enrollment agreement shall be printed in at least the same size font as the majority of the text in that document.

CEC §94909. Minimum Requirements for School Catalog

- (a) Except as provided in subdivision (d), prior to enrollment, an institution shall provide a prospective student, either in writing or electronically, with a school catalog containing, at a minimum, all of the following:
 - (1) The name, address, telephone number, and, if applicable, Internet Web site address of the institution.
 - (2) Except as specified in Article 2 (commencing with Section 94802), a statement that the institution is a private institution and that it is approved to operate by the bureau.
 - (3) The following statements:
 - (A) "Any questions a student may have regarding this catalog that have not been satisfactorily answered by the institution may be directed to the Bureau for Private Postsecondary Education at (address), Sacramento, CA (ZIP Code), (Internet Web site address), (telephone and fax numbers)."
 - (B) "As a prospective student, you are encouraged to review this catalog prior to signing an enrollment agreement. You are also encouraged to review the School Performance Fact Sheet, which must be provided to you prior to signing an enrollment agreement."

(C) "A student or any member of the public may file a complaint about this institution with the Bureau for Private Postsecondary Education by calling (toll-free telephone number) or by completing a complaint form, which can be obtained on the bureau's Internet Web site (Internet Web site address)."

(4) The address or addresses where class sessions will be held.

(5) A description of the programs offered and a description of the instruction provided in each of the courses offered by the institution, the requirements for completion of each program, including required courses, any final tests or examinations, any required internships or externships, and the total number of credit hours, clock hours, or other increments required for completion.

(6) If the educational program is designed to lead to positions in a profession, occupation, trade, or career field requiring licensure in this state, a notice to that effect and a list of the requirements for eligibility for licensure.

(7) Information regarding the faculty and their qualifications.

(8) A detailed description of institutional policies in the following areas:

(A) Admissions policies, including the institution's policies regarding the acceptance of credits earned at other institutions or through challenge examinations and achievement tests, admissions requirements for ability-to-benefit students, and a list describing any transfer or articulation agreements between the institution and any other college or university that provides for the transfer of credits earned in the program of instruction. If the institution has not entered into an articulation or transfer agreement with any other college or university, the institution shall disclose that fact.

(B) Cancellation, withdrawal, and refund policies, including an explanation that the student has the right to cancel the enrollment agreement and obtain a refund of charges paid through attendance at the first class session, or the seventh day after enrollment, whichever is later. The text shall also include a description of the procedures that a student is required to follow to cancel the enrollment agreement or withdraw from the institution and obtain a refund consistent with the requirements of Article 13 (commencing with Section 94919).

(C) Probation and dismissal policies.

(D) Attendance policies.

(E) Leave-of-absence policies.

(9) The schedule of total charges for a period of attendance and an estimated schedule of total charges for the entire educational program.

(10) A statement reporting whether the institution participates in federal and state financial aid programs, and if so, all consumer information that is required to be disclosed to the student pursuant to the applicable federal and state financial aid programs.

(11) A statement specifying that, if a student obtains a loan to pay for an educational program, the student will have the responsibility to repay the full amount of the loan plus interest, less the amount of any refund, and that, if the student has received federal student financial aid funds, the student is entitled to a refund of the moneys not paid from federal student financial aid program funds.

(12) A statement specifying whether the institution has a pending petition in bankruptcy, is operating as a debtor in possession, has filed a petition within the preceding five years, or has had a petition in bankruptcy filed against it within the preceding five years

that resulted in reorganization under Chapter 11 of the United States Bankruptcy Code (11 U.S.C. Sec. 1101 et seq.).

(13) If the institution provides placement services, a description of the nature and extent of the placement services.

(14) A description of the student's rights and responsibilities with respect to the Student Tuition Recovery Fund. This statement shall specify that it is a state requirement that a student who pays his or her tuition is required to pay a state-imposed assessment for the Student Tuition Recovery Fund. This statement shall also describe the purpose and operation of the Student Tuition Recovery Fund and the requirements for filing a claim against the Student Tuition Recovery Fund.

(15) The following statement:

**"NOTICE CONCERNING TRANSFERABILITY OF CREDITS AND CREDENTIALS
EARNED AT OUR INSTITUTION**

The transferability of credits you earn at (name of institution) is at the complete discretion of an institution to which you may seek to transfer. Acceptance of the (degree, diploma, or certificate) you earn in (name of educational program) is also at the complete discretion of the institution to which you may seek to transfer. If the (credits or degree, diploma, or certificate) that you earn at this institution are not accepted at the institution to which you seek to transfer, you may be required to repeat some or all of your coursework at that institution. For this reason you should make certain that your attendance at this institution will meet your educational goals. This may include contacting an institution to which you may seek to transfer after attending (name of institution) to determine if your (credits or degree, diploma or certificate) will transfer."

(16) A statement specifying whether the institution, or any of its degree programs, are accredited by an accrediting agency recognized by the United States Department of Education. If the institution is unaccredited and offers an associate, baccalaureate, master's, or doctoral degree, or is accredited and offers an unaccredited program for an associate, baccalaureate, master's, or doctoral degree, the statement shall disclose the known limitations of the degree program, including, but not limited to, all of the following:

(A) Whether a graduate of the degree program will be eligible to sit for the applicable licensure exam in California and other states.

(B) A degree program that is unaccredited or a degree from an unaccredited institution is not recognized for some employment positions, including, but not limited to, positions with the State of California.

(C) That a student enrolled in an unaccredited institution is not eligible for federal financial aid programs.

(b) If the institution has a general student brochure, the institution shall provide that brochure to the prospective student prior to enrollment. In addition, if the institution has a program-specific student brochure for the program in which the prospective student seeks to enroll, the institution shall provide the program-specific student brochure to the prospective student prior to enrollment.

(c) An institution shall provide the school catalog to any person upon request. In addition, if the institution has student brochures, the institution shall disclose the requested brochures to any interested person upon request.

5 CCR §71810. Catalog.

(a) Each institution shall provide a catalog pursuant to section 94909 of the Code, which shall be updated annually. Annual updates may be made by the use of supplements or inserts accompanying the catalog. If changes in educational programs, educational services, procedures, or policies required to be included in the catalog by statute or regulation are implemented before the issuance of the annually updated catalog, those changes shall be reflected at the time they are made in supplements or inserts accompanying the catalog.

(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:

(1) The specific beginning and ending dates defining the time period covered by the catalog;

(2) A statement of the institution's missions and purposes and the objectives underlying each of its educational programs;

(3) If the institution admits students from other countries, whether visa services are provided or whether the institution will vouch for student status, and any associated charges;

(4) Language proficiency information, including:

(A) the level of English language proficiency required of students and the kind of documentation of proficiency, such as the Test of English as a Foreign Language (TOEFL), that will be accepted; and

(B) whether English language services, including instruction such as ESL, are provided and, if so, the nature of the service and its cost;

(5) Whether any instruction will occur in a language other than English and, if so, the level of proficiency required and the kind of documentation of proficiency, such as the United States Foreign Service Language Rating System, that will be accepted;

(6) The institution's policies and practices regarding any form of financial aid, including all consumer information which the institution is required to disclose to the student under any state or federal financial aid program;

(7) The institution's policies and procedures for the award of credit for prior experiential learning, including assessment policies and procedures, provisions for appeal, and all charges that a student may be required to pay;

(8) The institution's standards for student achievement;

(9) A description of the facilities and of the types of equipment and materials that will be used for instruction;

(10) A description of library and other learning resources and the procedures for student access to those resources;

(11) If the institution offers distance education, the approximate number of days that will elapse between the institution's receipt of student lessons, projects, or dissertations and the institution's mailing of its response or evaluation.

(12) A description of all student services;

(13) Housing information including all of the following:

(A) Whether the institution has dormitory facilities under its control;

(B) The availability of housing located reasonably near the institution's facilities and an estimation of the approximate cost or range of cost of the housing; and

(C) If the institution has no responsibility to find or assist a student in finding housing, a

clear and conspicuous statement so indicating. A statement that the program is "non-residential" does not satisfy this subparagraph.

(14) Policies on student rights, including the procedure for addressing student grievances; and

(15) Policies on the retention of student records.

Note: Authority cited: Sections 94803, 94877 and 94885, Education Code. Reference: Sections 94885 and 94909, Education Code.

5 CCR §71770. Admissions Standards and Transferred Credits Policy.

(c) If credit for prior experiential learning is to be granted, the policy for granting such credit shall be included in the institution's catalog.

5 CCR §76215. Student Tuition Recovery Fund Disclosures.

(a) A qualifying institution shall include the following statement on both its enrollment agreement and school catalog:

“The State of California established the Student Tuition Recovery Fund (STRF) to relieve or mitigate economic loss suffered by a student in an educational program at a qualifying institution, who is or was a California resident while enrolled, or was enrolled in a residency program, if the student enrolled in the institution, prepaid tuition, and suffered an economic loss. Unless relieved of the obligation to do so, you must pay the state-imposed assessment for the STRF, or it must be paid on your behalf, if you are a student in an educational program, who is a California resident, or are enrolled in a residency program, and prepay all or part of your tuition.

You are not eligible for protection from the STRF and you are not required to pay the STRF assessment, if you are not a California resident, or are not enrolled in a residency program.”

(b) In addition to the statement required under subdivision (a) of this section, a qualifying institution shall include the following statement in its school catalog:

“It is important that you keep copies of your enrollment agreement, financial aid documents, receipts, or any other information that documents the amount paid to the school. Questions regarding the STRF may be directed to the Bureau for Private Postsecondary Education, 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833, (916) 431-6959 or (888) 370-7589.

To be eligible for STRF, you must be a California resident or are enrolled in a residency program, prepaid tuition, paid or deemed to have paid the STRF assessment, and suffered an economic loss as a result of any of the following:

1. The institution, a location of the institution, or an educational program offered by the institution was closed or discontinued, and you did not choose to participate in a teach-out plan approved by the Bureau or did not complete a chosen teach-out plan approved by the Bureau.

2. You were enrolled at an institution or a location of the institution within the 120 day period before the closure of the institution or location of the institution, or were enrolled in an educational program within the 120 day period before the program was discontinued.

3. You were enrolled at an institution or a location of the institution more than 120 days before the closure of the institution or location of the institution, in an educational

program offered by the institution as to which the Bureau determined there was a significant decline in the quality or value of the program more than 120 days before closure.

4. The institution has been ordered to pay a refund by the Bureau but has failed to do so.

5. The institution has failed to pay or reimburse loan proceeds under a federal student loan program as required by law, or has failed to pay or reimburse proceeds received by the institution in excess of tuition and other costs.

6. You have been awarded restitution, a refund, or other monetary award by an arbitrator or court, based on a violation of this chapter by an institution or representative of an institution, but have been unable to collect the award from the institution.

7. You sought legal counsel that resulted in the cancellation of one or more of your student loans and have an invoice for services rendered and evidence of the cancellation of the student loan or loans.

To qualify for STRF reimbursement, the application must be received within four (4) years from the date of the action or event that made the student eligible for recovery from STRF.

A student whose loan is revived by a loan holder or debt collector after a period of non collection may, at any time, file a written application for recovery from STRF for the debt that would have otherwise been eligible for recovery. If it has been more than four (4) years since the action or event that made the student eligible, the student must have filed a written application for recovery within the original four (4) year period, unless the period has been extended by another act of law.

However, no claim can be paid to any student without a social security number or a taxpayer identification number.”

Note: Authority cited: Sections 94803, 94877 and 94923, Education Code. Reference: Section 94923, Education Code.

CEC §94913. Institutional Web Site Requirements

(a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following:

(1) The school catalog.

(2) A School Performance Fact Sheet for each educational program offered by the institution.

(3) Student brochures offered by the institution.

(4) A link to the bureau's Internet Web site.

(5) The institution's most recent annual report submitted to the bureau.

(b) An institution shall include information concerning where students may access the bureau's Internet Web site anywhere the institution identifies itself as being approved by the bureau.

5 CCR §71775. Pre-enrollment Disclosure; Notice to Prospective Degree Program Students.

(a) An unaccredited institution enrolling a student in a degree program that has received provisional approval shall, prior to execution of an enrollment agreement, provide the

student with the following notice, which shall be in at least 12-point type in the same font as the enrollment agreement:

“Notice to Prospective Degree Program Students

This institution is provisionally approved by the Bureau for Private Postsecondary Education to offer degree programs. To continue to offer this degree program, this institution must meet the following requirements:

- Become institutionally accredited by an accrediting agency recognized by the United States Department of Education, with the scope of the accreditation covering at least one degree program.
- Achieve accreditation candidacy or pre-accreditation, as defined in regulations, by (date two years from date of provisional approval), and full accreditation by (date five years from date of provisional approval).

If this institution stops pursuing accreditation, the following will happen:

- The institution must stop all enrollment in its degree programs, and
- Provide a teach-out to finish the educational program or provide a refund.

An institution that fails to comply with accreditation requirements by the required dates shall have its approval to offer degree programs automatically suspended.

Institutional Representative Initials: _____

Student Initials: _____

Date: _____

Date: _____”

(b) The student and an institutional representative shall initial and date the notice prior to executing an enrollment agreement. An initialed copy of the notice shall be given to the student and the original shall be retained in the enrolled student’s records.¹²

(c) The notice shall also be posted immediately adjacent to wherever an institution’s degree granting programs are described and shall include, at a minimum, the following locations:

- (1) The institution’s catalog.
- (2) The institution’s website.
- (3) The institution’s degree program brochures.

NOTE: Authority cited: Sections 94803, 94877, and 94885.5, Education Code.

Reference: Sections 94885, 94885.5, 94897, 94900, 94900.5, 94909, 94927.5 and 94932, Education Code.

CEC §94813. Accredited

"Accredited" means an institution is accredited by an accrediting agency recognized by the United States Department of Education.

CEC §94814. Accrediting Agency

"Accrediting agency" is an agency recognized by the United States Department of Education.

CEC §94824. Class Day

"Class day" means a day a student is scheduled to attend a class session, or for students receiving instruction through distance education, any calendar day except Saturday, Sunday, or any holiday enumerated in Section 6700 of the Government Code.

CEC §94825. Class Session

"Class session" means part of a class day that an institution conducts instruction in a particular subject.

CEC §94854. Period of Attendance

"Period of attendance" means a semester, quarter, or trimester for educational programs measured in credit hours and the entire educational program if measured in clock hours.

CEC §94844. Institutional Charges

"Institutional charges" means charges for an educational program paid directly to an institution.

CEC §94850. Noninstitutional charges

"Noninstitutional charges" means charges for an educational program paid to an entity other than an institution that are specifically required for participation in an educational program.

CEC §94870. Total Charges

"Total charges" means the sum of institutional and noninstitutional charges.

5 CCR §70000. Definitions

(s) "Pre-accreditation" or "candidacy" means that an institution has submitted a completed application for initial accreditation with the required fee, which was accepted by the accreditor.

(u) "Provisional approval" means approval of a degree program or the institution for no more than a five-year period while the owner of a Bureau approved institution seeks to satisfy the requirement for institutional accreditation by an accrediting agency recognized by the United States Department of Education pursuant to section 94885(b) of the Code.

5 CCR §71750. Withdrawals and Refunds.

(a) Every institution shall make refunds that are no less than the refunds required under the Act and this Division.

(b) An institution may not enforce any refund policy that is not specified in the catalog as

required pursuant to section 94909(a)(8)(B) of the Code, and must refund all institutional charges upon a student's withdrawal. Withdrawal policy procedures pursuant to section 94909(a)((8)(B) of the Code shall include, at a minimum: the acceptable methods of delivery of a notice to withdraw; whether withdrawal can be accomplished by conduct, and if so, how; the position or positions to whom the notice to withdraw must be delivered; and the date that the notice to withdraw is considered effective, which shall be no later than the date received by the institution.

(c) A pro rata refund pursuant to section 94919(c) or 94920(d) or 94927 of the Code shall be no less than the total amount owed by the student for the portion of the educational program provided subtracted from the amount paid by the student, calculated as follows:

(1) The amount owed equals the daily charge for the program (total institutional charge, divided by the number of days or hours in the program), multiplied by the number of days student attended, or was scheduled to attend, prior to withdrawal.

(2) Except as provided for in subdivision (a)(3) of this section, all amounts paid by the student in excess of what is owed as calculated in subdivision (a)(1) shall be refunded.

(3) Except as provided herein, all amounts that the student has paid shall be subject to refund unless the enrollment agreement and the refund policy outlined in the catalog specify amounts paid for an application fee or deposit not more than \$250.00, books, supplies, or equipment, and specify whether and under what circumstances those amounts are non-refundable. Except when an institution provides a 100% refund pursuant to section 94919(d) or section 94920(b) of the Code, any assessment paid pursuant to section 94923 of the Code is non-refundable.

(4) For purposes of determining a refund under the Act and this section, a student shall be considered to have withdrawn from an educational program when he or she withdraws or is deemed withdrawn in accordance with the withdrawal policy stated in its catalog.

(d) If an institution has collected money from a student for transmittal on the student's behalf to a third party for a bond, library usage, or fees for a license, application, or examination and the institution has not paid the money to the third party at the time of the student's withdrawal or cancellation, the institution shall refund the money to the student within 45 days of the student's withdrawal or cancellation.

(e) An institution shall refund any credit balance on the student's account within 45 days after the date of the student's completion of, or withdrawal from, the educational program in which the student was enrolled. For purposes of this subdivision and section 94919(d) of the Code, "day" means calendar day.

(f) The institution shall maintain a cancellation and withdrawal log, kept current on a monthly basis, which shall include the names, addresses, telephone numbers, and dates of cancellations or withdrawal of all students who have cancelled the enrollment agreement with, or withdrawn from, the institution during the calendar year.

Note: Authority cited: Sections 94803, 94877 and 94885, Education Code. Reference: Sections 94885, 94919 and 94920, Education Code.

CEC §94919. Institutions Participating In Federal Student Financial Aid Programs

(a) An institution that participates in the federal student financial aid programs complies with this article by complying with applicable regulations of the federal student financial aid programs under Title IV of the federal Higher Education Act of 1965.

(b) The institution shall advise each student that a notice of cancellation shall be in writing, and that a withdrawal may be effectuated by the student's written notice or by the student's conduct, including, but not necessarily limited to, a student's lack of attendance.

(c) The institution shall also provide a pro rata refund of nonfederal student financial aid program moneys paid for institutional charges to students who have completed 60 percent or less of the period of attendance.

(d) Institutions shall refund 100 percent of the amount paid for institutional charges, less a reasonable deposit or application fee not to exceed two hundred fifty dollars (\$250), if notice of cancellation is made through attendance at the first class session, or the seventh day after enrollment, whichever is later.

CEC §94920. Mandatory Cancellation, Withdrawal, and Refund Policies

An institution that does not participate in the federal student financial aid programs shall do all of the following:

(a) The institution shall advise each student that a notice of cancellation shall be in writing, and that a withdrawal may be effectuated by the student's written notice or by the student's conduct, including, but not necessarily limited to, a student's lack of attendance.

(b) Institutions shall refund 100 percent of the amount paid for institutional charges, less a reasonable deposit or application fee not to exceed two hundred fifty dollars (\$250), if notice of cancellation is made through attendance at the first class session, or the seventh day after enrollment, whichever is later.

(c) The bureau may adopt by regulation a different method of calculation for instruction delivered by other means, including, but not necessarily limited to, distance education.

(d) The institution shall have a refund policy for the return of unearned institutional charges if the student cancels an enrollment agreement or withdraws during a period of attendance. The refund policy for students who have completed 60 percent or less of the period of attendance shall be a pro rata refund.

(e) The institution shall pay or credit refunds within 45 days of a student's cancellation or withdrawal.

CEC §94921. Alternative Refund Calculations

An institution offering an educational program for which the refund calculations set forth in this article cannot be utilized because of the unique way in which the educational program is structured, may petition the bureau for an alternative method of calculating tuition refunds.

CEC §94922. Waiving Provisions Prohibited

A student may not waive any provision of this article.

Performance Fact Sheet

CEC §94874.8. Approval to Operate for Exempt Institutions

(a)(4)(A) With respect to the placement and salary or wage data required to be collected, calculated, and reported by Article 16 (commencing with Section 94928), an institution issued an approval to operate pursuant to this section is not required to report on its first School Performance Fact Sheet any data from the period prior to the date of the issuance of the approval to operate that the institution was not required to collect and does not have available to it. An institution shall, however, report available data collected and calculated in accordance with this chapter and applicable regulations, regardless of the purpose for which the data was collected. If the required data is unavailable, the institution shall also disclose the unavailability of the data on all documents required by this chapter and regulations adopted pursuant to this chapter. Upon receiving an approval to operate pursuant to this section, an institution shall commence to collect and calculate all information necessary to comply with Article 16 (commencing with Section 94928).

(B) An institution receiving an approval to operate pursuant to this section shall provide to prospective students the School Performance Fact Sheet, file that fact sheet with the bureau, and post it on the institution's Internet Web site no later than the first August 1 after the institution is approved to operate and no later than August 1 of each year thereafter. These School Performance Fact Sheets shall report data for the previous two calendar years based upon the number of students who began the program or the number of graduates for each reported calendar year. If two calendar years have not passed since the issuance of the approval to operate by the August 1 deadline for the School Performance Fact Sheet, unless data for two years is available, the institution shall report the required data for the period subsequent to the date of the issuance of the notice of approval.

CEC §94902. General Enrollment Requirements

(b) An enrollment agreement is not enforceable unless all of the following requirements are met:

(1) The student has received the institution's catalog and School Performance Fact Sheet prior to signing the enrollment agreement.

(3) Prior to the execution of the enrollment agreement, the student and the institution have signed and dated the information required to be disclosed in the Student Performance Fact Sheet pursuant to subdivisions (a) to (d), inclusive, of Section 94910. Each of these items in the Student Performance Fact Sheet shall include a line for the student to initial and shall be initialed and dated by the student.

CEC §94908. Size of Text in Required Documents

Any information or statement required by this article to be included in the catalog, School Performance Fact Sheet, or enrollment agreement shall be printed in at least the same size font as the majority of the text in that document.

CEC §94910. Minimum Requirements for School Performance Fact Sheet

Prior to enrollment, an institution shall provide a prospective student with a School Performance Fact Sheet containing, at a minimum, the following information, as it relates to the educational program:

- (a) Completion rates, as calculated pursuant to Article 16 (commencing with Section 94928).
- (b) Placement rates for each educational program, as calculated pursuant to Article 16 (commencing with Section 94928), if the educational program is designed to lead to, or the institution makes any express or implied claim related to preparing students for, a recognized career, occupation, vocation, job, or job title.
- (c) License examination passage rates for programs leading to employment for which passage of a state licensing examination is required, as calculated pursuant to Article 16 (commencing with Section 94928).
- (d) Salary or wage information, as calculated pursuant to Article 16 (commencing with Section 94928).
- (e) If a program is too new to provide data for any of the categories listed in this subdivision, the institution shall state on its fact sheet: "This program is new. Therefore, the number of students who graduate, the number of students who are placed, or the starting salary you can earn after finishing the educational program are unknown at this time. Information regarding general salary and placement statistics may be available from government sources or from the institution, but is not equivalent to actual performance data."
- (f) All of the following:
 - (1) A description of the manner in which the figures described in subdivisions (a) to (d), inclusive, are calculated or a statement informing the reader of where he or she may obtain a description of the manner in which the figures described in subdivisions (a) to (d), inclusive, are calculated.
 - (2) A statement informing the reader of where he or she may obtain from the institution a list of the employment positions determined to be within the field for which a student received education and training for the calculation of job placement rates as required by subdivision (b).
 - (3) A statement informing the reader of where he or she may obtain from the institution a list of the objective sources of information used to substantiate the salary disclosure as required by subdivision (d).
- (g) The following statements:
 - (1) "This fact sheet is filed with the Bureau for Private Postsecondary Education. Regardless of any information you may have relating to completion rates, placement rates, starting salaries, or license exam passage rates, this fact sheet contains the information as calculated pursuant to state law."
 - (2) "Any questions a student may have regarding this fact sheet that have not been satisfactorily answered by the institution may be directed to the Bureau for Private Postsecondary Education at (address), Sacramento, CA (ZIP Code), (Internet Web site address), (telephone and fax numbers)."
- (h) If the institution participates in federal financial aid programs, the most recent three-year cohort default rate reported by the United States Department of Education for the institution and the percentage of enrolled students receiving federal student loans.

CEC §94913. Institutional Web Site Requirements

(a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following:

- (1) The school catalog.
 - (2) A School Performance Fact Sheet for each educational program offered by the institution.
 - (3) Student brochures offered by the institution.
 - (4) A link to the bureau's Internet Web site.
 - (5) The institution's most recent annual report submitted to the bureau.
- (b) An institution shall include information concerning where students may access the bureau's Internet Web site anywhere the institution identifies itself as being approved by the bureau.

CEC §94928. Definitions

As used in this article, the following terms have the following meanings:

- (a) "Cohort population" means the number of students that began a program on a cohort start date.
- (b) "Cohort start date" means the first class day after the cancellation period during which a cohort of students attends class for a specific program.
- (c) "Graduates" means the number of students who complete a program within 100 percent of the published program length. An institution may separately state completion information for students completing the program within 150 percent of the original contracted time, but that information may not replace completion information for students completing within the original scheduled time. Completion information shall be separately stated for each campus or branch of the institution.
- (d) "Graduates available for employment" means the number of graduates minus the number of graduates unavailable for employment.
- (e) (1) "Graduates employed in the field" means graduates who are gainfully employed in a single position for which the institution represents the program prepares its graduates within six months after a student completes the applicable educational program. For occupations for which the state requires passing an examination, the period of employment shall begin within six months of the announcement of the examination results for the first examination available after a student completes an applicable educational program.
(2) The bureau shall define by July 1, 2014, specific measures and standards for determining whether a student is gainfully employed in a full-time or part-time position for which the institution represents the program prepares its graduates, including self-employment or conducting freelance work, and may set the standards for the hours per week and duration of employment and utilize any job classification methodology the bureau determines appropriate for this purpose, including, but not limited to, the United States Department of Labor's Standard Occupational Classification codes.
(3) This subdivision does not prohibit the bureau from authorizing an institution to aggregate single positions held by a graduate for purposes of meeting the hours per week standards established by the bureau.
- (f) "Graduates unavailable for employment" means graduates who, after graduation, die, become incarcerated, are called to active military duty, are international students that

leave the United States or do not have a visa allowing employment in the United States, or are continuing their education at an accredited or bureau-approved postsecondary institution.

(g) "Students available for graduation" means the cohort population minus the number of students unavailable for graduation.

(h) "Students unavailable for graduation" means students who have died, been incarcerated, or called to active military duty.

CEC §94929. Reporting of Completion Rate

(a) An institution shall annually report to the bureau, as part of the annual report, and publish in its School Performance Fact Sheet, the completion rate for each program. Except as provided in subdivision (b), the completion rate shall be calculated by dividing the number of graduates by the number of students available for graduation.

(b) In lieu of calculating graduation data pursuant to subdivision (a), an institution may report graduation data reported to, and calculated by, the Integrated Postsecondary Education Data System of the United States Department of Education.

94929.5. Reporting of Student Performance Data

(a) An institution shall annually report to the bureau, as part of the annual report, and shall publish in its School Performance Fact Sheet, all of the following:

(1) The job placement rate, calculated by dividing the number of graduates employed in the field by the number of graduates available for employment for each program that is either (1) designed, or advertised, to lead to a particular career, or (2) advertised or promoted with any claim regarding job placement.

(2) The license examination passage rates for the immediately preceding two years for programs leading to employment for which passage of a state licensing examination is required, calculated by dividing the number of graduates who pass the examination by the number of graduates who take the licensing examination the first time that the examination is available after completion of the educational program. The institution shall use state agency licensing data to calculate license examination passage rates. If those data are unavailable, the institution shall calculate the license examination passage rate in a manner consistent with regulations adopted by the bureau.

(3) Salary and wage information, consisting of the total number of graduates employed in the field and the annual wages or salaries of those graduates stated in increments of five thousand dollars (\$5,000).

(4) If applicable, the most recent official three-year cohort default rate reported by the United States Department of Education for the institution and the percentage of enrolled students receiving federal student loans.

(b) Nothing in this section shall limit the bureau's authority to collect information from an institution to comply with this section and ensure, by regulation and other lawful means, that the information required by this section, and the manner in which it is collected and reported, is all of the following:

(1) Useful to students.

(2) Useful to policymakers.

(3) Based upon the most credible and verifiable data available.

(4) Does not impose undue compliance burdens on an institution.

CEC §94929.7. Documentation of Performance Data

(a) The information used to substantiate the rates and information calculated pursuant to Sections 94929 and 94929.5 shall do both of the following:

(1) Be documented and maintained by the institution for five years from the date of the publication of the rates and information.

(2) Be retained in an electronic format and made available to the bureau upon request.

(b) An institution shall provide a list of employment positions used to determine the number of graduates employed in the field for purposes of calculating job placement rates pursuant to this article.

(c) The bureau shall identify the specific information that an institution is required to document and maintain to substantiate rates and information pursuant to this section.

5 CCR § 74112. Uniform Data - Annual Report, Performance Fact Sheet.

(a) Format. The format for the Performance Fact Sheet shall be in at least 12 pt. type, in an easily readable font, with 1.15 line spacing and all titles and column headings shall be in bold 14 pt. type, which shall also identify the program for which the Performance Fact Sheet pertains. The Performance Fact Sheet shall contain all and only the information required or specifically permitted by sections 94910 and 94929.5 of the Code or this chapter. A separate Performance Fact Sheet shall be prepared for each program.

(b) An institution offering educational programs that are too new to provide the required two years of data shall include the date the program began as well as the statement required by section 94910(e) of the Code. The Performance Fact Sheet shall also disclose the estimated date of availability for two full years of data for those programs.

(c) Institutions approved under section 94874.8 of the Code, which do not include all required information per section 94874.8(a)(4), shall include on the Performance Fact Sheet the date of approval to operate and when the required data will be available.

(d) In addition to the definitions contained in section 94928 of the Code:

(1) "Number of Students Who Began the Program" means the number of students who began a program who were scheduled to complete the program within 100% of the published program length within the reporting calendar year, and excludes all students who cancelled during the cancellation period.

(2) "Number of On-time Graduates" means the number of students who completed the program within 100% of the published program length within the reporting calendar year.

(3) "Gainfully Employed" means:

(A)(i) The graduate is employed in a job classification under the United States Department of Labor's Standard Occupational Classification codes, using the Detailed Occupation (six-digit) level, for which the institution has identified in its catalog and in its employment positions list required by section 94910(f)(2) of the Code that the program prepares its graduates; and

(ii) The graduate is employed in a single position or concurrent aggregated positions totaling at least 30 hours per week for 5 weeks (35 calendar days), or totaling at least 20 hours per week for 5 weeks (35 calendar days) with a statement signed by the graduate stating that he or she chose to seek part-time employment rather than fulltime employment after graduation; or

(B) The graduate is employed by the same employer that employed the graduate before enrollment, and any of the following conditions are met:

(i) the graduate is employed in an occupation with a different Detailed Occupation (six-digit) level Standard Occupational Classification code than applies to the position in which the graduate was employed before enrollment; or

(ii) the employer or the graduate provides a statement to the effect that the employment after graduation was the result of a promotion with increased pay, due at least in part to graduation from the program; or

(iii) the employer or the graduate provides a statement to the effect that the degree or the completed program was required as a condition of continued employment; or

(C) The graduate is self-employed or working freelance as reasonably evidenced by, but not limited to, a business license, fictitious business name statement, advertising (other than business cards), website, or business receipts or other evidence of income from business; or an attestation signed by the graduate of self-employment or freelance work and dated after graduation.

(e) Reporting periods:

(1) An Annual Report shall include data for all educational programs as defined in section 94837 of the Code for the previous one calendar year.

(2) A Performance Fact Sheet shall be current and available not later than December 1st, and shall report data for the previous two calendar years based upon the "number of students who began the program," as defined in subdivision (d)(1) of this section and were scheduled to graduate in the reported year(s).

(f) Total Charges. The institution's Annual Report and Performance Fact Sheet shall include the total charges for a student to complete the program within 100% of the program length. The institution must include the disclosure that there may be additional charges if the program is not completed on-time.

Total charges shall be disclosed in the Performance Fact Sheet in a format substantially similar to the format listed below (dates and numbers are for example only):

Cost of Educational Program:

Total Charges for the program for students completing on-time in 20XX: \$50,000. Total Charges may be higher for students that do not complete on-time.

Student's Initials: _____ Date: _____
Initial only after you have had sufficient time
to read and understand the information.

(g) Student Loan/Debt Information.

(1) If the institution participates in federal financial aid programs, the institution shall include loan information in the institution's Annual Report and on the Performance Fact Sheet. The loan information shall include:

(A) The most recent three year cohort default rate, as reported by the United States Department of Education;

(B) The percentage of enrolled students receiving federal student loans;

(C) The average amount of federal student loan debt of those graduates who have federal student loan debt in the reporting year; and

(D) The percentage of graduates with federal student loans, as calculated by the institution.

Loan information shall be included in the Performance Fact Sheet in a format substantially similar to the format listed below (dates and numbers are for example only):

Federal Student Loan Debt at (Name of Institution)

Percentage of students who defaulted on their federal student loans at this school: 28%

Percentage of students enrolled in 20XX who took out federal student loans to pay for this program: 43%

Percentage of graduates in 20XX who took out federal student loans to pay for this program: 65%

Average federal student loan debt of 20XX graduates who took out federal student loans at this institution: \$26,000

¹The percentage of students who defaulted on their federal student loans is called the Cohort Default Rate (CDR). It shows the percentage of this school's students who were more than 270 days (about 9 months) behind on their federal student loans within three years of when the first payment was due. This is the most recent CDR reported by the U.S. Department of Education.

Student's Initials: _____ Date: _____
Initial only after you have had sufficient time to read and understand the information.

(2) Institutions that do not participate in federal financial aid programs shall include one of two statements in the Performance Fact Sheet in a format substantially similar to the following:

Students at (name of institution) are not eligible for federal student loans. The U.S. Department of Education has determined that this institution does not meet the criteria that would allow its students to participate in federal student aid programs.

Or

(Name of Institution) is eligible, but chooses not to participate in federal student aid programs. So students here do not have federal student loans.

Student's Initials: _____ Date: _____
Initial only after you have had sufficient time
to read and understand the information.

(h) Completion Rates. Reporting of completion rates for an institution's Annual Report and Performance Fact Sheet shall include, for each educational program, the number of students who began the program as defined in subdivision (d)(1) of this section, the number of students available for graduation, number of on-time graduates, and completion rate(s). An optional table may be added to include completion rate data for students completing within 150% of the published program length. For an institution reporting completion data pursuant to section 94929(b) of the Code, completion data shall be separately reported for each program and the Performance Fact Sheet shall disclose, if true, that the completion data is being reported for students completing within 150% of the published program length, and that data is not being separately reported for students completing the program within 100% of the published program length. Programs that are more than one year in length which are reporting 150% Completion Rate will provide four calendar years of data.

Completion rates shall be included in the Performance Fact Sheet in a format substantially similar to the chart below (dates, numbers, and other data shown are for example only):

On-time Completion Rates (Graduation Rates) (includes data for the two calendar years prior to reporting)

Name of Educational Program (Program Length)

<i>Calendar Year</i>	<i>Number of Students Who Began Program</i>	<i>Students Available for Graduation</i>	<i>Number of On-Time Graduates</i>	<i>Completion Rate</i>
20XX	100	98	70	71%
20XY	80	80	55	69%

Students Completing Within 150% of the Published Program Length
Name of Educational Program (Program Length)

<i>Calendar Year</i>	<i>Number of Students Who Began Program</i>	<i>Students Available for Graduation</i>	<i>Number of On-Time Graduates</i>	<i>Completion Rate</i>
20XX	100	98	70	71%
20XY	80	80	55	69%
*20XZ	90	90	87	97%
*20YA	87	85	74	87%

*Included only if program is more than one year in length

Student's Initials: _____ Date: _____
Initial only after you have had sufficient time to read and understand the information.

(i) Job Placement Rates.

(1) Any placement data required by sections 94910(b) and 94929.5(a) of the Code shall be reported for the number of students who began the program as defined in subdivision (d)(1) of this section for each reported calendar year.

(2) Placement is measured six months from the graduation date of each student. For programs that require passage of a licensing examination, placement shall be measured six months after the announcement of the examination results for the first examination available after a student completes an applicable educational program. Reporting of placement rates shall include for each educational program: the number of students who began the program, the number of graduates as defined in subdivision (b) section 94842 of the Code, the graduates available for employment, graduates employed in the field and job placement rate(s).

(3) If the institution makes any claim related to preparing students for a job or regarding job placement, the list required by section 94910(f)(2) of the Code shall identify the employment positions by using the Detailed Occupation or six-digit level of the Standard Occupational Classification codes.

(4) Placement rate shall be calculated as follows: the number of graduates employed in the field as defined in section 94928(e)(1) of the Code in conjunction with section 74112(d)(3) divided by the number of graduates available for employment as defined in section 94928(d) of the Code.

Job Placement rates and related disclosures shall be included in the Performance Fact Sheet in a format substantially similar to the charts below, (dates, numbers, and other data shown are for example only):

Job Placement Rates (includes data for the two calendar years prior to reporting)

Name of Educational Program (Program Length)

<i>Calendar Year</i>	<i>Number of Students Who Began the Program</i>	<i>Number of Graduates</i>	<i>Graduates Available for Employment</i>	<i>Graduates Employed in the Field</i>	<i>Placement Rate % Employed in the Field</i>
20XX	100	70	70	55	79%
20XY	80	55	55	20	36%

Gainful Employment Categories (includes data for the two calendar years prior to reporting)

Name of Educational Program (Program Length)

Part Time vs. Full Time Employment

	<i>Graduates Employed in the field 20 to 29 hours per week</i>	<i>Graduates Employed in the field at least 30 hours per week</i>	<i>Total Graduates Employed in the Field</i>
20XX	15	40	55
20XY	5	15	20

Single Position vs. Concurrent Aggregated Positions

	<i>Graduates Employed in the field in a single position</i>	<i>Graduates Employed in the field in concurrent aggregated positions</i>	<i>Total Graduates Employed in the Field</i>
20XX	52	3	55
20XY	19	1	20

Self Employed/ Freelance Positions

	<i>Graduates Employed who are self-employed or working freelance</i>	<i>Total Graduates Employed in the Field</i>
20XX	3	55
20XY	5	20

Institutional Employment

	<i>Graduates Employed in the field who are employed by the institution, an employer owned by the institution, or an employer who shares ownership with the institution</i>	<i>Total Graduates Employed in the Field</i>
20XX	15	55
20XY	5	20

Student's Initials: _____ Date: _____
Initial only after you have had sufficient time to read and understand the information.

(5) The following self-employment/freelance worker disclosure shall be initialed by students entering any programs in which the majority of graduates who obtain jobs obtain in this type of work:

This program may result in freelance or self-employment.

- The work available to graduates of this program is usually for freelance or self-employment.
- This type of work may not be consistent.
- The period of employment can range from one day to weeks to several months.
- Hours worked in a day or week may be more or less than the traditional 8 hour work day or 40 hour work week.
- You can expect to spend unpaid time expanding your networks, advertising, promoting your services, or honing your skills.
- Once graduates begin to work freelance or are self-employed, they will be asked to provide documentation that they are employed as such so that they may be counted as placed for our job placement records.
- Students initialing this disclosure understand that either a majority or all of this school's graduates are employed in this manner and understand what comprises this work style.

Student's Initials: _____ Date: _____
Initial only after you have had sufficient time to read and understand the information.

(j) License Examination Passage Rates. If license examination passage rates are not available from the appropriate state agency, an institution shall collect the information directly from its graduates. If an institution demonstrates that, after reasonable efforts, it is unable to obtain the examination passage information from its graduates, the institution shall report the number of students it could not contact and note in a font the same size as the majority of the data on the Performance Fact Sheet, "License examination passage data is not available from the state agency administering the examination. We were unable to collect data from [enter the number] graduates."

Reporting of license examination passage rates for the Annual Report and the Performance Fact Sheet shall include, for each educational program: the number of graduates in the reported year, the number of documented graduates who passed the first available examination, number of documented graduates who failed the first available examination, the number of graduates for whom data is not available. An optional column may be added to separately report licensing examination data for graduates who take and pass the exam after failing initially. The Annual Report shall also include a description of the processes for 10 attempting to contact those students.

For licensing examinations that are not continuously administered, license examination passage rates shall be included in the Performance Fact Sheet in a format substantially similar to the chart below, (dates, numbers, and other data shown are for example only):

License Examination Passage Rates (includes data for the two calendar years prior to reporting)

Name of Educational Program (Program Length)

<i>First Available Exam Date</i>	<i>Date Exam Results Announced</i>	<i>Number of Graduates in Calendar Year</i>	<i>Number of Graduates Taking Exam</i>	<i>Number Who Passed Exam</i>	<i>Number Who Failed Exam</i>	<i>Passage Rate</i>
2/1/20XX	3/15/20XX	277	80	40	40	50%
6/1/20XX	7/15/20XX	277	100	75	25	75%
10/1/20XX	11/15/20XX	277	82	68	14	76%
2/1/20XY	3/20/20XX	304	80	40	40	50%
6/1/20XY	7/19/20XX	304	100	70	30	70%
10/1/20XY	11/19/20XX	304	92	62	30	67%

License examination passage data is not available from the state agency administering the examination. We were unable to collect data from 32 graduates.

Student's Initials: _____ Date: _____
Initial only after you have had sufficient time to read and understand the information.

For licensing examinations that are continuously administered, license examination passage rates shall be included in the Performance Fact Sheet in a format substantially similar to the chart below (dates, numbers, and other data shown are for example only):

License Examination Passage Rates (includes data for the two calendar years prior to reporting)

Name of Educational Program (Program Length)

<i>Calendar Year</i>	<i>Number of Graduates in Calendar Year</i>	<i>Number of Graduates Taking Exam</i>	<i>Number Who Passed First Available Exam</i>	<i>Number Who Failed First Available Exam</i>	<i>Passage Rate</i>
20XX	100	70	70	55	79%
20XY	80	55	55	20	36%

License examination passage data is not available from the state agency administering the examination. We were unable to collect data from 10 graduates.

Student's Initials: _____ Date: _____
Initial only after you have had sufficient time to read and understand the information.

(k) Salary and Wage Information.

All Salary and Wage Information shall be reported to the Bureau pursuant to sections 94910(d) and 94929.5(a)(3) of the Code and shall be included in the Performance Fact Sheet, for each educational program, in a format substantially similar to the chart below (dates, numbers, salaries, and other data shown are for example only).

Salary and Wage Information (includes data for the two calendar years prior to reporting)

Name of Educational Program (Program Length)

Annual Salary and Wages Reported for Graduates Employed in the Field

<i>Calendar Year</i>	<i>Graduates Available for Employment</i>	<i>Graduates Employed in the Field</i>	<i>\$15,00 0 - \$20,00 0</i>	<i>\$20,00 1 - \$25,00 0</i>	<i>\$25,00 1 - \$30,00 0</i>	<i>\$30,00 1 - \$35,00 0</i>	<i>No Salary Information Reported</i>
20XX	100	70	5	40	6	3	16
20XY	80	55	5	7	3	5	35

A list of sources used to substantiate salary disclosures is available from the school. (Insert how student can obtain this information.)

Student's Initials: _____ Date: _____
Initial only after you have had sufficient time to read and understand the information.

(l) Definitions. Definitions for all terms contained on the Performance Fact Sheet shall be included as part of the Performance Fact Sheet, in the same format as required in subdivision (a).

The following are the definitions for the Performance Fact Sheet:

“Number of Students Who Began the Program” means the number of students who began a program who were scheduled to complete the program within 100% of the published program length within the reporting calendar year and excludes all students who cancelled during the cancellation period.

“Students Available for Graduation” is the number of students who began the program minus the number of students who have died, been incarcerated, or been called to active military duty.

“Number of On-time Graduates” is the number of students who completed the program within 100% of the published program length within the reporting calendar year.

“On-time Completion Rate” is the number of on-time graduates divided by the number of students available for graduation.

“150% Graduates” is the number of students who completed the program within 150% of the program length (includes on-time graduates).

“150% Completion Rate” is the number of students who completed the program in the reported calendar year within 150% of the published program length, including on-time graduates, divided by the number of students available for graduation.

“Graduates Available for Employment” means the number of graduates minus the number of graduates unavailable for employment.

“Graduates Unavailable for Employment” means the graduates who, after graduation, die, become incarcerated, are called to active military duty, are international students that leave the United States or do not have a visa allowing employment in the United States, or are continuing their education in an accredited or bureau-approved postsecondary institution.

“Graduates Employed in the Field” means graduates who beginning within six months after a student completes the applicable educational program are gainfully employed, whose employment has been reported, and for whom the institution has documented verification of employment. For occupations for which the state requires passing an examination, the six months period begins after the announcement of the examination results for the first examination available after a student completes an applicable educational program.

“Placement Rate Employed in the Field” is calculated by dividing the number of graduates gainfully employed in the field by the number of graduates available for employment.

“Number of Graduates Taking Exam” is the number of graduates who took the first available exam in the reported calendar year.

“First Available Exam Date” is the date for the first available exam after a student completed a program.

“Passage Rate” is calculated by dividing the number of graduates who passed the exam by the number of graduates who took the reported licensing exam.

“Number Who Passed First Available Exam” is the number of graduates who took and passed the first available licensing exam after completing the program.

“Salary” is as reported by graduate or graduate’s employer.

“No Salary Information Reported” is the number of graduates for whom, after making reasonable attempts, the school was not able to obtain salary information.

(m) Documentation supporting all data reported shall be maintained electronically by the institution for at least five years from the last time the data was included in either an Annual Report or a Performance Fact Sheet, and shall be provided to the Bureau upon request; and the data for each program shall include at a minimum:

(1) the list of job classifications determined to be considered gainful employment for the educational program;

(2) student name(s), address, phone number, email address, program completed, program start date, scheduled completion date, and actual completion dates;

(3) graduate’s place of employment and position, date employment began, date employment ended, if applicable, actual salary, hours per week, and the date employment was verified;

(4) for each employer from which employment or salary information was obtained, the employer name(s) address and general phone number, the contact person at the employer and the contact’s phone number and email address, and all written communication with employer verifying student’s employment or salary;

(5) for students who become self-employed, all documentation necessary to demonstrate self-employment;

(6) a description of all attempts to contact each student. or employer;

(7) any and all documentation used to provide data regarding license examinations and examination results;

(8) for each student determined to be unavailable for graduation or unavailable for employment, the identity of the student, the type of unavailability, the dates of unavailability, and the documentation of the unavailability; and

(9) the name, email address, phone number, and position or title of the institution's representative who was primarily responsible for obtaining the students' completion, placement, licensing, and salary and wage data, the date that the information was gathered, and copies of notes, letters or emails through which the information was requested and gathered.

(n) The institution shall provide on a separate document along with the Performance Fact Sheet the same cancellation disclosure as that which is required to be included with the enrollment agreement by Section 94911(e)(1) of the Code. The separate document shall be substantially the same size as the Performance Fact Sheet and shall be captioned "STUDENT'S RIGHT TO CANCEL" using bold 14 pt. type.

Note: Authority cited: Sections 94877, 94910, 94928, 94929.5, 94929.7, and 94929.8, Education Code. Reference: Sections 94874.8, 94902, 94910, 94911, 94928, 94929, 94929.5, 94929.7, 94929.8, 94934, and 94941, Education Code.

5 CCR § 74117. Websites Requirements.

In addition to the requirement in Section 94913(b) of the Code, an institution that maintains a website shall provide on the homepage of that website clear and conspicuous links to all the items required in Section 94913(a) of the Code.

Note: Authority cited: Section 94877, Education Code. Reference Section 94913, Education Code.



Catalog Checklist

Name of Institution:	Application #:
Reviewer Name:	Institution Code:

Pursuant to the California Private Postsecondary Education Act of 2009 (CEC) and Title 5, Division 7.5 of the California Code of Regulations (5, CCR), an institution shall be in compliance with the catalog minimum requirements. The minimum requirements listed in the table below summarize relevant sections of the CEC and 5, CCR, or requests specific documentation in regards to the CEC and 5, CCR. Attached for your reference and convenience is the full text of those laws.

Instructions: For each numbered item listed in the table below:

1. Under “Catalog Page No.” write the page number(s) where the minimum requirement is found in the catalog. If the minimum requirement is not applicable to your institution, write “N/A.”
2. In your institution’s catalog, indicate where each numbered minimum requirement is located, by writing and circling the corresponding “Item No.” on the applicable catalog page;
3. Item No. 1 is for your information and does not require a response;
4. Complete and sign the declaration at the end of this document.

Item No.	Catalog Minimum Requirements The Catalog shall contain CEC §94909 (§ references the section of the CEC and 5, CCR)	Review #1	Review #2
		DATE	DATE
1	Any information required by the CEC to be included in the catalog shall be printed in at least the same size font as the majority of the text in that document. (CEC §94908)	X	X

2	<p>Each institution shall provide a catalog pursuant to section 94909 of the Code, which shall be updated annually. Annual updates may be made by the use of supplements or inserts accompanying the catalog. If changes in educational programs, educational services, procedures, or policies required to be included in the catalog by statute or regulation are implemented before the issuance of the annually updated catalog, those changes shall be reflected at the time they are made in supplements or inserts accompanying the catalog. Provide a separate statement confirming your catalog is updated annually.</p> <p>(5, CCR §71810(a))</p>	X	X
3	<p>Provide a separate statement indicating how you provide your institution's school catalog to a prospective student and any interested person.</p> <p>(CEC §94909(a) and §94909(c))</p>	X	X
4	<p>The catalog shall contain the name, address, telephone number, and, if applicable, internet web site address of the institution.</p> <p>(CEC §94909(a)(1))</p>		
5	<p>The catalog shall specify the address or addresses where class sessions will be held.</p> <p>(CEC §94909(a)(4))</p>		
6	<p>The catalog shall contain the specific beginning and ending dates defining the time period covered by the catalog.</p> <p>(5, CCR §71810(b)(1))</p>		
7	<p>The catalog shall contain, except as specified in CEC §94802, a statement that the institution is a private institution, that it is approved to operate by the bureau, and that approval to operate means compliance with state standards as set forth in the CEC and 5, CCR. An institution may not imply that the Bureau endorses programs, or that Bureau approval means the institution exceeds minimum state standards.</p> <p>(CEC §94909(a)(2) and §94897(l)(1)(2))</p>		
8	<p>The catalog shall contain a statement specifying whether or not the institution has a pending petition in bankruptcy, is operating as a debtor in possession, has filed a petition within the preceding five years, or has had a petition in bankruptcy filed against it within the preceding five years that resulted in reorganization under Chapter 11 of the United States Bankruptcy Code (11 U.S.C. Sec. 1101 et seq.).</p> <p>(CEC §94909(a)(12))</p>		

9	<p>The catalog shall contain specific required language that encourages students to review the catalog and School Performance Fact Sheet prior to signing an enrollment agreement. (CEC §94909(a)(3)(B))</p> <p>"As a prospective student, you are encouraged to review this catalog prior to signing an enrollment agreement. You are also encouraged to review the School Performance Fact Sheet, which must be provided to you prior to signing an enrollment agreement."</p>		
10	<p>The catalog shall contain a statement of the institution's missions and purposes and the objectives underlying each of its educational programs. (5, CCR §70000(q) and (r) and §71810(b)(2))</p>		
11	<p>The catalog shall contain a description of the facilities and of the types of equipment and materials that will be used for instruction that demonstrates compliance with 5, CCR §71735. (5, CCR §71735 and §71810(b)(9))</p>		
12	<p>The catalog shall contain a description of library and other learning resources and the procedures for student access to those resources that demonstrates compliance with 5, CCR §71740. (5, CCR §71740 and §71810(b)(10))</p>		
13	<p>The catalog shall contain specific required language that directs students to the Bureau for unanswered questions. (CEC §94909(a)(3)(A))</p> <p>"Any questions a student may have regarding this catalog that have not been satisfactorily answered by the institution may be directed to the Bureau for Private Postsecondary Education at (insert address *), (insert web site address*), (insert telephone and fax numbers*)."</p> <p>*The following may be used for inserts: Address: 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833 P.O. Box 980818, West Sacramento, CA 95798-0818 Web site Address: www.bppe.ca.gov Telephone and Fax #'s: (888) 370-7589 or by fax (916) 263-1897 (916) 431-6959 or by fax (916) 263-1897</p>		

14	<p>The catalog shall contain specific required language that refers individuals wishing to file a complaint about the institution to the Bureau. (CEC §94909(a)(3)(C))</p> <p>"A student or any member of the public may file a complaint about this institution with the Bureau for Private Postsecondary Education by calling (insert toll-free telephone number) or by completing a complaint form, which can be obtained on the bureau's internet Web site (insert internet Web site address)."</p> <p>*The following may be used for inserts: Toll-free telephone #: (888) 370-7589 Web site Address: www.bppe.ca.gov</p>		
15	<p>The catalog shall contain specific required language that addresses transferability of credits and credentials. (CEC §94909(a)(15))</p> <p>"NOTICE CONCERNING TRANSFERABILITY OF CREDITS AND CREDENTIALS EARNED AT OUR "The transferability of credits you earn at (insert name of institution) is at the complete discretion of an institution to which you may seek to transfer. Acceptance of the (insert degree, diploma, or certificate) you earn in (insert name of educational program*) is also at the complete discretion of the institution to which you may seek to transfer. If the (insert credits or degree, diploma, or certificate) that you earn at this institution are not accepted at the institution to which you seek to transfer, you may be required to repeat some or all of your coursework at that institution. For this reason you should make certain that your attendance at this institution will meet your educational goals. This may include contacting an institution to which you may seek to transfer after attending (insert name of institution) to determine if your (insert credits or degree, diploma or certificate) will transfer."</p> <p>*If institution offers more than one educational program, "the educational program" may be inserted.</p>		
16	<p>If the institution has received a provisional approval and is offering an unaccredited degree program, the catalog shall contain the specific required language regarding the Notice to Prospective Degree Program Students. See 5, CCR §71775(a) for the full text of the law for required language. (5, CCR §71775(c)(1))</p> <p>If an approved unaccredited institution is offering an unaccredited degree program, the catalog shall contain the specific required language regarding the Notice to Prospective Degree Program Students. See 5, CCR §71775.5(a) for the full text of the law for required language. (5, CCR §71775.5(c)(1))</p>		

17	<p>The catalog shall contain: admission policies, including the policies regarding acceptance of credits earned at other institutions or through challenge examinations and achievement tests, requirements for ability-to-benefit students, and a list describing any transfer or articulation agreements between the institution and any other college or university that provides for the transfer of credits earned in the program of instruction. <i>If the institution has not entered into an articulation or transfer agreement with any other college or university, the institution shall disclose that fact.</i> (CEC §94909(a)(8)(A), and 5, CCR §71770)</p>		
18	<p>The catalog shall contain the institution's policies and procedures for the award of credit for prior experiential learning, including assessment policies and procedures, provisions for appeal, and all charges that a student may be required to pay. (5, CCR §71810(b)(7) and 5, CCR §71770(c))</p>		
19	<p>If the institution admits students from other countries, the catalog shall specify whether visa services are provided or whether the institution will vouch for student status, and any associated charges. (5, CCR §71810(b)(3))</p> <p>The catalog shall contain language proficiency information, including the level of English language proficiency required of students and the kind of documentation of proficiency, such as the Test of English as a Foreign Language (TOEFL), that will be accepted; and whether English language services, including instruction such as ESL, are provided and, if so, the nature of the service and its cost. (5, CCR §71810(b)(4))</p> <p>The catalog shall contain whether any instruction will occur in a language other than English and, if so, the level of proficiency required and the kind of documentation of proficiency, such as the United States Foreign Service Language Rating System, that will be accepted. (5, CCR §71810(b)(5))</p>		
20	<p>The catalog shall contain: a description of the programs offered and a description of the instruction provided in each of the courses offered by the institution, the requirements for completion of each program, including required courses, any final tests or examinations, any required internships or externships, and the total number of credit hours, clock hours, or other increments required for completion. (CEC §94909(a)(5))</p>		

21	<p>The catalog shall contain a notice and a list of the requirements for eligibility for licensure, if the educational program is designed to lead to positions in a profession, occupation, trade, or career field requiring licensure in this state.</p> <p>(CEC §94909(a)(6))</p>		
22	<p>The catalog shall contain a statement specifying whether the institution or any of its degree programs are accredited by an accrediting agency recognized by the United States Department of Education.</p> <p>(CEC §94909(a)(16))</p> <p>If the institution is unaccredited and offers a degree program, or is accredited and offers an unaccredited degree program, the statement shall disclose the known limitations of the degree program, including, but not limited to, all of the following:</p> <p>(A) Whether a graduate of the degree program will be eligible to sit for the applicable licensure exam in California and other states.</p> <p>(B) A degree program that is unaccredited or a degree from an unaccredited institution is not recognized for some employment positions, including, but not limited to, positions with the State of California.</p> <p>(C) That a student enrolled in an unaccredited institution is not eligible for federal financial aid programs.</p> <p>(CEC §94909(a)(16) and §94897(p))</p>	<p>A)</p> <p>B)</p> <p>C)</p>	<p>A)</p> <p>B)</p> <p>C)</p>
23	<p>The catalog shall contain the schedule of total charges for a period of attendance AND an estimated schedule of total charges for the entire educational program. "Total charges" means the sum of institutional and noninstitutional charges.</p> <p>(CEC §94870 and §94909(a)(9))</p>		
24	<p>The catalog shall contain a description of the student's rights and responsibilities with respect to the Student Tuition Recovery Fund (STRF). This statement shall specify that it is a state requirement that a student who pays his or her tuition is required to pay a state-imposed assessment for the STRF. This statement shall also describe the purpose and operation of the STRF and the requirements for filing a claim against the STRF.</p> <p><i>See 5, CCR §76215 for the full text of the law for required language.</i></p> <p>(CEC §94909(a)(14), 5, CCR §76215(a), and §76215(b))</p>		
25	<p>The catalog shall contain cancellation, withdrawal, and refund policies, including an explanation that the student has the right to cancel the enrollment agreement and obtain a refund of charges paid through attendance at the first class session, or the seventh day after enrollment, whichever is later. The text shall also include a description of the procedures that a student is required to follow to cancel the enrollment agreement or withdraw from the institution and obtain a refund consistent with the requirements of Article 13 (commencing with Section 94919).</p> <p>(CEC §94909(a)(8)(B), §94919, §94920, and 5, CCR §71750)</p>		

26	The catalog shall contain information regarding the faculty and their qualifications. (CEC §94909(a)(7) and 5, CCR §71720)		
27	The catalog shall contain a statement reporting whether the institution participates in federal and state financial aid programs, and, if so, all consumer information that is required to be disclosed to the student pursuant to federal and state financial aid programs. (CEC §94909(a)(10))		
28	The catalog shall contain a statement specifying that, if a student obtains a loan to pay for an educational program, the student will have to repay the full amount of the loan plus interest, less the amount of any refund, and that, if the student receives federal student financial aid funds, the student is entitled to a refund of the moneys not paid from federal financial aid funds. (CEC §94909(a)(11))		
29	The catalog shall contain the institution's policies and practices, including required disclosures, regarding ANY form of financial aid. (5, CCR §71810(b)(6))		
30	The catalog shall contain the institution's standards for student achievement. (5, CCR §71810(b)(8))		
31	The catalog shall contain attendance policies. (CEC §94909(a)(8)(D))		
32	The catalog shall contain probation and dismissal policies. (CEC §94909(a)(8)(C))		
33	The catalog shall contain leave-of-absence policies. (CEC §94909(a)(8)(E))		
34	The catalog shall contain policies on student rights, including the procedure for addressing student grievances. (5, CCR §71810(b)(14))		

35	The catalog shall contain a description of all student services. (5, CCR §71810(b)(12))		
36	The catalog shall contain a description of the nature and extent of the placement services, if provided by the institution. (CEC §94909(a)(13))		
37	The catalog shall contain housing information to include all of the following: (A) Whether the institution has dormitory facilities under its control; (B) The availability of housing located reasonably near the institution's facilities and an estimation of the approximate cost or range of cost of the housing; and (C) If the institution has no responsibility to find or assist a student in finding housing, a clear and conspicuous statement so indicating. A statement that the program is "non- residential" does not satisfy this subparagraph. (5, CCR §71810 (b)(13)(A)(B)(C))	A)	A)
		B)	B)
		C)	C)
38	The catalog shall contain policies on the retention of student records that demonstrates compliance with CEC §94900 and 5, CCR §71920. (CEC §94900, 5, CCR §71810 (b)(15) and §71920)		
39	In order to report gainful employment of its graduates, the institution must identify, in its catalog, the job classification(s) each program prepares its graduates for using the United States Department of Labor's Standard Occupational Classification codes, at the Detailed Occupation (six-digit) level. (5, CCR §74112 (d)(3))		
40	If the institution offers distance education, the catalog shall contain the approximate number of days that will elapse between the institution's receipt of student lessons, projects, or dissertations and the institution's mailing of its response or evaluation. (5, CCR §71810 (b)(11))		
41	After an approval to operate has been granted, an institution that maintains an Internet Web site shall provide on the homepage of that Internet Web site clear and conspicuous links for all of the following: (1) The school catalog (2) A School Performance Fact Sheet for each educational program offered by the institution. (3) Student brochures offered by the institution. (4) A link to the bureau's Internet Web Site.	Compliant?	Compliant?
		1)	1)
		2)	2)
		3)	3)
		4)	4)

	<p>(5) The institution's most recent annual report submitted to the bureau. An institution shall include information concerning where students may access the bureau's Internet Web site anywhere the institution identifies itself as being approved by the bureau. (CEC §94913 and 5, CCR §74117)</p> <p>If the institution has received a provisional approval and is offering an unaccredited degree program, the website shall contain the specific required language regarding the Notice to Prospective Degree Program Students. <i>See 5, CCR §71775 for the full text of the law for required language.</i> (5, CCR §71775(c)(2))</p> <p>If an approved unaccredited institution is offering an unaccredited degree program, the website shall contain the specific required language regarding the Notice to Prospective Degree Program Students. <i>See 5, CCR §71775.5 for the full text of the law for required language.</i> (5, CCR §71775.5(c)(2))</p>	5)	5)
X	Please submit a copy of your institutions School Performance Fact Sheet (SPFS). (CEC §94910 and 5, CCR §74112)	Please provide your SPFS	Please provide your SPFS

To the best of my knowledge, I declare that the information submitted is true and correct.

Signature Date

Printed Name and Title

LOGO

INSTITUTION NAME
ADDRESS | PHONE | WEBSITE

SCHOOL PERFORMANCE FACT SHEET
CALENDAR YEARS 20XX & 20XX

Program Name - Program Length

On-Time Completion Rates (Graduation Rates)

Includes data for the two calendar years prior to reporting.

Calendar Year	Number of Students Who Began the Program	Students Available for Graduation	Number of On-Time Graduates	On-Time Completion Rate
20XX				
20XY				

Student's Initials: _____ Date: _____

Initial only after you have had sufficient time to read and understand the information.

150% TABLE OPTIONAL ↓

Students Completing Within 150% of the Published Program Length

Calendar Year	Number of Students Who Began the Program	Students Available for Graduation	150% Graduates	150% Completion Rate
20XV				
20XW				
**20XX				
**20XY				

**Included if the program is more than one year in length.

Student's Initials: _____ Date: _____

Initial only after you have had sufficient time to read and understand the information.

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Job Placement Rates (includes data for the two calendar years prior to reporting)

Calendar Year	Number of Students Who Began Program	Number of Graduates	Graduates Available for Employment	Graduates Employed in the Field	Placement Rate % Employed in the Field
20XX					
20XY					

You may obtain from the institution a list of the employment positions determined to be in the field for which a student received education and training. [\(Insert how student can obtain this information.\)](#)

Gainfully Employed Categories (includes data for the two calendar years prior to reporting)

Part-Time vs. Full-Time Employment

Calendar Year	Graduate Employed in the Field 20-29 Hours Per Week	Graduates Employed in the Field at Least 30 Hours Per Week	Total Graduates Employed in the Field
20XX			
20XY			

Single Position vs. Concurrent Aggregated Position

Calendar Year	Graduates Employed in the Field in a Single Position	Graduates Employed in the Field in Concurrent Aggregated Positions	Total Graduates Employed in the Field
20XX			
20XY			

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Self-Employed / Freelance Positions

Calendar Year	Graduates Employed who are Self-Employed or Working Freelance	Total Graduates Employed in the Field
20XX		
20XY		

Institutional Employment

Calendar Year	Graduates Employed in the Field who are Employed by the Institution, an Employer Owned by the Institution, or an Employer who Shares Ownership with the Institution.	Total Graduates Employed in the Field
20XX		
20XY		

Student's Initials: _____ Date: _____

Initial only after you have had sufficient time to read and understand the information.

IF the majority of graduates from this program obtain jobs in self-employment or freelance work add:

This program may result in freelance or self-employment.

- The work available to graduates of this program is usually for freelance or self-employment.
- This type of work may not be consistent.
- The period of employment can range from one day to weeks to several months.
- Hours worked in a day or week may be more or less than the traditional 8 hour work day or 40 hour work week.
- You can expect to spend unpaid time expanding your networks, advertising, promoting your services, or honing your skills.
- Once graduates begin to work freelance or are self-employed, they will be asked to provide documentation that they are employed as such so that they may be counted as placed for our job placement records.
- Students initialing this disclosure understand that either a majority or all of this school's graduates are employed in this manner and understand what comprises this work style.

Student's Initials: _____ Date: _____

Only initial after you have had sufficient time to read and understand the information.

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License Examination Passage Rates (includes data for the two calendar years prior to reporting)

First Available Exam Date	Date Exam Results Announced	Number of Graduates in Calendar Year	Number of Graduates Taking Exam	Number Who Passed Exam	Number Who Failed Exam	Passage Rate
mm/dd/yyyy						
mm/dd/yyyy						
mm/dd/yyyy						
mm/dd/yyyy						
mm/dd/yyyy						
mm/dd/yyyy						
mm/dd/yyyy						
mm/dd/yyyy						

Licensure examination passage data is not available from the state agency administering the examination. We are unable to collect data from # graduates.

Student's Initials: _____ Date: _____

Initial only after you have had sufficient time to read and understand the information.

OR

Calendar Year	Number of Graduates in Calendar Year	Number of Graduates Taking Exam	Number Who Passed First Available Exam	Number Who Failed First Available Exam	Passage Rate
20XX					
20XY					

Licensure examination passage data is not available from the state agency administering the examination. We are unable to collect data from # graduates.

Student's Initials: _____ Date: _____

Initial only after you have had sufficient time to read and understand the information.

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Salary and Wage Information (includes data for the two calendar years prior to reporting)

Annual salary and wages reported for graduates employed in the field.

Calendar Year	Graduates Available for Employment	Graduates Employed in Field	\$20,001	\$35,001	\$40,001	\$45,001	No Salary Information Reported
			- \$25,000	- \$40,000	- \$45,000	- \$50,000	
20XX							
20XY							

A list of sources used to substantiate salary disclosures is available from the school. [\(Insert how student can obtain this information.\)](#)

Student's Initials: _____ Date: _____

Initial only after you have had sufficient time to read and understand the information.

Cost of Educational Program

Total charges for the program for students completing on time in 20XX: \$XX,XXX

Total charges may be higher for students that do not complete on time.

Total charges for the program for students completing on time in 20XY: \$XX,XXX

Total charges may be higher for students that do not complete on time.

Student's Initials: _____ Date: _____

Initial only after you have had sufficient time to read and understand the information.

Federal Student Loan Debt

Calendar Year(s)	Most recent three year cohort default rate, as reported by the United State Department of Education. ¹	The percentage of enrolled students in 20XX/XY receiving federal student loans to pay for this program.	The percentage of graduates in 20XX/XY who took out federal student loans to pay for this program.	The average amount of federal student loan debt of 20XX/XY graduates who took out federal student loans at this institution.
20XX				
20XY				

¹The percentage of students who defaulted on their federal student loans is called the Cohort Default Rate (CDR). It shows the percentage of this school's students who were more than 270 days (9 months) behind on their federal student loans within three years of when the first payment was due. This is the most recent CDR reported by the U.S. Department of Education.

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Student's Initials: _____ Date: _____

Initial only after you have had sufficient time to read and understand the information.

OR – ONE OF THE FOLLOWING IF THE INSTITUTION DOES NOT PARTICIPATE IN FEDERAL FINANCIAL AID PROGRAMS:

Students at **NAME OF INSTITUTION** are not eligible for federal student loans. This institution does not meet the U.S. Department of Education criteria that would allow its students to participate in federal student aid programs.

NAME OF INSTITUTION is eligible, but chooses not to participate in federal student aid programs. Therefore, students who attend this institution do not have federal student loans.

Student's Initials: _____ Date: _____

Initial only after you have had sufficient time to read and understand the information.

This fact sheet is filed with the Bureau for Private Postsecondary Education. Regardless of any information you may have relating to completion rates, placement rates, starting salaries, or license exam passage rates, this fact sheet contains the information as calculated pursuant to state law.

Any questions a student may have regarding this fact sheet that have not been satisfactorily answered by the institution may be directed to the Bureau for Private Postsecondary Education at P.O. Box 980818, West Sacramento, CA 95798-0818, www.bppe.ca.gov, toll-free telephone number (888) 370-7589 or by fax (916) 263-1897.

Student Name - Print

Student Signature

Date

School Official

Date

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DELETE "*" STATEMENT IF NOT APPLICABLE ↓

* = This program is new. Therefore, the number of students who graduate, the number of students who are placed, or the starting salary you can earn after finishing the educational program are unknown at this time. Information regarding general salary and placement statistics may be available from government sources or from the institution, but is not equivalent to actual performance data. This program was approved by the Bureau on MM/DD/YYYY. As of MM/DD/YYYY, two full years of data for this program will be available.

Definitions

- "Number of Students Who Began the Program" means the number of students who began a program who were scheduled to complete the program within 100% of the published program length within the reporting calendar year and excludes all students who cancelled during the cancellation period.
- "Students Available for Graduation" is the number of students who began the program minus the number of students who have died, been incarcerated, or been called to active military duty.
- "Number of On-time Graduates" is the number of students who completed the program within 100% of the published program length within the reporting calendar year.
- "On-time Completion Rate" is the number of on-time graduates divided by the number of students available for graduation.
- "150% Graduates" is the number of students who completed the program within 150% of the program length (includes on-time graduates).
- "150% Completion Rate" is the number of students who completed the program in the reported calendar year within 150% of the published program length, including on-time graduates, divided by the number of students available for graduation.
- "Graduates Available for Employment" means the number of graduates minus the number of graduates unavailable for employment.
- "Graduates Unavailable for Employment" means the graduates who, after graduation, die, become incarcerated, are called to active military duty, are international students that leave the United States or do not have a visa allowing employment in the United States, or are continuing their education in an accredited or bureau-approved postsecondary institution.
- "Graduates Employed in the Field" means graduates who beginning within six months after a student completes the applicable educational program are gainfully employed, whose employment has been reported, and for whom the institution has documented verification of employment. For occupations for which the state requires passing an examination, the six months period begins after the announcement of the examination results for the first examination available after a student completes an applicable educational program.
- "Placement Rate Employed in the Field" is calculated by dividing the number of graduates gainfully employed in the field by the number of graduates available for employment.
- "Number of Graduates Taking Exam" is the number of graduates who took the first available exam in the reported calendar year.

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- "First Available Exam Date" is the date for the first available exam after a student completed a program.
- "Passage Rate" is calculated by dividing the number of graduates who passed the exam by the number of graduates who took the reported licensing exam.
- "Number Who Passed First Available Exam" is the number of graduates who took and passed the first available licensing exam after completing the program.
- "Salary" is as reported by graduate or graduate's employer.
- "No Salary Information Reported" is the number of graduates for whom, after making reasonable attempts, the school was not able to obtain salary information.

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STUDENT'S RIGHT TO CANCEL

- Cancellation disclosure from Enrollment Agreement shall be provided on a separate document in 12point type and 1.15 spacing.
 - Caption shall state "STUDENT'S RIGHT TO CANCEL" in bolded 14 point type

[Copy and paste the institution's cancellation disclosure from the Enrollment Agreement and include it with your SPFS]

Tab 21

Additional Documents

Section 21. Graduation or Completion Documents

Check	Items to include:
	Is section 21 on the application form completely filled out?
	A copy for each program, the document that is awarded to a graduating student upon successful completion?

Section 21. Graduation or Completion Documents

5 CCR §71300. Graduation or Completion Documents.

The institution shall submit a copy of the document that is awarded to a graduating student upon successful completion of each educational program.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94885, 94887 and 94888, Education Code.

CEC §94830. Degree

"Degree" means a recognized educational credential awarded by an institution that signifies satisfactory completion of the requirements of a postsecondary educational program at the associate's level or above.

CEC §94832. Diploma

"Diploma" means a recognized educational credential, other than a degree, awarded by an institution that signifies satisfactory completion of the requirements of a postsecondary educational program below the associate's level. A diploma is also known as a certificate.

CEC §94842. Graduate

"Graduate" means an individual who has been awarded a degree or diploma.

CEC §94897. Prohibited Business Practices

An institution shall not do any of the following:

(a) Use, or allow the use of, any reproduction or facsimile of the Great Seal of the State of California on a diploma.

Tab 22

Additional Documents

Section 22. Recordkeeping; Custodian of Records

Check	Items to include:
	Is section 22 on the application form completely filled out?
	Has a custodian of record been identified?
	Has the location of records been identified?
	Is a description of how the records are organized and maintained attached?
	Have you identified the type of documents contained in student files?
	Have you identified how the records will be stored?
	Have you identified if academic and financial records will be maintained in separate folders?
	Have you provided a statement of the institutions procedures for security and safekeeping of records?

Section 22. Recordkeeping; Custodian of Records

5 CCR §71310. Recordkeeping; Custodian of Records.

(a) The Form Application 94886 shall contain a description of how records required by Article 9 of the Act or this chapter are or will be organized and maintained, the types of documents contained in student files, how the records are stored, and whether academic and financial records are maintained in separate files. The description shall include a statement of the institution's procedures for security and safekeeping of records.

(b) The description shall include the name, physical address, email address, and telephone number of the custodian of records, and the physical addresses and telephone numbers of the offices or buildings where the records will be maintained.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94887, 94888, 94900 and 94900.5, Education Code.

CEC §94835. Document of Record

"Document of record" means any document required to be maintained by this chapter.

CEC §94897. Prohibited Business Practices

An institution shall not do any of the following:

(j) In any manner make an untrue or misleading change in, or untrue or misleading statement related to, a test score, grade or record of grades, attendance record, record indicating student completion, placement, employment, salaries, or financial information, including any of the following:

(1) A financial report filed with the bureau.

(2) Information or records relating to the student's eligibility for student financial aid at the institution.

(3) Any other record or document required by this chapter or by the bureau.

(k) Willfully falsify, destroy, or conceal any document of record while that document of record is required to be maintained by this chapter.

CEC §94900. Required Student Records

(a) An institution shall maintain records of the name, address, e-mail address, and telephone number of each student who is enrolled in an educational program in that institution.

(b) An institution shall maintain, for each student granted a degree or certificate by that institution, permanent records of all of the following:

(1) The degree or certificate granted and the date on which that degree or certificate was granted.

(2) The courses and units on which the certificate or degree was based.

(3) The grades earned by the student in each of those courses.

CEC §94900.5. Required Institutional Records

An institution shall maintain, for a period of not less than five years, at its principal place of business in this state, complete and accurate records of all of the following

information:

- (a) The educational programs offered by the institution and the curriculum for each.
- (b) The names and addresses of the members of the institution's faculty and records of the educational qualifications of each member of the faculty.
- (c) Any other records required to be maintained by this chapter, including, but not limited to, records maintained pursuant to Article 16 (commencing with Section 94928).

CEC §94900.7. Requirements for Accredited Institutions

The recordkeeping requirements of this article shall not apply to an institution that is accredited, if the recordkeeping requirements of the accrediting organization are substantially similar to the recordkeeping requirements of this article, as determined by the bureau.

5 CCR §71920. Student Records.

- (a) The institution shall maintain a file for each student who enrolls in the institution whether or not the student completes the educational service.
- (b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:
 - (1) Written records and transcripts of any formal education or training, testing, or experience that are relevant to the student's qualifications for admission to the institution or the institution's award of credit or acceptance of transfer credits including the following:
 - (A) Verification of high school completion or equivalency or other documentation establishing the student's ability to do college level work, such as successful completion of an ability-to-benefit test;
 - (B) Records documenting units of credit earned at other institutions that have been accepted and applied by the institution as transfer credits toward the student's completion of an educational program;
 - (C) Grades or findings from any examination of academic ability or educational achievement used for admission or college placement purposes;
 - (D) All of the documents evidencing a student's prior experiential learning upon which the institution and the faculty base the award of any credit;
 - (2) Personal information regarding a student's age, gender, and ethnicity if that information has been voluntarily supplied by the student;
 - (3) Copies of all documents signed by the student, including contracts, instruments of indebtedness, and documents relating to financial aid;
 - (4) Records of the dates of enrollment and, if applicable, withdrawal from the institution, leaves of absence, and graduation; and
 - (5) In addition to the requirements of section 94900(b) of the Code, a transcript showing all of the following:
 - (A) The courses or other educational programs that were completed, or were attempted but not completed, and the dates of completion or withdrawal;
 - (B) Credit awarded for prior experiential learning, including the course title for which credit was awarded and the amount of credit;
 - (C) Credit for courses earned at other institutions;
 - (D) Credit based on any examination of academic ability or educational achievement used for admission or college placement purposes;

- (E) The name, address, website address, and telephone number of the institution.
- (6) For independent study courses, course outlines or learning contracts signed by the faculty and administrators who approved the course;
- (7) The dissertations, theses, and other student projects submitted by graduate students;
- (8) A copy of documents relating to student financial aid that are required to be maintained by law or by a loan guarantee agency;
- (9) A document showing the total amount of money received from or on behalf of the student and the date or dates on which the money was received;
- (10) A document specifying the amount of a refund, including the amount refunded for tuition and the amount for other itemized charges, the method of calculating the refund, the date the refund was made, and the name and address of the person or entity to which the refund was sent;
- (11) Copies of any official advisory notices or warnings regarding the student's progress; and
- (12) Complaints received from the student.

Note: Authority cited: Sections 94803 and 94877, Education Code. Reference: Sections 94885, 94900 and 94927.5, Education Code.

5 CCR §71930. Maintenance of Records.

- (a) An institution shall maintain all records required by the Act and this chapter. The records shall be maintained in this state.
- (b)(1) In addition to permanently retaining a transcript as required by section 94900(b) of the Code, the institution shall maintain for a period of 5 years the pertinent student records described in Section 71920 from the student's date of completion or withdrawal.
- (2) Notwithstanding (b)(1), the institution shall maintain records relating to federal financial aid programs as provided by federal law.
- (c) A record is considered current for three years following a student's completion or withdrawal. A record may be stored on microfilm, microfiche, computer disk, or any other method of record storage only if all of the following apply:
 - (1) The record may be stored without loss of information or legibility for the period within which the record is required to be maintained by the Act;
 - (2) For a record that is current, the institution maintains functioning devices that can immediately reproduce exact, legible printed copies of stored records. The devices shall be maintained in reasonably close proximity to the stored records at the institution's primary administrative location in California. For a record that is no longer current, the institution shall be able to reproduce exact, legible printed copies within two (2) business days.
 - (3) The institution has personnel scheduled to be present at all times during normal business hours who know how to operate the devices and can explain the operation of the devices to any person authorized by the Act to inspect and copy records; and
 - (4) Any person authorized by the Act or this chapter to inspect and copy records shall be given immediate access to the document reproduction devices for the purpose of inspecting and copying stored records and shall, upon request, reimburse the institution for the reasonable cost of using the institution's equipment and material to make copies at a rate not to exceed ten cents (\$0.10) per page.

(d) The institution shall maintain a second set of all academic and financial records required by the Act and this chapter at a different location unless the original records, including records stored pursuant to subdivision (b) of this section, are maintained in a manner secure from damage or loss. An acceptable manner of storage under this subsection would include fire resistant cabinets.

(e) All records that the institution is required to maintain by the Act or this chapter shall be made immediately available by the institution for inspection and copying during normal business hours by the Bureau and any entity authorized to conduct investigations.

(f) If an institution closes, the institution and its owners are jointly and severally responsible to arrange at their expense for the storage and safekeeping in California of all records required to be maintained by the Act and this chapter for as long as those records must be maintained. The repository of the records shall make these records immediately available for inspection and copying, without charge except as allowed under subdivision (c)(4) of this section, during normal business hours by any entity authorized by law to inspect and copy records.

Note: Authority cited: Sections 94803 and 94877, Education Code. Reference: Sections 94885, 94900 and 94900.5, Education Code.

5 CCR §76140. Record-Keeping Requirements.

(a) A qualifying institution shall collect and maintain records of student information to substantiate the data reported on the STRF Assessment Reporting Form and records of the students' eligibility under the Fund. Such records shall include the following for each student:

- (1) Student identification number,
- (2) First and last names,
- (3) Email address,
- (4) Local or mailing address,
- (5) Address at the time of enrollment,
- (6) Home address,
- (7) Date enrollment agreement signed,
- (8) Courses and course costs,
- (9) Amount of STRF assessment collected,
- (10) Quarter in which the STRF assessment was remitted to the Bureau,
- (11) Third-party payer identifying information,
- (12) Total institutional charges charged, and
- (13) Total institutional charges paid.

(b) The qualifying institution shall maintain the data required under this section in an electronic format that is readily available and open to inspection by the Bureau upon request. The institution shall make the records immediately available to a Bureau representative conducting a site inspection or, upon written request, shall provide a copy within 14 calendar days of the request. All records shall be provided to the Bureau in an intelligible and orderly manner and in an electronic format.

Note: Authority cited: Sections 94803, 94877 and 94923, Education Code. Reference: Section 94923, Education Code.

Tab 23

Additional Documents

Section 23. Self-Monitoring Procedures

Check	Items to include:
	Is section 23 on the application form completely filled out?
	Have you provided a document that describes the procedures used to assure compliance with BPPE?

Section 23. Self-Monitoring Procedures

5 CCR §71320. Self-Monitoring Procedures.

The Form Application 94886 shall contain a description of the procedures used by the institution to assure that it is maintained and operated in compliance with the Act and this Division.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94885, 94887 and 94888, Education Code.

5 CCR §71760. Self-Monitoring Procedures.

Each institution shall develop and maintain adequate procedures used by the institution to assure that it is maintained and operated in compliance with the Act and this Division.

Note: Authority cited: Sections 94803, 94877 and 94885, Education Code. Reference: Sections 94885, 94887 and 94888, Education Code.

Tab 24

Additional Documents

Section 24. Additional Information

Check	Items to include:
	Is section 24 on the application form completely filled out?
	Have you provided a document that describes any material facts that might reasonably affect the Bureau's decisions to grant an approval to operate?
	Have you provided a document that contains any other facts that the institution would like the Bureau to consider in deciding whether to grant an approval to operate?

Section 24. Additional Information

5 CCR §71340. Additional Information.

(a) The institution shall include in the Form Application 94886 any material facts, which have not otherwise been disclosed in the Form Application 94866 that without inclusion would cause the information in the Form Application 94866 to be false, misleading or incomplete or that might reasonably affect the Bureau's decision to grant an approval to operate. In this context, a fact would be "material" if it would alter the Bureau's determination concerning the institution's ability to comply with any applicable provisions of the Act.

(b) The institution may also include in the Form Application 94886 any other facts which the institution would like the Bureau to consider in deciding whether to grant an approval to operate.

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Sections 94887 and 94888, Education Code.

CEC §94887. Granting an Approval to Operate

An approval to operate shall be granted only after an applicant has presented sufficient evidence to the bureau, and the bureau has independently verified the information provided by the applicant through site visits or other methods deemed appropriate by the bureau, that the applicant has the capacity to satisfy the minimum operating standards. The bureau shall deny an application for an approval to operate if the application does not satisfy those standards.

Tab 25

Additional Documents

Section 25. Declaration Under Penalty of Perjury

Check	Items to include:
	Is section 25 on the application form completely filled out?
	Has each owner, CEO or each member of the governing board provided an original signature?
	Is each signature dated?
	Does the information provided in this section match the information provided in section 3 of the application?

Section 25. Declaration Under Penalty of Perjury

5 CCR §71380. Signatures and Certification.

(a) The Form Application 94886 shall be signed and dated, and each fact stated therein and each attachment thereto shall be declared to be true under penalty of perjury, as follows:

- (1) By each owner of the institution, or
- (2) If the institution is incorporated, by the chief executive officer of the corporation and each person who owns or controls 25 percent or more of the stock or interest in the institution, or
- (3) By each member of the governing body of a nonprofit corporation.

(b) The declaration shall be in the following form:

"I declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.

_____ " _____
(Date) (Signature)"

Note: Authority cited: Sections 94803, 94877 and 94888, Education Code. Reference: Section 2015.5, Code of Civil Procedure; and Section 94888, Education Code.



Educational Program Requirements

The Bureau supports California schools in offering high-quality education to diverse populations.

Admissions

- Enforce specific admissions requirements, including minimum levels of prior education, training, or preparation.
- ATB Examinations or High School Graduation documents.
- Project how many students the school plans to enroll each year for the first three years. Explain how you arrived at this number.

Educational Program

- Describe the programs available and what is required to graduate from each program. Include which courses are required and the level of each course, for example “below college level”, “college level”, or “graduate level”.
- Explain the method of instruction. If offering distance education, be prepared to provide an Education Specialist with access to the platform. Are you using current technology, is there meaningful interaction, how are assignments graded?
- State the skills or competencies that students will have by the end of the program.
- State the full title of the program and a specific major or degrees.

General Education

- Offer general undergraduate coursework in subjects like English literature or composition, math, science, or the humanities to ensure breadth of education.
- State what types of general education courses and how many general education courses are required for graduation.

Unaccredited Degree Granting Institutions

If an institution that has not been accredited by an accrediting agency recognized by the United States Department of Education seeks to offer one or more degree programs, the institution shall satisfy the following requirements in order to be issued a provisional approval to operate from the Bureau:

- Provide a plan for achieving institutional accreditation and accreditation covering the offering of at least one, but no more than two (during the term of its provisional approval to operate), degree programs by an accrediting agency recognized by the United States Department of Education. The plan shall include:
 - Identification of the accrediting agency from which the institution will seek accreditation;
 - Identification of the accrediting agency’s eligibility requirements;
 - Identification of the accrediting agency’s minimum requirements for institutional accreditation covering at least one degree program offered by the institution with an outline of the process and timeline for complying within two years of provisional approval with the accrediting agency’s requirements for submission of a completed application for initial accreditation with the required fee; and
 - An outline of the process and timeline whereby the institution will achieve full accreditation within five years of approval, including all of the following, if applicable:

- Attendance at the accrediting agency's required accreditation applicant workshop;
- Submission of financial statements as required by the accrediting agency;
- Submission of a self-evaluation report; and
- Hosting of a site visit by the accrediting agency.
- Applicants that seek to offer only degree programs, will be granted a provisional approval to operate the institution if the application demonstrates compliance.
- Applicants that seek to offer both degree and non-degree programs will be granted an approval to operate for the institution and the non-degree programs, and a provisional approval to offer no more than two degree programs, if the application demonstrates compliance.
- Once a school has obtained institutional accreditation, the accreditor will dictate if and when new degree programs can/will be added.

Faculty

- Calculate the number of faculty needed to support the program.
- Hire enough well-qualified faculty to support the demands of the educational program(s). Faculty members must have relevant credentials, degrees, or experience in their respective field.
- Select faculty with a diverse academic background. Faculty members must not all be graduates of the same institution.
- The average for a full time faculty member is 4 courses per semester based on research conducted by Bureau staff. Explain how the faculty member will participate in the school; consider curriculum development, academic planning, office hours for students, and conduct their own research, etc...
- Base the number of faculty on the number of students and the needs of the students. Calculate how many faculty members are needed based on the frequency and level of student-teacher interaction, faculty responsibilities, etc...

Learning Environment

- Describe the facilities and equipment available for use by students at the main location or any branch or satellite locations.

Job Outlook

- Identify the careers or jobs for which the program prepares students.
- Maintain data on graduates employed in the field.



Approved Schools

Annual Fee

An approved school should expect to receive an Annual Fee Invoice within approximately 30 days of its approval date. The school will receive an Annual Fee Invoice that same month every year thereafter. The annual institutional fee is based on the annual gross revenue for each campus, derived from students in California. The minimum annual fee required for each campus is \$2,500. This fee is separate from the Renewal Fee that approved schools must pay every five years.

94930.5. Fee Schedule

Subject to Section 94930, an institution shall remit to the bureau for deposit in the Private Postsecondary Education Administration Fund the following fees, in accordance with the following schedule:

(d) (1) In addition to any fees paid to the bureau pursuant to subdivisions (a) to (c), inclusive, each institution that is approved to operate pursuant to this chapter shall remit both of the following:

(A) An annual fee for each campus designated by the institution as a main campus location in California, in an amount equal to 0.45 percent of the campus' total gross revenue derived from students in California, but not to be less than two thousand five hundred dollars (\$2,500) and not to exceed sixty thousand dollars (\$60,000).

(B) An annual campus fee for each branch of the institution in an amount equal to 0.45 percent of the branch's total gross revenue derived from students in California, but not to be less than two thousand five hundred dollars (\$2,500) and not to exceed sixty thousand dollars (\$60,000).

(2) The amount of the annual fees pursuant to paragraph (1) shall be proportional to the bureau's cost of regulating institutions under this chapter, but shall not exceed seven hundred fifty thousand dollars (\$750,000) for any institution.

(g) Notwithstanding subdivision (d), effective July 1, 2018, the annual fee for each campus described in subparagraphs (A) and (B) of paragraph (1) of subdivision (d) shall be in an amount equal to 0.55 percent of that campus' total gross revenue derived from students in California, but not to be less than two thousand five hundred dollars (\$2,500) and not to exceed sixty thousand dollars (\$60,000) for each campus.

Student Tuition Recovery Fund (STRF)

Effective January 1, 2015, the Student Tuition Recovery Fund (STRF) assessment rate was changed to zero (\$0) per \$1,000. Approved institutions are required to complete and submit STRF Assessment Reporting Forms quarterly, even though they will no longer be collecting STRF assessments. Institutions will continue to be required to maintain all back-up documentation for STRF

assessments as well. Schools will receive their quarterly STRF Invoice in the mail and should be returned to the Bureau by the due date listed on the form.

Annual Report

Approved schools are required to submit an Annual Report to the Bureau by December 1st of each year. The Annual Report must include specific financial documents along with links to the school's Web site, catalog, and Performance Fact Sheet.

Student Records

All approved schools must ensure a custodian of records for safekeeping of their student's records and transcripts.

Stay Connected

For additional information, please visit the Bureau's Web site at www.bppe.ca.gov. There, schools can request to receive updates via e-mail or find links to the Bureau's Facebook and Twitter pages.

Closed Schools

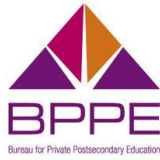
In the unfortunate event that a school closes or becomes aware of the need to close, the school must contact the Bureau's Closed School Unit at least 30 days prior to closing to advise about its plans, and/or pursuant to Title 5, California Code of Regulations, section 76240, in order to provide the Bureau with a closure plan.. For your convenience, a voluntary School Closure Plan Form is available on the Bureau's website (http://www.bppe.ca.gov/schools/success_closure.shtml). If a school closes, the school is responsible to refund the students as required by law.

State or Federal Financial Aid

All approved schools that become eligible for any form of Title IV funding, State funding, Veterans funding etc. should submit written notification to the Bureau to update the school's records.

Accreditation

If an approved school becomes accredited, the institution should submit written notification along with a copy of the accreditor's approval to the Bureau to update the school's records. Any school that is accredited, and loses their accreditation, should also communicate such information to the Bureau via written notification.



INVOICE FOR INDIVIDUAL CAMPUS FOR INSTITUTION'S XXXX ANNUAL FEE

School Code: _____
 Location Type: _____
 Invoice Number: _____
 Institution Approval Month: _____

School Name
Address
City, State Zip

Date Due: _____
 1st Delinquent Date: _____
 2nd Delinquent Date: _____

OFFICE USE ONLY	
Date Stamp	_____
SAIL application #	_____
Application fee	Date _____
School Code	_____
Institution Revenue Code 1258003N	

Please complete the bottom portion of this form and submit the entire invoice to the Bureau with your payment:

- Read the attached instructions before completing this form.
- Each institution and each branch of the institution approved by the Bureau is required to pay an annual fee covering a 12-month period. An individual invoice is generated for each main and branch location. The billing month is determined by the approval month of the institution.
- The fee for each main and branch location is .55% of the annual gross revenue of each location (see attached instructions).
- The annual fee is calculated based on the institution's annual gross revenue for each location, derived from the students in California for the past fiscal year.
- The annual gross revenue reported must be accurate and complete. The institution shall provide to the Bureau its most current financial statement upon request (CCR section 71745(c)).
- A payment not received on or before the 30th calendar day after the due date shall be subject to a **25% penalty fee** and a payment received after the 90th calendar day after the due date shall be subject to a **35% penalty fee**.
- If an institution fails to timely pay any fee and/or penalty fees, the Bureau may initiate proceedings to revoke the institution's approval to operate or deny the institution's renewal to operate (Title 5, California Code of Regulations section 74000).

Provide the dates your Fiscal Year Begins and Ends: Fiscal Year Begins ____/____ Fiscal Year Ends ____/____
 Month/Year Month/Year

This location's Annual Gross Revenue \$ _____ x .0055 = _____
 (minimum \$2,500, maximum \$60,000)

The institution's annual fee due to the Bureau is not to exceed \$750,000. **Total Amount Due: \$** _____

I declare under penalty of perjury under the laws of the State of California that the information herein reported is true and correct.

Signature of person preparing this form: _____ Date: _____

Print name of person preparing this form: _____
 Title of person signing this form: _____



SC: XXXXXXXX
 Report/Due Date: XX/XX/XX

Institution Name
 Institution Address
 City, STATE ZIP

STUDENT TUITION RECOVERY FUND ASSESSMENT REPORTING FORM

(California Education Code §94923; Title 5, California Code of Regulations §76120-76140)

Effective January 1, 2015, the Student Tuition Recovery Fund (STRF) assessment rate has changed from fifty cents (\$.50) per one thousand dollars (\$1000) of school charges to zero (\$0). Although schools will no longer be collecting STRF assessments, **schools will still be required to maintain all back-up documentation for STRF and submit STRF Assessment Reporting Forms quarterly.** Please continue to follow Form/STRF-2/10 instructions when completing the STRF Assessment Reporting Form.

Reporting Period: ___ Quarter 20XX (__/__/__ - __/__/__)

A	Enter the total number of students who signed enrollment agreements during the reporting period indicated above.	
B	Enter the total number of those students on line (A) who are eligible for STRF.	
C	Enter the total number of students from line (B) who have made their first payment and STRF has been collected during this reporting period.	
D	Enter the total number of students who signed enrollment agreements in prior reporting periods and who have made their first payment and STRF has been collected during this reporting period.	
E	Enter the total school charges (after rounding each student's school charges to the nearest \$1,000) for all eligible STRF students from on line (C) and (D).	\$
F	Calculate STRF assessment due. Multiply the amount on line (E) by 0. Effective January 1, 2015, schools shall discontinue collecting STRF assessments.	\$0.00
	Total Payment Due.	\$0.00

“I declare under penalty of perjury under the laws of the State of California that the information herein reported is true and correct.”

Signature of Preparer: _____ Date _____

Printed Name: _____

Phone Number: _____



Substantive Changes

If an institution intends to make a substantive change to its approval to operate, the institution shall receive prior authorization from the bureau. Except as provided in subdivision (a) of Section 94896, if the institution makes the substantive change without prior bureau authorization, the institution's approval to operate may be suspended or revoked. (CEC §94893)

The following changes to an approval to operate are considered substantive changes and require prior authorization (CEC §94894):

- A change in educational objectives, including an addition of a new diploma or a degree educational program unrelated to the approved educational programs offered by the institution.
- A change in ownership.
- A change in control.
- A change in business organization form.
- A change of location.
- A change of name.
- A significant change in the method of instructional delivery.
- An addition of a separate branch more than five miles from the main or branch campus.

Non-Substantive Changes

5 CCR §71660. Notification of Non-Substantive Changes.

An institution shall notify the Bureau of a non-substantive change including: change of location of less than 10 miles; addition of a program related to the approved programs offered by the institution; addition of a new branch five miles or less from the main or branch campus; addition of a satellite; and change of mailing address. All such notifications shall be made within 30 days of the change and sent to the Bureau, in writing, to the address listed in section 70020.

Note: Authority cited: Sections 94803 and 94885, Education Code. Reference: Sections 94823.5, 94893, 94894, 94895 and 94896, Education Code.



Complaints

Who Can File A Complaint?

A student or any member of the public may file a complaint with the Bureau. Institutions are required, by law, to provide students with a disclosure regarding the filing of complaints. It is a violation of law for an institution to engage in any unfair act in order to prevent someone from filing a complaint with the Bureau.

What Types of Complaints are Investigated?

The Bureau investigates complaints against Bureau approved and unapproved private postsecondary institutions.

What Can I Expect if Someone Files a Complaint?

- The complaint is assigned to an analyst that works with the complainant and the institution to collect evidence to prove or disprove the allegations of the complaint.
- The evidence is analyzed to determine if there is a violation of the California Private Postsecondary Act of 2009 or the associated regulations.
- If there is not enough evidence to substantiate a violation of the law, the complaint is closed and the complainant and institution are notified.
- If the evidence collected substantiates a violation of the law, a citation may be issued or other disciplinary actions may be taken through the administrative process.
- All disciplinary actions are public record and are posted to the Bureau's website.

What Happens during the Administrative Process?

- The Bureau files an administrative case with the Office of the Attorney General.
- The institution is served with an accusation, a legal document outlining the violations.
- A hearing is held before an Administrative Law Judge (ALJ).
- The ALJ renders a proposed decision using the Bureau's Disciplinary Guidelines.
- The Director of the Department of Consumer Affairs signs the Decision and Order.
- Institution has the right to appeal the Decision and Order through the Superior Court.