



Bureau for Private Postsecondary Education
Notice of Advisory Committee Meeting and Agenda

Wednesday, February 26, 2025
9:30 a.m.

NOTE: The Bureau for Private Postsecondary Education will hold a public meeting via the WebEx platform in accordance with Government Code section 11123.2. Pursuant to Government Code section 11123.5(f), the Bureau is also providing the following location for members of the public to participate via WebEx:

Department of Consumer Affairs
1625 North Market Blvd., El Dorado Room Suite N-220
Sacramento, CA 95834

INSTRUCTIONS FOR OBSERVATION VIA WEBCAST:

Webcast of the meeting will be available at 9:30 a.m. on February 26, 2025, and viewable at <https://thedcapage.blog/webcasts>.

FOR PARTICIPATION VIA WEBEX, PLEASE LOG ON TO THIS WEBSITE:

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=m14f8d7d63af23f8380b34e29d09c86b5>

Event Number: 2482 786 5196 Event Password: BPPE226

The preferred audio connection is via phone bridge. The phone number and access code will be provided as part of your connection to the meeting. General instructions for using WebEx can be found at the end of the agenda.

Important Notices to the Public: The Advisory Committee Meeting is open to the public. Members of the public may, but are not obligated to, provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will need to provide a unique identifier such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment; participants who choose not to provide their email address may utilize a fictitious email address like in the following sample format:
XXXXX@mailinator.com.

The Advisory Committee Meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Richie Barnard at (279) 666-5875, by emailing richie.barnard@dca.ca.gov or sending a written request to the Bureau for Private Postsecondary Education, P.O. Box 980818, West Sacramento, CA 95798-0818. Providing your request at least five business days before the meeting will help ensure availability of the requested accommodation.

Discussion and action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Chair. In the event a quorum of the committee is unable to attend the meeting, or the committee is unable to maintain a quorum once the meeting is called to order, the members present may, at the Chair's discretion, continue to discuss items from the agenda and make recommendations to the full committee at a future meeting.

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the committee or prior to the committee taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issues before the Advisory Committee, but the Chair may, at the Chair's discretion, apportion available time among those who wish to speak. If public comment is not specifically requested, members of the public should feel free to request an opportunity to comment. Individuals may present to the Advisory Committee on items not on the agenda, however, the committee can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125, 11125.7(a)).

The Advisory Committee plans to webcast this meeting at <https://thedcapage.blog/webcasts>. Webcast availability cannot, however, be guaranteed due to limited resources or technical difficulties. The meeting will not be cancelled if webcast is not available. Using the WebEx link will allow for participation and observation with closed captioning.

Agenda

The public may provide appropriate comment on any issue before the Advisory Committee at the time the item is discussed. If public comment is not specifically requested, members of the public should feel free to request an opportunity to comment.

1. Welcome, Introductions, and Establishment of a Quorum
2. Public Comment on Items not on the Agenda (Note: The Advisory Committee may not discuss or take action on any matter raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125 and 11125.7(a))
3. Review and Approval of November 13, 2024, Advisory Committee Meeting Minutes
4. Remarks by a Representative of the Department of Consumer Affairs, which may include updates pertaining to the Bureau's Operations, Human Resources, Department's Administrative Services, Enforcement, Information Technology, Communications and Outreach, as well as Regulatory and Policy Matters
5. Bureau Operations Update and Discussion related to the following:
 - a. IT System Project
 - b. Licensing Report
 - c. Quality of Education Report
 - d. Annual Report Update
 - e. Compliance and Discipline Report
 - f. Complaint and Investigation Report
 - g. Office of Student Assistance and Relief (OSAR) Report
 - h. Student Tuition Recovery Fund (STRF) Report

6. Status Update and Discussion on the Following Regulatory Matters
 - a. Catalog Requirements (California Education Code (CEC) section 94909; Title 5, California Code of Regulations (5 CCR) section 71810).
 - b. Unapproved Activity (CEC sections 94886 and 94944; 5 CCR sections 75020 and 75030).
7. Future Agenda Items
8. Adjournment

1. Welcome, Introductions, and Establishment of a Quorum

Members:

- Leigh Ferrin, Chair
- Tess Kraiker, Vice Chair
- Robert Boykin
- Kansen Chu
- Melanie Delgado
- Joseph Holt
- Robyn Smith
- Tracy Tambascia
- Michael Zimmerman
- Senator Angelique Ashby
- Assemblymember Mike Fong



2. Public Comment on Items not on the Agenda

(Note: The Advisory Committee may not discuss or take action on any matter raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125 and 11125.7(a))



3. Review and Approval of
November 13, 2024, Advisory
Committee Meeting Minutes





Advisory Committee Meeting Minutes Wednesday, November 13, 2024

WebEx Meeting

Advisory Committee Members in Attendance

Robert Boykin
Melanie Delgado
Leigh Ferrin
Joseph Holt
Tess Kraiker
Robyn Smith

Committee Members Absent

Kansen Chu
Tracy Tambascia
Assemblymember Mike Fong
Senator Angelique Ashby

Bureau for Private Postsecondary Education (Bureau) and Department of Consumer Affairs (DCA) Staff in Attendance

Deborah Cochrane, Bureau Chief
Linh Nguyen, DCA Legal Counsel
Elizabeth Elias, Deputy Bureau Chief
Manila Vongmany, Deputy Bureau Chief
Greg Donkerbrook, Bureau Licensing Chief
Daniel Rangel, Bureau Enforcement Chief
Ebony Santee, Bureau Education Administrator
Scott Valverde, Office of Student Assistance and Relief Chief
Yvette Johnson, Bureau Administration Chief
Parker Strohmeyer, Bureau Legislative/Regulation Specialist
Korrina Moreno, DCA Representative

Agenda #1 - Welcome, Introductions, and Establishment of a Quorum

Committee Chair, Leigh Ferrin, called the meeting to order.

Agenda #2 - Public Comment on Items not on the Agenda

One member of the public provided a comment.

Agenda #3 - Review and Approval of May 15, 2024, Advisory Committee Meeting Minutes

Public Comment

No public comment.

Tess Kraiker moved to approve the August 20, 2024, meeting minutes; Melanie Delgado seconded the motion.

Vote

(Leigh Ferrin: Aye; Tess Kraiker: Aye; Robert Boykin: Aye; Melanie Delgado: Aye; Joseph Holt: Aye; Robyn Smith: Aye)

The motion passed.

Agenda #10 – Chair and Vice Chair Elections (taken out of order)

Leigh Ferrin was nominated for Chair.

Tess Kraiker was nominated for Vice Chair.

Public Comment

No public comment.

Vote for Leigh Ferrin as Chair

(Leigh Ferrin: Abstain; Tess Kraiker: Aye; Robert Boykin: Aye; Melanie Delgado: Aye; Joseph Holt: Aye; Robyn Smith: Aye)

The nomination passed.

Vote for Tess Kraiker as Vice Chair

(Leigh Ferrin: Aye; Tess Kraiker: Abstain; Robert Boykin: Aye; Melanie Delgado: Aye; Joseph Holt: Aye; Robyn Smith: Aye)

The nomination passed.

Agenda #4 - Remarks by Representative of the Department of Consumer Affairs

Korrina Moreno provided an update on the Department of Consumer Affairs (Department).

Ms. Moreno reported on upcoming training for board and committee members. She stated that Unconscious Bias training will be available in the Learning Management System (LMS) for members in early 2025 and will be an annual requirement.

Public Comment

No public comment.

Agenda #5 – Bureau Operations Update and Discussion

Update on the Bureau’s IT System Project

Deborah Cochrane, Bureau Chief, provided an update on the Bureau’s IT system project. She noted that the team is working diligently towards an early 2025 conversion from the legacy IT system to the new IT system. She stated that substantial staff and resources are being provided for product development and testing. She noted that staff are currently reaching out to every institution by phone to confirm or collect current contact information in preparation for upcoming updates regarding the new IT system.

Public Comment

No public comment.

Licensing Report

Greg Donkerbrook, Bureau Licensing Chief, reported on the Licensing Unit. He outlined Attachment 5(b).

Joseph Holt asked if there has been any analysis of the updated number of approved institutions regarding revenue and fees. Mr. Donkerbrook responded that previous fee models

were based on annual fee revenue and data received by institutions and not based on the number of institutions previously reported to the Committee.

Public Comment

One member of the public provided a comment.

Quality of Education Report

Ebony Santee, Bureau Education Administrator, reported on the Quality of Education Unit (QEU). She outlined Attachment 5(c).

Public Comment

One member of the public provided a comment.

Annual Report (AR) Report

Elizabeth Elias, Bureau Deputy Chief, reported on the Annual Report Unit. She outlined Attachment 5(d).

Public Comment

No public comment.

Compliance and Discipline Report

Ms. Elias reported on the Compliance and Discipline Unit. She outlined Attachment 5(e).

Mr. Holt asked for clarification on actions taken during announced and unannounced inspections. He asked what violations are more common with each type of inspection. Ms. Elias responded that there is more often no staff available to provide records during unannounced inspections, which is a material violation that leads to an enforcement referral. She added that she would need to review the data to provide a more detailed response.

Public Comment

No public comment.

Complaint and Investigation Report

Daniel Rangel, Bureau Enforcement Chief over complaints and investigations, reported on the Complaint and Investigation Unit. He outlined Attachment 5(f).

Robyn Smith asked what causes delays in case completions. Mr. Rangel stated that various reasons that lead to delays. He explained that there are many complex and lengthy investigations. He noted that cases going to hearings require extensive preparation. He added that staff focus on quality investigations to ensure due diligence is performed before closing a case or referring a case to discipline.

Public Comment

No public comment.

Office of Student Assistance and Relief (OSAR) Report

Scott Valverde, OSAR Chief, reported on the OSAR Unit. He outlined Attachment 5(g).

Ms. Smith asked if OSAR collaborates with legal aid groups when a school closes. Mr. Valverde responded that staff have been trained on and made aware of legal aid groups, and he noted that staff have referred students to legal aid groups when appropriate.

Public Comment

No public comment.

Student Tuition Recovery Fund (STRF) Report

Yvette Johnson, Bureau Administration Chief, provided a report on STRF. She covered Attachment 5(h).

Ms. Smith asked for a status on the pending Corinthian claims. Ms. Johnson responded that most of the claims pending are awaiting documentation indicating that the loan has been discharged by the Federal government. She noted that total economic loss cannot be calculated until that documentation is received.

Public Comment

No public comment.

Agenda Item #6 - Status Updates and Discussion on Regulatory Proposals

Parker Strohmeier, Bureau Legislative/Regulation Specialist, provided a status update on Bureau regulatory matters. He outlined the Bureau Regulations Tracker in the meeting materials.

Mr. Strohmeier outlined the memo, included in the meeting materials, titled Ensuring Students' Access to Records After Institutional Closure. He asked for Committee feedback on the questions listed in the memo.

Ms. Smith commented that schools that close suddenly are often incapable of implementing closure plans.

Ms. Ferrin asked how frequently closure plans are reported to the Bureau. Mr. Strohmeier responded that institutions initially applying for non-accredited approval are required to provide a Custodian of Records (COR). He stated that when an institution closes it is required to provide a COR again on the Closure Plan form. Ms. Smith asked if the Bureau contacts the COR on an annual basis to verify contact information and to ensure the COR understands their obligations. She suggested requiring institutions to more frequently verify COR contact information.

Mr. Holt commented that there should be more specific regulatory language related to academic records. He explained that technological advancements have made it much easier to secure student records. He referenced the use of third-party vendors that store and provide transcripts to students for a small fee.

Ms. Smith pointed out that third-party vendors generally only provide transcripts. She continued that students sometimes also need other types of student records like the student ledger, enrollment agreement, and attendance records. She suggested more regulatory clarity on what documents institutions need to maintain and provide to either a COR or the Bureau upon closure.

Ms. Smith commented that it would be helpful to better define the role of a COR and ensure institutions inform COR of their obligations. She stated that part of the problem is that some CORs are only paid for a set period and don't want to store and provide records in perpetuity when they are not paid in perpetuity. She continued that there needs to be provisions regarding the transfer of student records from the COR to the Bureau if the COR is ever unable to maintain the records. She added it is also important to specify COR contact information and how requests for student records are processed by CORs.

Ms. Smith stated that it would be better to not have a school owner as the COR because when a school closes the owner may be unable to fulfill the requirements of a COR. She stated it would be beneficial to have a third party take over student records at that point.

Ms. Ferrin noted that it could be beneficial to consider requiring institutions to have a backup COR.

Ms. Smith stated that student privacy issues should also be considered. She explained that it's important to not allow scammers to attain student records.

Ms. Smith stated that digitizing records makes maintaining and distributing records easier. She noted the importance of having certain measures in place to secure records. She explained that many schools are unable to or insufficient in maintaining records after closing, and the Bureau should plan to have a larger role in maintaining student records.

Ms. Smith stated that it would be better to have a broad definition of student records as opposed to a narrow one because of the difficulty and effort it takes to sort out specific documents from student records.

Public Comment

One member of the public provided a comment.

Agenda #8 – Collaboration with the California Office of Data and Innovation to Use Data to Support Prioritization of Inspections and Investigations (CEC section 94941)

Ms. Elias provided an overview of the data prioritization project and collaboration with the California Office of Data and Innovation (ODI). She outlined the slides provided in the meeting packet under Item #8.

Kim Hicks, ODI Deputy Director, provided an overview of ODI and data services. She referenced the slides included in the meeting packet.

Rocio Mora, ODI Senior Data Analyst, detailed the data science accelerator engagement and collaboration ODI had with the Bureau. She outlined the corresponding slides in the meeting packet.

Ms. Elias summarized the impacts and outcomes of the collaboration.

Ms. Kraiker stated that it is great anytime you can be strategic and prioritize data. She asked if prioritization would change the timing and frequency of visits for existing institutions. Ms. Elias stated that this tool is intended to inform prioritization. She continued that inspections and investigations which are routinely assigned will be prioritized based on flags of potential greater risk. Ms. Kraiker asked how this tool could impact current inspections and investigations. Ms. Elias noted that this tool is new, and the exact impact is unknown.

Ms. Kraiker asked if the Bureau will provide future reporting on the data prioritization at future Committee meetings. Ms. Elias responded that the Bureau will be able to provide future reporting on the tool but that what that reporting entails will need to be determined.

Mr. Holt asked what date range of annual report data is being utilized by the tool. Ms. Elias stated that the tool utilizes data from the current reporting year and the previous three years of reporting. She noted that, as the years progress, the tool will continue to utilize data from the current reporting and the previous three years.

Mr. Holt asked what determined the risk factors used in the prioritization tool. Ms. Elias responded that the risk factors are listed under CEC section 94941. Mr. Holt noted it will be useful moving forward to see what correlations there may be between the risk factors flagged and school closures.

Ms. Smith asked if risk factor criteria can be added if identified in the future. Ms. Elias responded that it is possible to add additional risk factors. She noted that after analyzing trends over time the Bureau will be able to reexamine data to identify high-risk schools.

Public Comment

No public comment.

Agenda #9 – Future Meeting Dates

No conflicts were identified for the proposed 2025 meeting dates listed in the meeting packet.

Public Comment

No public comment.

Agenda #10 – Future Agenda Items

The Committee asked for future updates on the prioritization tool.

Public Comment

No public comment.

Agenda #11 – Adjournment

The meeting adjourned at 1:31 pm.

4. Remarks By A Representative Of The Department Of Consumer Affairs

(Note: May include updates pertaining to the Bureau's Operations, Human Resources, Department's Administrative Services, Fees, Enforcement, Information Technology, Communications and Outreach, as well as Regulatory and Policy Matters)



5. Bureau Operations Update and Discussion related to the following:

- a. IT System Project
- b. Licensing Report
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Licensing Statistics

Q2, FY 2024-25

Bureau for Private Postsecondary Education
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FY 2024/25 Q2 LICENSE APPLICATIONS – PENDING APPLICATIONS


Application	Current Quarter			Fiscal Year to Date			End of Quarter
	Received	Approved	Completed	Received	Approved	Completed	Total Pending
New Full Approval	6	8	12	17	12	17	104
New Acc Approval	4	3	4	16	10	18	9
Renewal Full	17	18	21	28	36	48	79
Renewal Accredited	17	10	10	31	32	34	44
Changes Full	19	17	24	40	39	51	63
Changes Accredited	29	21	23	61	54	64	38
Verification of Exemption	73	31	58	161	108	163	40
Out of State Registration	13	7	10	16	11	15	19

FY 2024/25 Q2 APPLICATION TIMEFRAMES

Application	Current Quarter				Fiscal Year to Date		12 Month Rolling Average	
	Avg Days To Approve	Avg Days To Complete	Days to Approve Low	Days to Approve High	Avg Days To Approve	Avg Days to Complete	Avg Days To Approve	Avg Days to Complete
New Full Approval	619	507	385	1170	569	537	508	493
New Acc Approval	77	91	55	100	103	84	46	62
Renewal Full	452	471	133	1205	393	458	480	549
Renewal Accredited	207	207	15	377	202	195	201	191
Changes Full	136	180	12	560	158	188	166	193
Changes Accredited	113	114	11	576	72	103	65	91
Verification of Exemption	20	56	3	76	29	30	30	31
Out of State Registration	55	63	5	245	47	55	45	53

FY 2024/25 Q2 Statewide Population by Location Type & Approval Type

Location Type for Approval to Operate	Main	Branch	Satellite	Total
	888	306	340	1534



Approval Types Population	ABMA (Accredited)	Full (Non-Accredited)	Conditional ^a	Out of State Registration
	387	501	0	122

^a Conditional approvals are issued for a period up to six months when an institution is in substantial compliance, but minor deficiencies exist (California Code of Regulations section 71400(d)(1)).

Licensing Workshops

- The Bureau offers online, interactive Licensing Workshops for Institutions to help them understand how to complete a first-time application.
- Institutions may register on the Bureau's website:
https://www.bppe.ca.gov/schools/application_workshops.shtml

- FY 24/25

- Q3 Workshops

- January 21, 2025
 - February 18, 2025
 - March 18, 2025

Prior Workshop Dates	Location	Registrants	Attendees
October 22, 2024	Teams Webinar	33	25
November 19, 2024	Teams Webinar	38	36
December 17, 2024	Teams Webinar	22	18

Submit questions and/or comments to:

Gregory Donkerbrook

Bureau for Private Postsecondary Education

1747 N. Market Blvd, Suite 225

Sacramento, CA 95834

(916) 574-7216

gregory.donkerbrook@dca.ca.gov

QEU Statistics on Accreditation Tracking

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Status of Institutions Granted Provisional Approval for Degree Programs

Includes provisionally approved degree programs authorized under CEC sections 94885(c), 94885.5, 94885.7

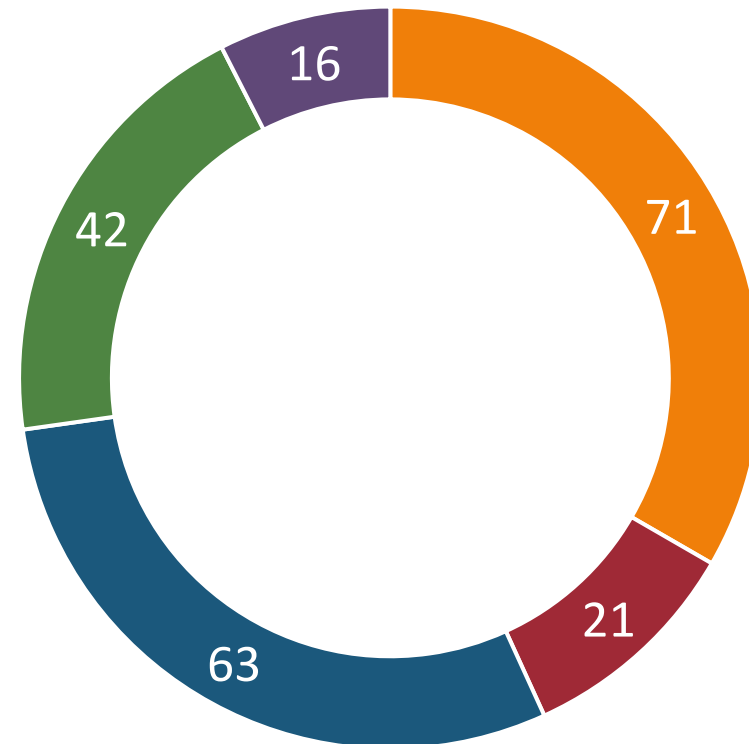
Outcome	Institution Count
Accredited	23
Closed or Approval Expired	14
Exempt	2
Surrendered Degrees	19
Suspended Degrees	12
Pursuing Accreditation	27
Total	97

Provisionally Approved Degree Program Outcomes

Includes institutions with provisionally approved degree programs that have concluded their efforts to obtain accreditation; excludes institutions still pursuing accreditation.

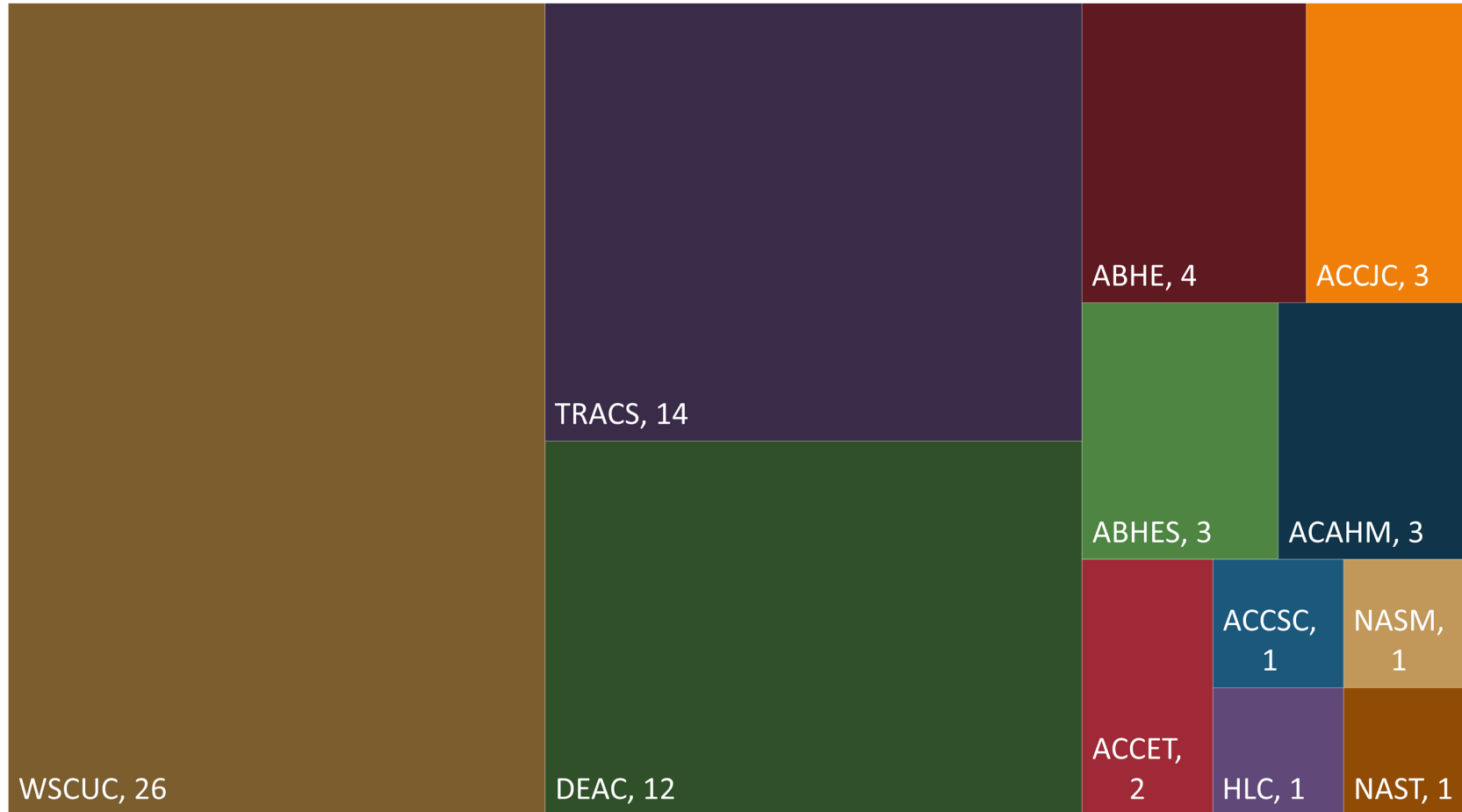
Total Institution Count: 213

- Obtained Accreditation
- Became Exempt
- Institution Closed
- Degree Programs Surrendered
- Degree Programs Suspended



Accrediting Agency Outcomes

Includes institutions that received provisional approval to offer degree programs and obtained accreditation



- ABHE: Association for Biblical Higher Education
- ABHES: Accrediting Bureau of Health Education Schools
- ACAHM: Accrediting Commission for Acupuncture & Herbal Medicine
- ACCJC: Accrediting Commission for Community and Junior Colleges
- ACCET: Accrediting Council for Continuing Education & Training
- ACCSC: Accrediting Commission of Career Schools and Colleges
- HLC: Higher Learning Commission
- DEAC: Distance Education Accrediting Commission
- NASM: National Association of Schools of Music
- NAST: National Association of Schools of Theater
- TRACS: Transnational Association of Christian Colleges and Schools
- WSCUC: WASC Senior College and University Commission

Submit questions and/or comments to:

Ebony Santee

Bureau for Private Postsecondary Education

1747 N. Market Blvd, Suite 225

Sacramento, CA 95834

(279) 895-6081

Ebony.Santee@dca.ca.gov

Annual Report Update Q2, FY 2024-2025

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2023 Annual Report

- Report due December 1, 2024
- Reminder: Any changes to a physical or mailing address, contact person, agent for process and/or custodian of record must be updated timely. If your institution has had any recent changes, please reach out to the Licensing Unit at BPPE.Licensing@dca.ca.gov to update your information.

2023 Annual Report Components

- Report Submission Must Include
 - ❖ PORTAL
 - Annual Report Data
 - School Performance Fact Sheets
 - 2022 Catalog
 - Enrollment Agreements
 - Graduate Identification Data
 - ❖ MAIL – HARD COPY
 - Financial Statements

Initiated Annual Report Submissions

Data as of 1/29/2025 and reflects Institutions who created a workflow in the Annual Report Portal.

Annual Report Reporting Year	Jul.	Aug.	Sept.	Oct.	Nov.	Dec. 1 st (Due Date)	After Dec. 1 st (After Due Date)	Total Institutions Initiating Annual Report Submission
2020	1	36	44	88	437	80	177	863
2021	0	31	40	77	453	53	187	841
2022	0	46	47	107	447	48	122	817
2023	0	47	34	119	516	26	79	821

School Performance Fact Sheet Workshops

- The Bureau offers School Performance Fact Sheet (SPFS) Workshops for Institutions to help them understand the Bureau's laws and regulations.
- Workshops are conducted in an online and interactive format.
- Institutions are encouraged to register online at the Bureau's website:
 - https://bppe.ca.gov/schools/school_per_f_workshops.shtml
- Upcoming Workshops:
 - March 21, 2025
 - April 25, 2025
 - May 23, 2025

School Performance Fact Sheet Workshops FY 2024-2025

Date	Attendees
July 2024	21
August 2024	29
September 2024	33
October 2024	18
November 2024	20
December 2024	12

Submit questions and/or comments to:

Elizabeth Elias

Bureau for Private Postsecondary Education

1747 N. Market Blvd, Suite 225

Sacramento, CA 95834

(279) 212-1986

elizabeth.elias@dca.ca.gov

Compliance & Discipline Report Q2, FY 2024-2025

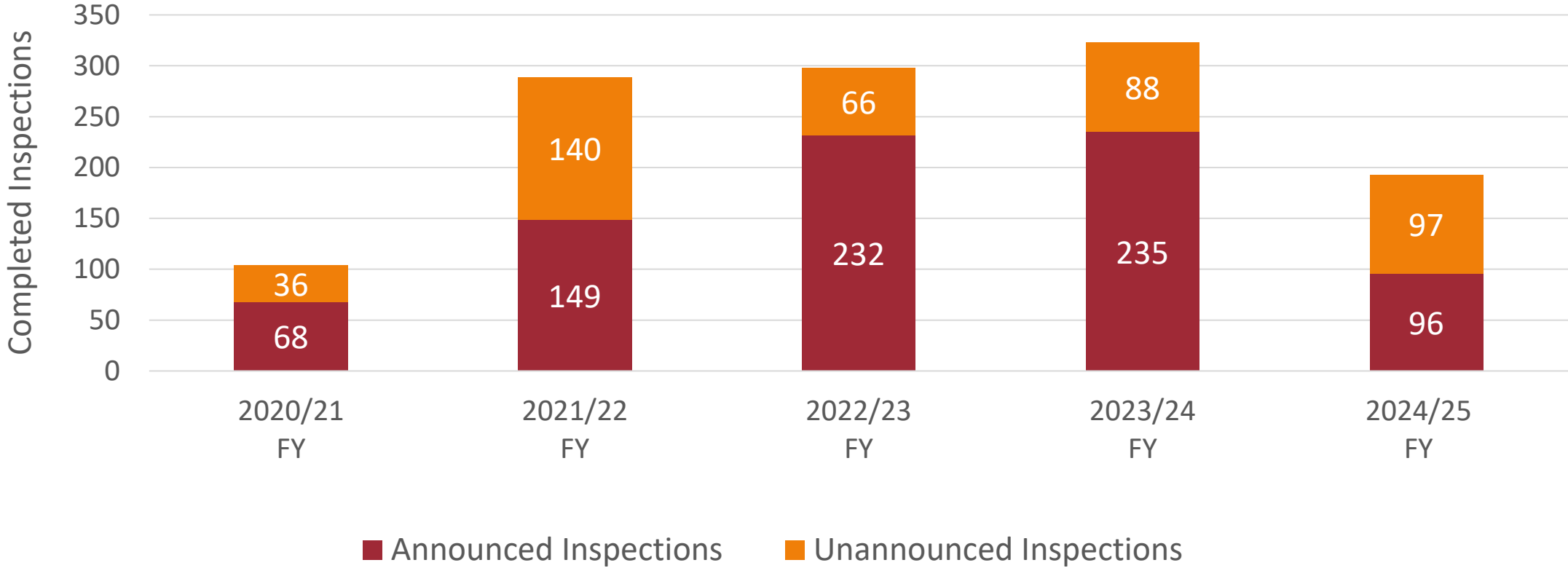
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Inspections

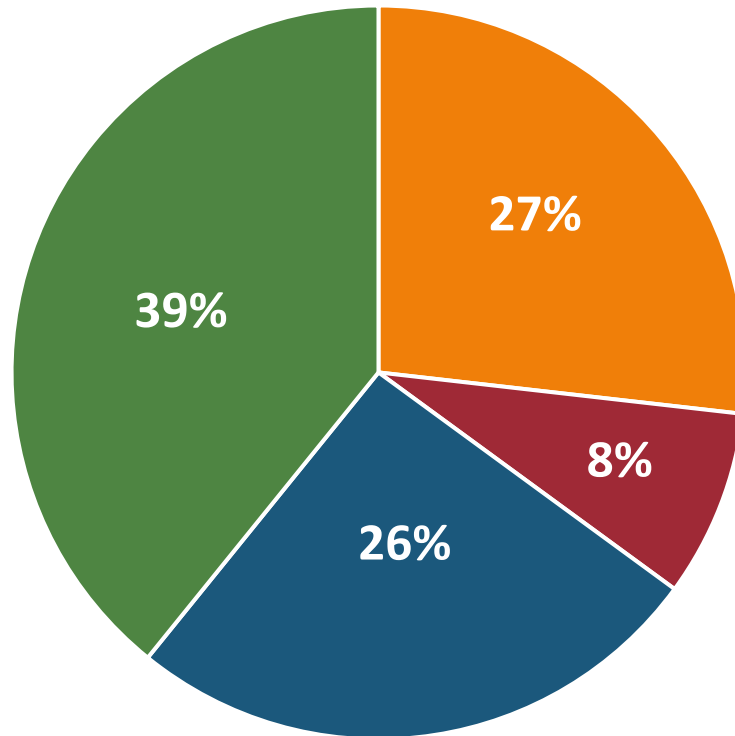
INSPECTIONS	FY	FY	FY	FY	FY				
	2020/21	2021/22	2022/23	2023/24	2024/25				
	YTD	YTD	YTD	YTD	Q1	Q2	Q3	Q4	YTD
Total Inspections	104	289	298	323	87	106			193
Announced Inspections	68	149	232	235	43	53			96
Unannounced Inspections	36	140	66	88	44	53			97

Inspections by Type

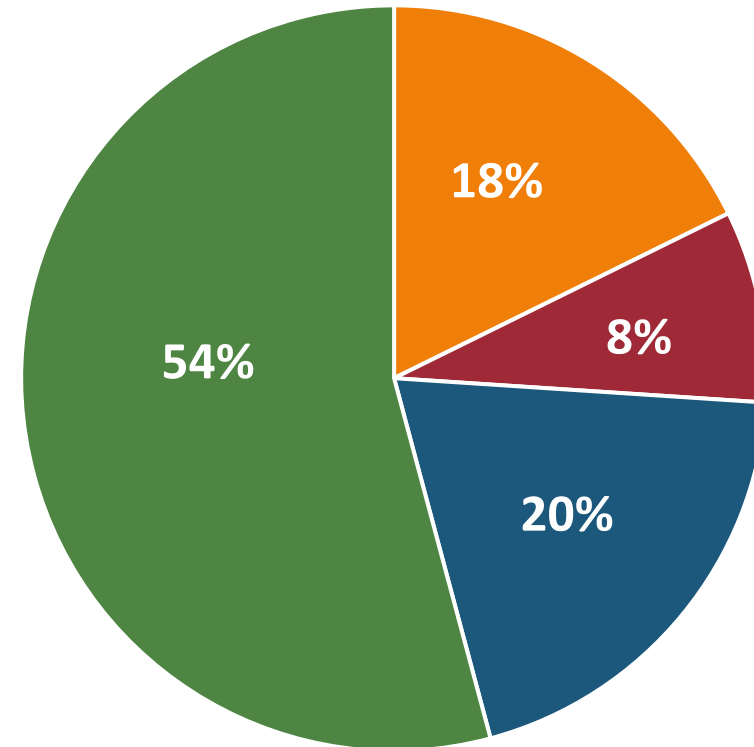


Inspection Results, FY 2024-25 – YTD through Q2

Unannounced Inspections



Announced Inspections



■ Enforcement Referral (ER) ■ Notice to Comply (NTC) ■ NTC and ER ■ No Action Taken

Compliance Workshops

- The Bureau offers Compliance Workshops for Institutions to help them understand the Bureau's laws and regulations.
- Workshops are held monthly and are conducted in an online and interactive format.
- Institutions are encouraged to register online at the Bureau's website:
https://bppe.ca.gov/enforcement/compliance_workshops.shtml
- Upcoming Workshops
 - March 19, 2025

Compliance Workshop Attendance FY 2024-25	
Workshop Date	Attendees
July 2024	18
August 2024	34
September 2024	38
October 2024	45
November 2024	12
December 2024	37

Enforcement Actions Resulting from an Accusation

Actions Taken	FY 20/21	FY 21/22	FY 22/23	FY 23/24	FY 2024-2025				
	YTD	YTD	YTD	YTD	Q1	Q2	Q3	Q4	YTD
Default: Revocation	7	7	5	1	2	4			6
PC 23	0	0	2	0	1	0			1
Proposed Decision (Hearing Outcome): Order to Comply	0	0	1	0	0	0			0
Proposed Decision (Hearing Outcome): Revocation	1	0	3	0	1	0			1
Rejected by DAG	1	1	1	0	0	0			0
Stipulated Settlement: Probation	1	0	1	0	0	0			0
Stipulated Settlement: Probation Extended	0	0	0	0	0	1			1
Stipulated Settlement: Surrender	4	2	0	1	0	0			0
Stipulated Settlement: Revocation	0	0	1	2	1	0			1
Stipulated Settlement: Public Reproval	1	0	0	0	0	0			0
Withdrawn By Bureau: Citation Issued	0	0	0	0	1	0			1
Withdrawn by Bureau: Violations Resolved	0	1	0	0	0	2			2
Total Actions Taken:	15	11	14	4	6	7	0	0	13

Enforcement Actions Resulting from a Statement of Issues

Actions	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25				
	YTD	YTD	YTD	YTD	Q1	Q2	Q3	Q4	YTD
Proposed Decision (Hearing Outcome): Denial Upheld	0	2	3	0	0	0			0
Stipulated Settlement: Probation Extended	0	0	0	1	0	0			0
Withdrawn: Approval Granted (Mitigation Satisfied Deficiencies)	3	1	4	1	1	1			2
Withdrawn: Revocation of Approval to Operate	0	0	0	0	1	0			1
Withdrawn: Denial Upheld (Appeal Withdrawn by Institution)	6	2	1	1	0	0			0
Withdrawn: Exempt Institution	2	0	0	1	0	0			0
Withdrawn: Approval Granted (Citation Issued)	0	0	0	1	0	0			0
Total Actions Taken:	11	5	8	5	2	1	0	0	3

Additional Enforcement Actions

	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/2025				
	YTD	YTD	YTD	YTD	Q1	Q2	Q3	Q4	YTD
Emergency Decisions	1	0	2	1	0	0			0
Automatic Suspensions	10	4	1	2	1	0			1

Open Cases at the Attorney General's Office Pending Disciplinary Action

As of 12/31/2024	Total Cases Transmitted (Number of Cases the Bureau has initiated Disciplinary Action)	Total Cases Filed (Cases Pending Adjudication and Public)
Accusations	20	5
Statement of Issues	11	5
Totals:	31	10

Citations Issued

	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25				
	YTD	YTD	YTD	Q1	Q2	Q3	Q4	YTD
Citations Issued	146	153	280	74	80			154
Number of Approved Institutions Cited	126	133	207	<i>Quarterly numbers not provided due to duplication within the year</i>				124
Number of Unapproved Institutions Cited	15	11	24	<i>Quarterly numbers not provided due to duplication within the year</i>				20

Disciplinary Actions by Month



BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
 DEPARTMENT OF CONSUMER AFFAIRS • BUREAU FOR PRIVATE POSTSECONDARY EDUCATION
 1747 N. Market Blvd., Suite 225, Sacramento, CA 95834
 P (916) 574-8900 | Toll-Free (888) 370-7589 | www.bppe.ca.gov



https://www.bppe.ca.gov/enforcement/disciplinary_actions.shtml

BUREAU FOR PRIVATE POSTSECONDARY EDUCATION DISCIPLINARY ACTIONS – JULY 2022

This notice displays Institutions who have had disciplinary actions filed and taken by the Bureau during July 2022. To view documents related to a disciplinary action, please follow the directions listed below:

1. Visit www.bppe.ca.gov.
2. Select [Enforcement](#) from the top menu.
3. Then select [Disciplinary Actions](#).
4. Find the Institution's name. Institutions are listed in alphabetical order.
5. Documents listed below the Institution's name include information regarding the cause(s) for violations and the disciplinary orders issued.

DISCIPLINARY ACTION FILED	
Institution Name:	California Vocational Academy
Institution Code:	41462892
Case Number:	BPPE22-043
Date Filed:	July 14, 2022
Date Served:	July 15, 2022
Disciplinary Action Filed:	Accusation
Institution Name:	Deep Creek Construction School
Institution Code:	3604681
Case Number:	BPPE21-550
Date Filed:	July 20, 2022
Date Served:	July 27, 2022
Disciplinary Action Filed:	Accusation
Institution Name:	South Bay Massage College
Institution Code:	1936381
Case Number:	BPPE21-384
Date Filed:	July 8, 2022
Date Served:	July 8, 2022
Disciplinary Action Filed:	Accusation

Submit questions and/or comments to:

Elizabeth Elias

Bureau for Private Postsecondary Education

1747 N. Market Blvd, Suite 225

Sacramento, CA 95834

(279) 212-1986

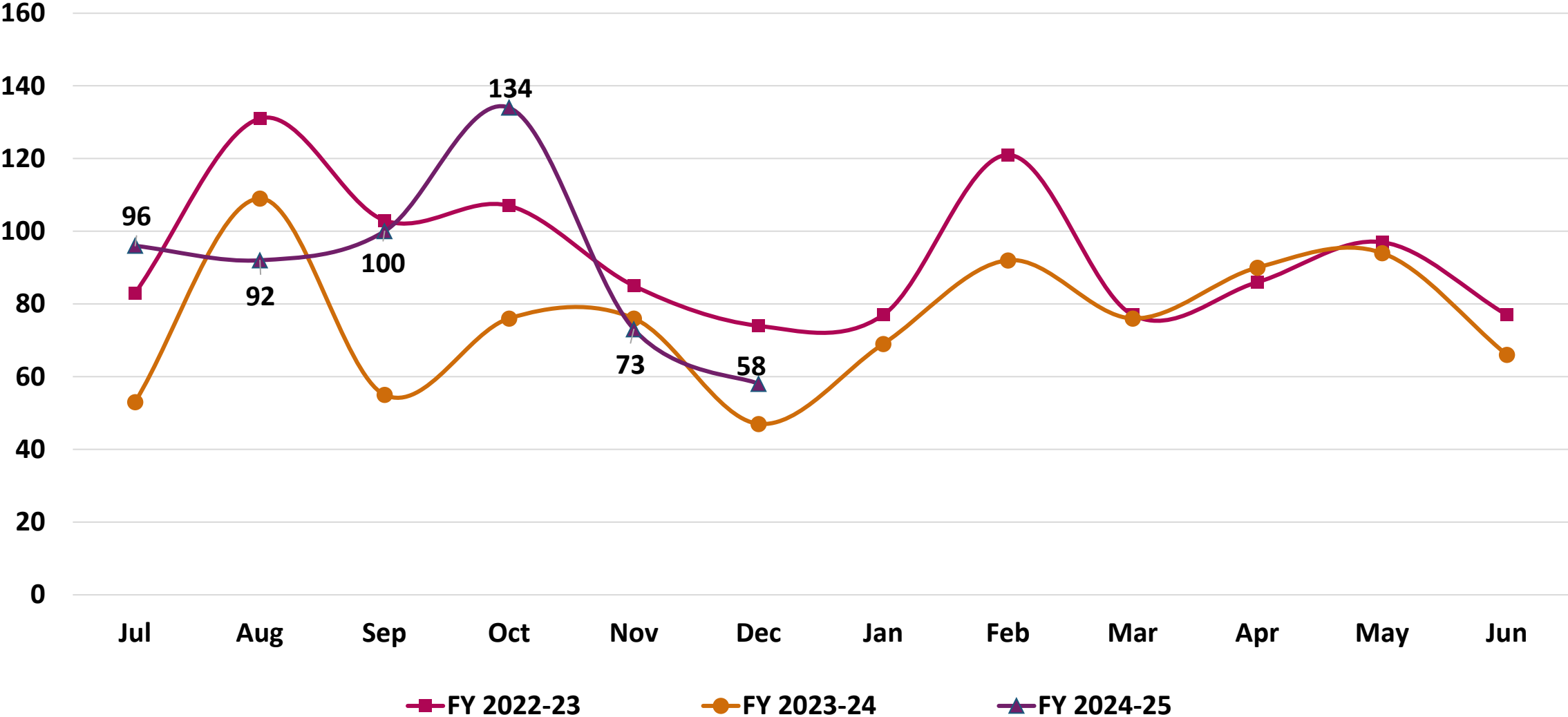
elizabeth.elias@dca.ca.gov

Complaint Investigation Report Q2, FY 2024-2025

Bureau for Private Postsecondary Education
Advisory Committee Meeting
February 26, 2025

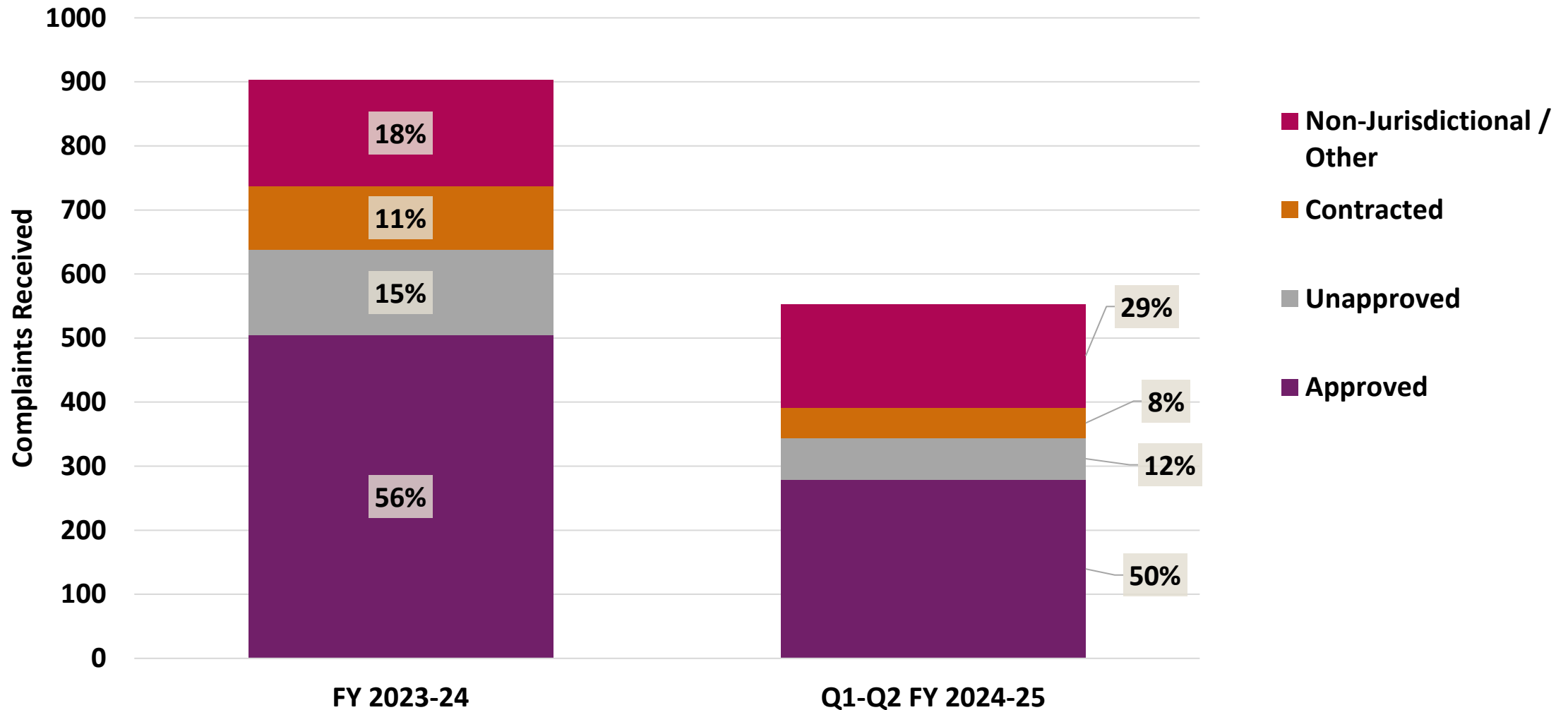


Complaints Received: FY 2022-23 to Q2 FY 2024-25

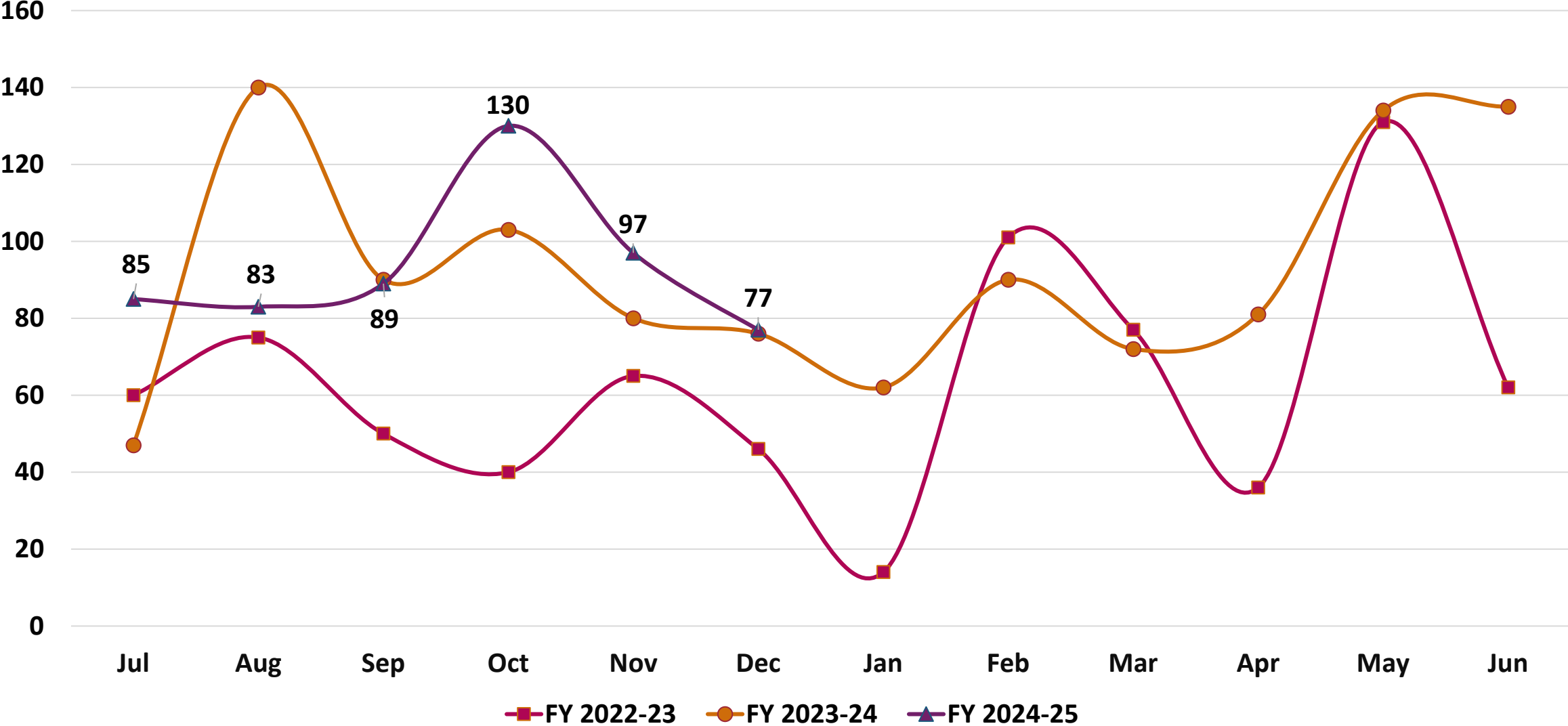


Complaints Received by School Status

FY 2023-24 to Q1-Q2 FY 2024-25

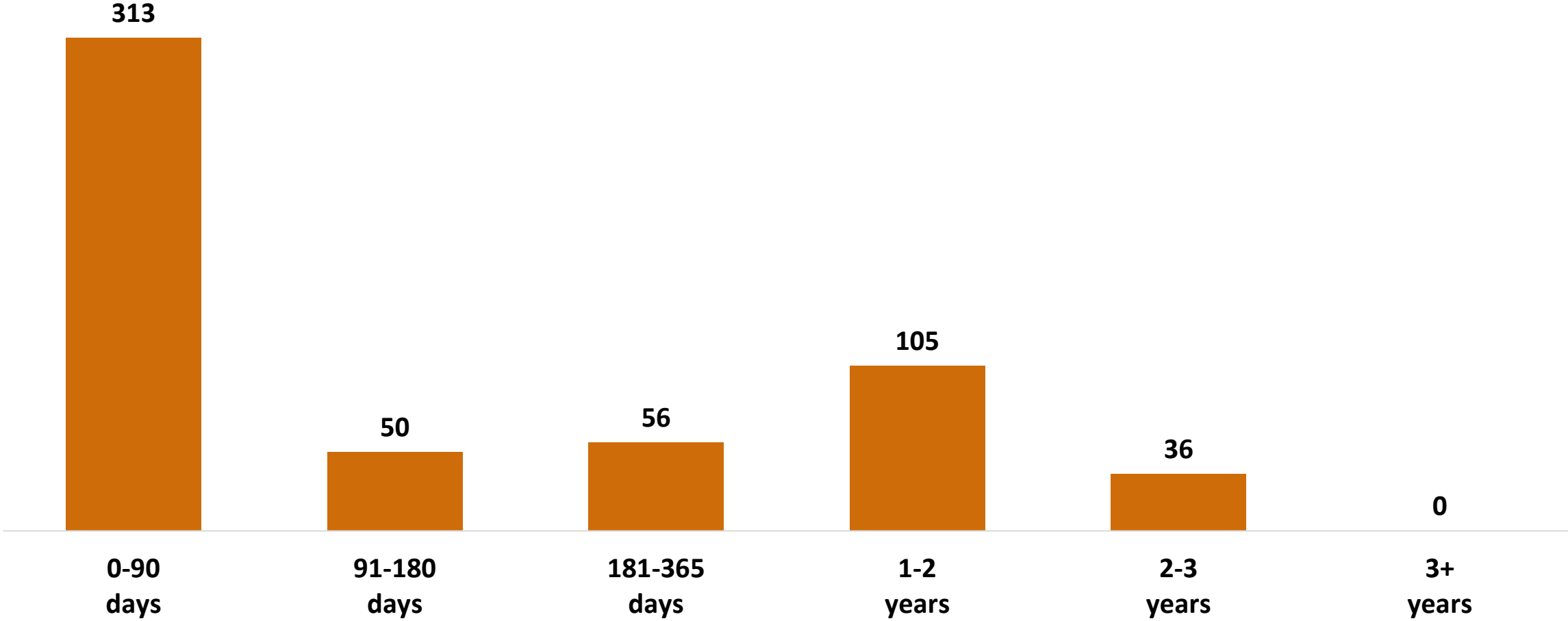


Complaints Closed: FY 2022-23 to Q2 FY 2024-25

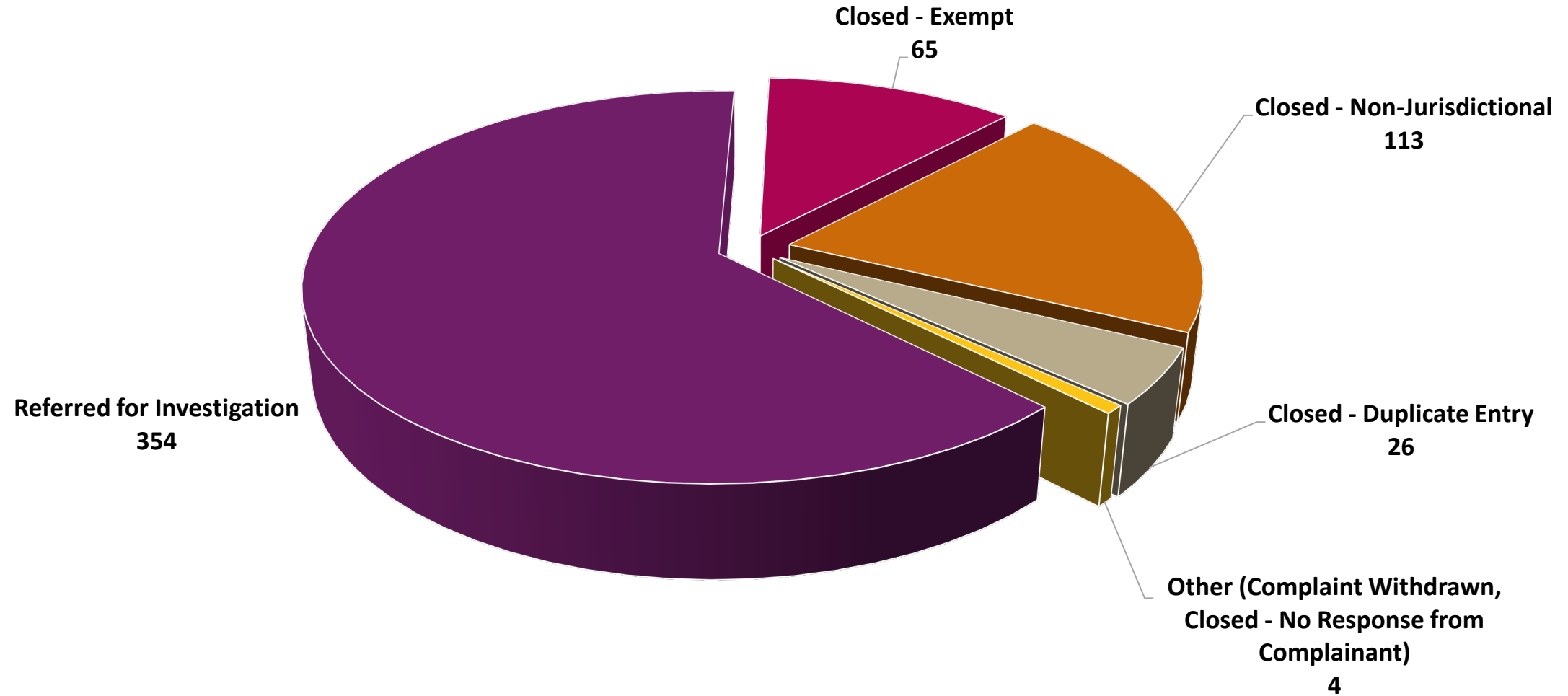


Closed Complaints

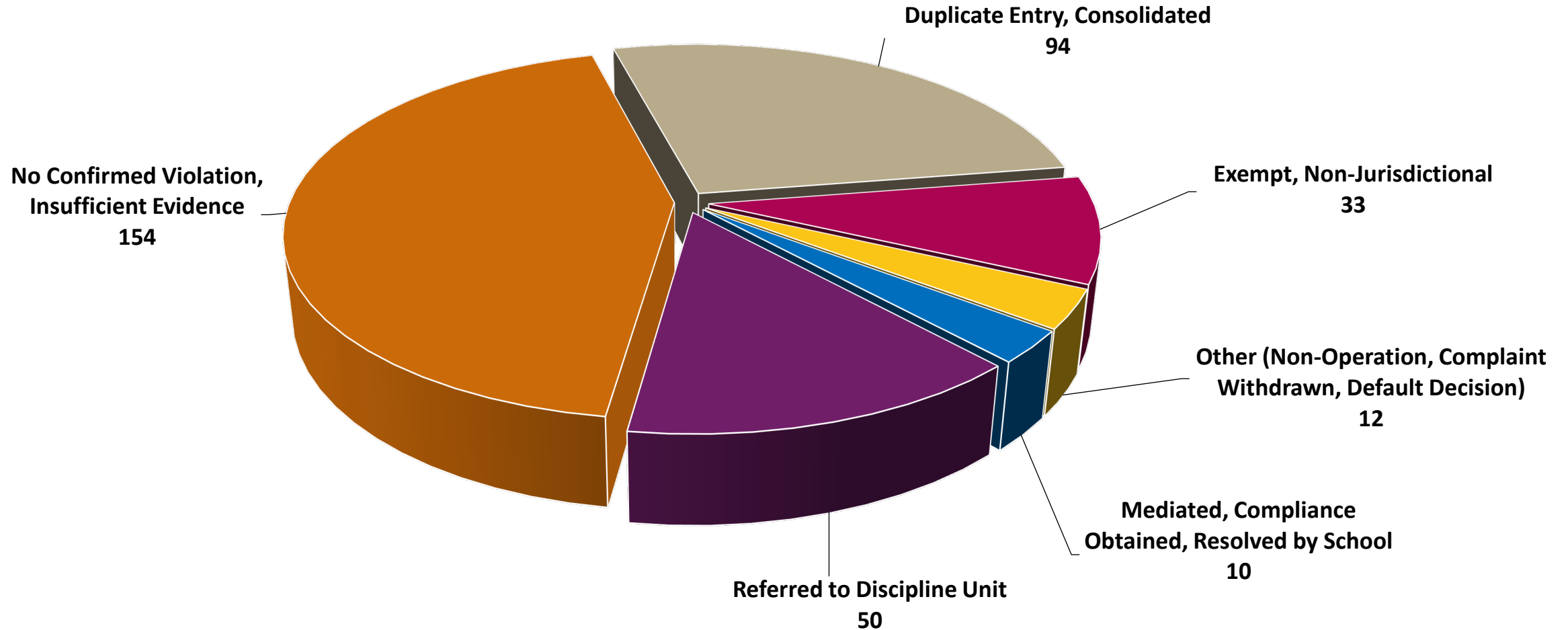
Days to Close (Cases Closed Q1-Q2 FY 2024-25)



Complaint Intake Outcomes: Q1-Q2 FY 2024-25

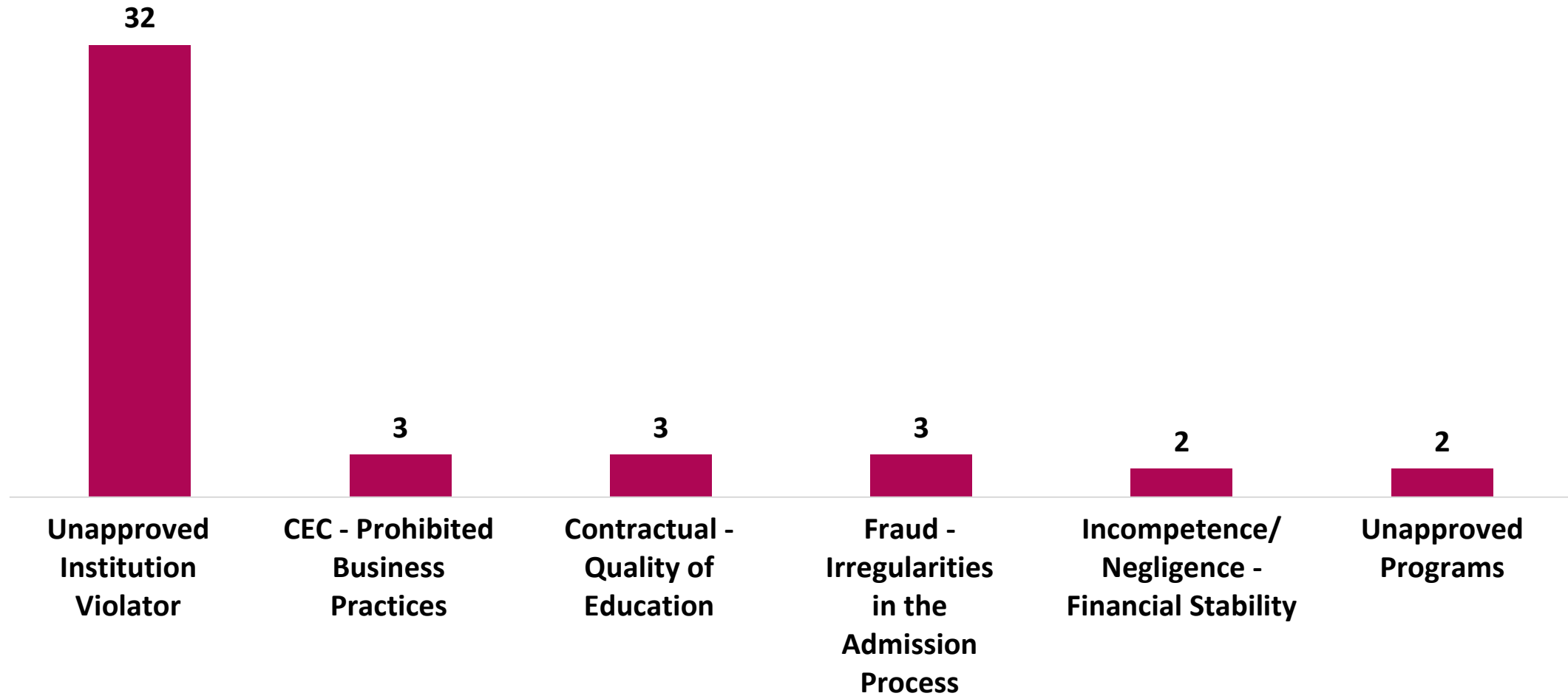


Investigation Outcomes: Q1-Q2 FY 2024-25

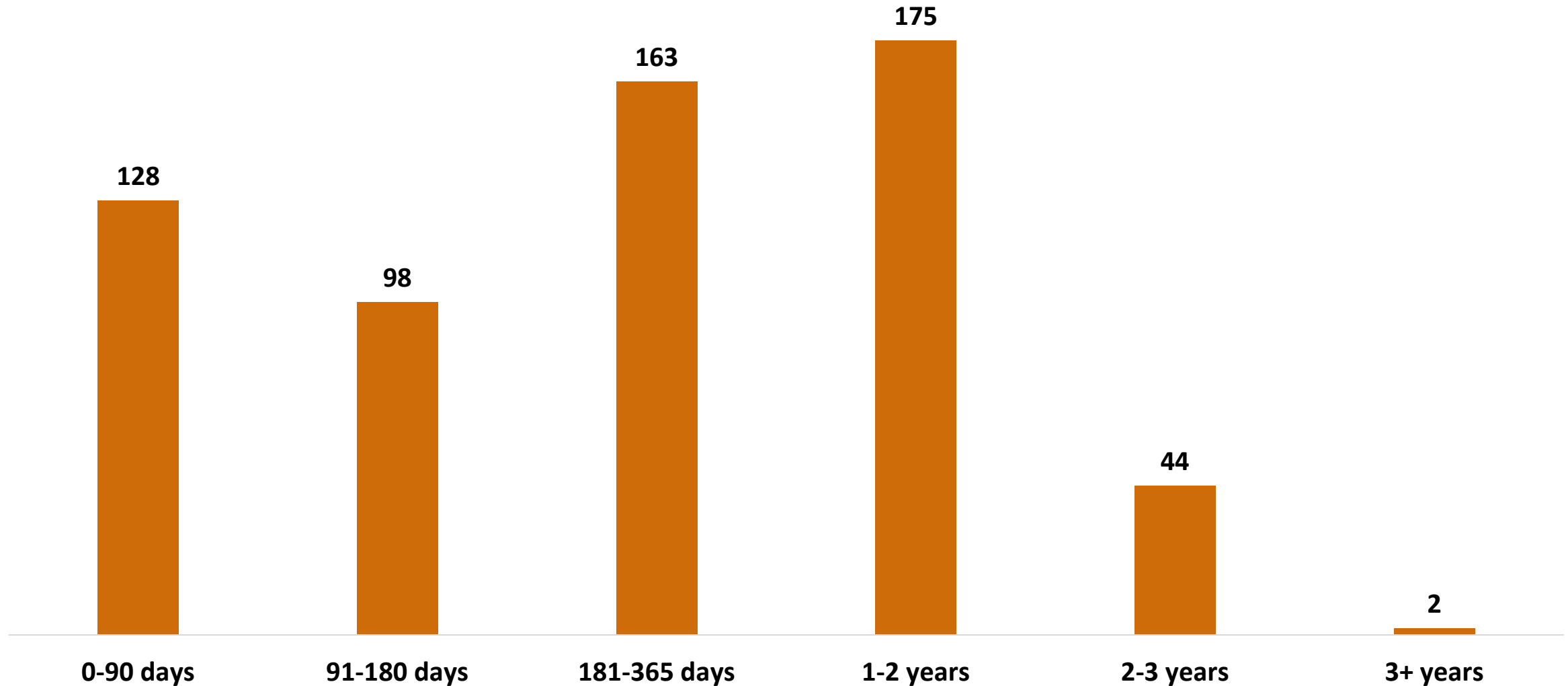


Discipline Unit Referrals: Top Allegations

Q1-Q2 FY 2024-25

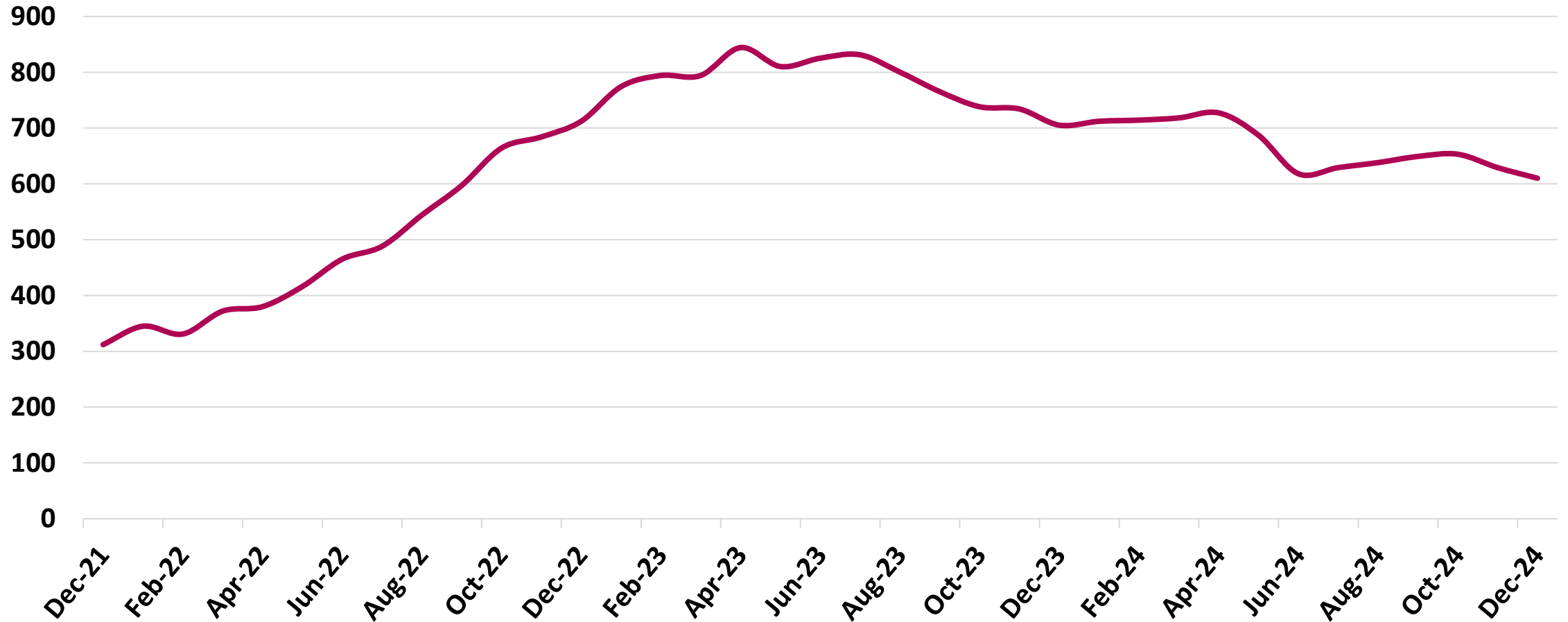


Pending Caseload Age, as of 12/31/2024



Pending Caseload Count

December 2021 - December 2024



Submit questions and/or comments to:

Daniel Rangel

Bureau for Private Postsecondary Education

1747 N. Market Blvd, Suite 225

Sacramento, CA 95834

(916) 879-1827

Daniel.Rangel@dca.ca.gov

Office of Student Assistance and Relief (OSAR) Outreach Report Q2, FY 2024-25

Bureau for Private Postsecondary Education
Advisory Committee Meeting
February 26, 2025



Office of Student Assistance and Relief: Student Outreach Report

CHART A: INFORMED CHOICE OUTREACH AND EDUCATIONAL ACTIVITIES

Student Outreach Activity	Event Type	Event Date	Event Location	Total Students
California Transition Assistance Program Beale Air Force Base	Student Workshop / Presentation	7/25/2024	Yuba, CA	15
Education Fair Fort Irwin	College Fair	9/4/2024	San Bernadino, CA	4
California Transition Assistance Program Fort Irwin	Student Workshop / Presentation	9/4/20224	San Bernadino, CA	12
56 th Assembly District College and College Fair	College Fair	9/14/2024	Los Angeles, CA	150
Feria De Educacion	College Fair	10/5/2024	Sacramento, CA	50
California Transition Assistance Program Beale Air Force Base	Student Workshop / Presentation	10/15/2024	Yuba County, CA	8
Fresno Community Health Resource Fair	College Fair	10/19/2024	Fresno, CA	70

Office of Student Assistance and Relief: Student Outreach Report

CHART A: INFORMED CHOICE OUTREACH AND EDUCATIONAL ACTIVITIES (CONT.)

Student Outreach Activity	Event Type	Event Date	Event Location	Total Students
Jazz Z Beauty Trade Show	College Fair	10/20/2024	Pomona, CA	120
Black College Expo (Sacramento)	College Fair	11/2/2024	Sacramento, CA	250
College and Career Community Day	College Fair	11/16/2024	Pomona, CA	120
California Transition Assistance Program USCG Alameda Base	Student Workshop / Presentation	11/21/2024	Alameda, CA	16
Visions in Education (Charter School): Community and Family Engagement	Student Workshop / Presentation	12/10/2024	Virtual	29
			TOTAL	844

Office of Student Assistance and Relief: Student Outreach Report

CHART B: STUDENT OUTREACH EFFORTS

School	Outreach Type	Outreach Date	School Location	Total Students
Summit College	Email	7/24/2024	El Cajon, CA	47
Rithm Inc.	Email	9/14/2024	San Francisco, CA	7
Truck Driving Academy (Satellite)	Email	8/30/2024	Olivehurst, CA	50
Truck Driving Academy (Satellite)	Email	8/30/2024	Yuba City, CA	50
Barbosa Academy	Email	9/26/2024	Fresno, CA	10
Federico College, Inc.	Email	10/7/2024	Fresno, CA	146
Los Angeles Hospitality Education Center	Email	10/21/2024	Los Angeles, CA	7
University of Phoenix - Pasadena (Branch)	Email	10/30/2024	Pasadena, CA	207
Westchester College of Nursing and Allied Health	Email	10/31/2024	Los Angeles, CA	8

Office of Student Assistance and Relief: Student Outreach Report

CHART B: STUDENT OUTREACH EFFORTS (CONT.)

School	Outreach Type	Outreach Date	School Location	Total Students
Valley College Medical Careers	Email	10/31/2024	West Hills, CA	41
Dialysis School of San Diego	Email	11/23/2024	Chula Vista, CA	9
Adrian's Beauty College of Turlock	Email	12/4/2024	Turlock, CA	26
California Jazz Conservatory	Email	12/12/2024	Berkeley, CA	6
			TOTAL	614

Office of Student Assistance and Relief: Student Outreach Report

CHART C: CLOSED SCHOOL OUTREACH WORKSHOPS

Student Outreach Activity	Event Type	Event Date	Event Location	Total Students
Informational Workshop for California Trinity School of Business (Program)	Remote Student Workshop	7/16/2024	Virtual	66
Informational Workshops for Federico College, Inc.	Remote Student Workshop	10/10/2024	Virtual	60
	Student Workshop	10/15/2024	Fresno, CA	32
TOTAL				158

Office of Student Assistance and Relief: Student Contact Report

CHART D: PHONE CALLS RECEIVED

Call Category	Jul. 2024	Aug. 2024	Sept. 2024	Oct. 2024	Nov. 2024	Dec. 2024	Total
Student Tuition Recovery Fund Application Assistance	30	34	13	22	25	17	141
Student Loan Relief Assistance	3	8	3	5	1	0	20
School / Program Closure Outreach	20	16	6	58	3	2	105
Informed Choice Consultation	0	0	1	3	3	0	7
Transcript Assistance	4	0	5	4	7	1	21
Other	7	9	6	27	20	11	80
TOTAL CALLS	64	67	34	119	59	31	374

Office of Student Assistance and Relief: Student Contact Report

CHART E: EMAILS RECEIVED

Email Category	Jul. 2024	Aug. 2024	Sept. 2024	Oct. 2024	Nov. 2024	Dec. 2024	Total
Student Tuition Recovery Fund Application Assistance	75	63	35	82	79	50	384
Student Loan Relief Assistance	44	18	11	12	8	6	99
School / Program Closure Outreach	139	38	31	156	25	58	447
Informed Choice Consultation	0	0	2	6	6	1	15
Transcript Assistance	27	22	15	25	10	19	118
Other	27	43	21	37	21	12	161
TOTAL EMAILS	312	184	115	318	198	146	1224

Office of Student Assistance and Relief: Student Appointment Report

CHART F: STUDENT APPOINTMENTS CONDUCTED

	Jul. 2024	Aug. 2024	Sept. 2024	Oct. 2024	Nov. 2024	Dec. 2024	Total
Student Appointments	11	12	7	19	1	1	51

Submit questions and/or comments to:

Office of Student Assistance and Relief
Bureau for Private Postsecondary Education
1747 N. Market Blvd, Suite 225
Sacramento, CA 95834
(888) 370-7589, Option #5
osar@dca.ca.gov

Student Tuition Recovery Fund (STRF) Report Q2, FY 2025

Bureau for Private Postsecondary Education
Advisory Committee Meeting
February 26, 2025



Student Tuition Recovery Fund (STRF) Claims

STRF Claims Received		
State Fiscal Year	FY 25 Q1	FY 25 Q2
Total Claims Received	63	86
Claims Received via Connect	50	70
Claims Received via Paper Applications	13	16

Student Tuition Recovery Fund (STRF) Claims

STRF Claims Closed		
State Fiscal Year	FY 25 Q1	FY 25 Q2
Claims Approved	21	31
Claims Ineligible	4	2
Claims Denied	3	0
Unable to Contact	4	2
TOTAL	32	35

Student Tuition Recovery Fund (STRF) Claims

Current STRF Claims as of 12/31/2024

Current STRF Claims ¹	
Analyst's First Review Complete/Recommendation Pending	144
Analyst Review	103
Waiting for Student Response	60
In Queue	565
TOTAL	872

¹ Current claim count does not include claims on hold pending external determinations (e.g., borrower defense discharges, litigation).

Student Tuition Recovery Fund (STRF) Claims

STRF Claims Pending Payment – State Controller’s Office

State Fiscal Year	FY 25 Q1	FY 25 Q2
Amount	\$484,822.03	\$790,639.38
Claims	32	51

STRF Claims Paid Amount

State Fiscal Year	FY 25 Q1	FY 25 Q2
Amount	\$224,453.77	\$429,911.74
Claims	18	30

STRF Current Balance as of 12/30/2024

\$36,171,442.98

Student Tuition Recovery Fund (STRF) Claims

Large Impact Closures (From School Closure to Current – Total Impact)

School	STRF Claims Received	STRF Claims Pending	Ineligible / Denied	Unable to Contact	Number of STRF Claims Approved	Dollar Amount Paid to Student/Loan	Dollar Amount Paid - Ed Credit (To New School)	Total Dollar Amount Paid
Heald ¹	518	175	109	120	114	\$890,471.39	\$32,708.96	\$923,180.35
WyoTech ¹	181	26	50	39	66	\$391,308.89	\$0.00	\$391,308.89
Everest ¹	598	148	145	140	165	\$644,288.69	\$0.00	\$644,288.69
Silicon Valley	1380	322	142	28	888	\$15,451,415.86	\$0.00	\$15,451,415.86

¹ Heald College, WyoTech, and Everest College were operated by Corinthian Colleges, Inc. - "STRF Claims Pending" includes claims that are awaiting a decision on their Federal Borrower Defense applications.

Submit questions and/or comments to:

Yvette Johnson

Bureau for Private Postsecondary Education

1747 N. Market Blvd, Suite 225

Sacramento, CA 95834

(279) 895-6099

Yvette.Johnson@dca.ca.gov

6. Status Updates and Discussion on Regulatory Proposals



Regulations Tracker

Title	Status Summary	ACM (text only)	DCA	Agency	Public Comment (full package)	OAL	Final
Identifying Date of Closure	Effective 1/1/2025	2/16/2023, 5/24/2023	5/31/2023, 6/19/2023, 10/09/2023 01/05/2024 02/13/2024	3/4/2024	4/19/2024- 6/4/2024 (45-days) 8/29/2024- 9/13/2024 (15-days)	7/26/2024 (Response) 8/2/2024 (Withdrawn) 9/19/2024 (Resubmitted)	10/31/2024
Verification of Exempt Status Application (Section 100 only)	Effective 1/1/2025	8/20/2024	10/1/2024	N/A	N/A	10/3/2024	10/21/2024
Min Ops: Refund Policies	Published for Notice - Public Comment Period	2/7/2024	3/20/2024, 10/10/2024, 12/24/2024	12/31/2024	2/14/2025- 4/1/2025		
Expired Approvals	Published for Notice - Public Comment Period	11/8/2023	10/21/2023 12/7/2023, 1/24/2024, 10/14/2024, 1/7/2025	1/21/2025	2/14/2025- 4/1/2025		
Min Ops: Financial Resources, Statements, and Annual Report Filing	Submitted to DCA	11/8/2023	1/4/2024 3/5/2024 3/20/2024				
Min Ops: Student Records	Under Development	11/13/2024					
Catalog Requirements	Advisory Committee Discussion	2/26/2025					
Unapproved Activity	Advisory Committee Discussion	2/26/2025					

6a. Catalog Requirements (California Education Code (CEC) section 94909; Title 5, California Code of Regulations (5 CCR) section 71810)



MEMORANDUM

DATE	February 14, 2025
TO	Advisory Committee Members
FROM	Bureau for Private Postsecondary Education
SUBJECT	Catalog Requirements

The Bureau for Private Postsecondary Education (Bureau) is responsible for enforcing the Private Postsecondary Education Act of 2009, including school catalog requirements pursuant to the California Education Code (CEC) section 94909. School catalogs serve as an annual disclosure tool that provides information to students, the public, and other stakeholders about educational programs, financial aid, academic standards, school policies, and more.

The regulatory section for catalog requirements, found in Title 5 of the California Code of Regulations (5 CCR) section 71810, has remained largely unchanged since the Bureau’s inception. The Bureau is considering amending catalog requirements to ensure they remain useful to students, institutions, and the public. Key considerations include:

- Examining where additional specificity is necessary to ensure students’ have access to needed records and services. For example:
 - Section 71810(b)(15) requires disclosure of the institution’s policies on the retention of student records but does not require that institutions specify how students may access their records. Similarly, section 71930 requires an institution to make records available during normal business hours but does not require that business hours be specified.
 - Section 71810(b)(12) requires that “all student services” be described but does not include a requirement to disclose how students may access available services.
 - Section 71810(b)(3) requires disclosure of visa services for international students, but does not require information specific to those services, such as the institution’s Principal Designated School Official (PDSO).
- Considering opportunities to reorganize or restructure for additional clarity and alignment. For example:
 - Section 71810(a) requires that catalog updates be made via supplements and inserts, but some accrediting agencies require updates to be made directly to the catalog, potentially leading to contradictory standards.
 - Reorganization of subsection (b)(4), pertaining to language proficiency, may help to break the standards of that subsection into a more easily digestible format.
- Ensuring continued utility of all required disclosure items and streamlining as necessary. For example:
 - Section 71810(b)(13) requires the inclusion of housing information in the catalog but very few schools approved by the Bureau offer housing.

The Bureau invites the Committee’s feedback on these and other opportunities to improve school catalog requirements.



California Code of Regulations (CCR) Title 5, Division 7.5, Chapter 3, Article 2

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.

(c) Institutions that include one or more courses in its catalog that do not meet the definition of educational program in Section 94837 of the Code and are not designed to lead to employment as defined in section 71710(b) must include a list of the programs to which the provisions of the Act apply, to be provided after the following disclosure:

"This catalog includes programs that are approved by the California Bureau for Private Postsecondary Education and subject to the California Private Postsecondary Education Act of 2009 and others that are not. Certain rights and protections outlined in this catalog, including but not limited to student refund rights, cancellation rights, and Student Tuition Recovery Fund (STRF) eligibility, apply only to the following state approved programs:"

Note: Authority cited: Sections 94803, 94877 and 94885, Education Code. Reference: Sections 94837, 94885 and 94909, Education Code.

California Education Code (CEC) Title 3, Division 10, Part 59, Chapter 8

94909. Minimum Requirements for School Catalog

(a) Except as provided in subdivision (d), before 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 website 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 website address), (telephone and fax numbers)."

(B) "As a prospective student, you are encouraged to review this catalog before signing an enrollment agreement. You are also encouraged to review the School Performance Fact Sheet, which must be provided to you before 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 website (internet website address)."

(D) "The Office of Student Assistance and Relief is available to support prospective students, current students, or past students of private postsecondary educational institutions in making informed decisions, understanding their rights, and navigating available services and relief options. The office may be reached by calling (toll-free telephone number) or by visiting (internet website 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, 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 the student's 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 or become certified or registered as required for the applicable profession, occupation, trade, or career field in California.

(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 before 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 before 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.

(d) An accredited institution is not required to provide a School Performance Fact Sheet to a prospective student who is not a California resident, not residing in California at the time of the student’s enrollment, and enrolling in an accredited distance learning degree program offered by the institution, if the institution complies with all federal laws, the applicable laws of the state where the student is located, and other appropriate laws, including, but not limited to, consumer protection and student disclosure requirements.

Added by Stats. 2009, Ch. 310, §6. (AB 48)

Amended by Stats. 2012, Ch. 585, §2. (AB 2296)

Amended by Stats. 2014, Ch. 840, § 25. (SB 1247)

Amended by Stats. 2016, Ch. 593, §18. (SB 1192)

Amended by Stats. 2021, Ch. 367, §37. (SB 607)

Amended by Stats. 2022, Ch. 544, §10. (SB 1433)

6b. Unapproved Activity (CEC sections 94886 and 94944; 5 CCR sections 75020 and 75030)

DEPARTMENT OF CONSUMER AFFAIRS
TITLE 5. BUREAU FOR PRIVATE POSTSECONDARY EDUCATION

PROPOSED REGULATORY LANGUAGE
Unapproved Activity

Legend:	Added text is indicated with an <u>underline</u> . Omitted text is indicated by (* * * *) Deleted text is indicated by strikeout .
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1. Amend section 75020 of Division 7.5 of Title 5 of the California Code of Regulations to read as follows:

§ 75020. Issuance of Citations

(a) The Bureau Chief, or their designee, or the Director's designee, is authorized to issue citations containing orders of abatement and/or administrative fines pursuant to section 94936 of the Code against institutions approved under the Act that have committed any acts or omissions that are in violation of the Act or any regulation adopted pursuant thereto.

(b) The Bureau Chief, or their designee, or the Director's designee, is authorized to issue citations containing orders of abatement or administrative fines, or both, ~~not to exceed \$100,000 pursuant to section 94944 of the Code~~ against persons who are without proper approval to operate as required under the Act. In addition, the citation may contain an order of abatement pursuant to section 149 of the Business and Professions Code that requires the unapproved person to cease any unlawful advertising and to notify the telephone company furnishing services to the cited person: (1) to disconnect the telephone services furnished to any telephone number contained in the unlawful advertising, and (2) that subsequent calls to that number shall not be referred by the telephone company to any new number obtained by that person. The provisions of section 75040 shall apply to this subsection.

(c) In addition to the requirements of section 94936 of the Code, each citation shall inform the cited institution or person that:

(1) If a hearing pursuant to the Administrative Procedure Act (APA) is not requested, payment of the administrative fine is due 30 calendar days from the date of service, and shall not constitute an admission of the violation charged.

(2) If a hearing pursuant to the APA is conducted and payment of an administrative fine is ordered, the administrative fine is due 30 calendar days from when the order is effective;

(3) If the cited institution or person desires an informal conference to contest the finding of a violation prior to an APA hearing, the informal conference shall be requested by written notice to the Bureau within 30 calendar days from service of the citation;

(4) Failure to comply with any order of abatement within the time set forth in the citation, unless the citation is being appealed, may result in disciplinary action being taken by the Bureau; and

(5) The Bureau may enforce the administrative fine as if it were a money judgment pursuant to the California Code of Civil Procedure (beginning with section 680.010).

(d) Each citation shall be served on the cited institution or person, in person, or by certified and regular mail at the address of record on file with the Bureau. Citations served by certified and regular mail shall be deemed “served” on the date of mailing.

(e) The sanction authorized under this section shall be separate from, and in addition to, any civil, criminal, or other administrative remedies.

Note: Authority cited: Sections 94877 and 94936, Education Code. Reference: Section 149, Business and Professions Code; and Sections 94936, 94944, and 94949.8, Education Code.

2. Amend section 75030 of Division 7.5 of Title 5 of the California Code of Regulations to read as follows:

§ 75030. Assessment of Administrative Fines

(a) Where citations pursuant to section 94936 of the Code and section 75020, subsection (a) include an assessment of an administrative fine, the fine shall be not less than \$50 or exceed \$5,000 for each violation. Each violation shall be classified according to the nature of the violation and shall indicate the classification on the face thereof as follows:

(a)(1) A “Class A” violation shall not be less than \$2,501 nor more than \$5,000. A Class A violation is one that the Bureau has, in its discretion, determined to be more serious in nature, deserving the maximum fine. A Class A violation may, in the Bureau's discretion, be issued to an institution that has committed one or more prior, separate Class B violations.

(b)(2) A “Class B” violation shall not be less than \$1,001 nor more than \$2,500. A Class B violation is one that the Bureau has, in its discretion, determined to be less serious in nature and may include, but is not limited to, a violation that could have resulted in student harm. Typically some degree of mitigation will exist. A Class B violation may be issued to an institution that has committed one or more prior, separate Class C violations.

(c)(3) A “Class C” violation shall not be less than \$501 nor more than \$1,000. A Class C violation is one that the Bureau has, in its discretion, determined to be a minor or technical violation, which may be directly or potentially detrimental to students or potentially impacts their education.

(d)(4) A “Class D” violation shall not be less than \$50 nor more than \$500. A Class D violation is one that the Bureau has, in its discretion, determined to be a minor or technical violation, which is neither directly or potentially detrimental to students nor potentially impacts their education.

(b)(1) Where citations pursuant to section 94944 of the Code and section 75020, subsection (b) include an assessment of an administrative fine, the fine shall not be less than \$10,000 and shall not exceed \$100,000.

(2) In determining the administrative fine amount, the Bureau shall consider the following:

(A) Actual or potential harm to any consumer, student, or the general public.

(B) Prior knowledge of Bureau approval requirements, as demonstrated through the issuance of prior citations for unapproved activity, the granting of approvals to operate to the institution or any of its owners or managers or issuance of written notification from the Bureau about its regulatory authority.

(C) Recognition by the institution of its wrongdoing and demonstration of corrective action to prevent recurrence.

(D) Any explanation of the facts and circumstances surrounding the unapproved activity and any remediation efforts the institution took to correct the violation.

(E) Whether or not the institution cooperated with the Bureau's investigation, other law enforcement, regulatory agencies, or the injured parties, or any combination of these entities.

(3) The administrative fine is separate and not inclusive of any amounts an institution is ordered to refund students who enrolled in the institution during a period in which the institution did not hold approval to operate.

Note: Authority cited: Sections 94877, ~~and 94936~~, and 94944, Education Code. Reference: Sections 94936 and 94944, Education Code.

7. Future Agenda Items



8. Adjournment

