

California Code of Regulations
Title 5. Education
Division 7.5. Private Postsecondary Education
Chapter 2. Applications
Article 7. Applications for a Substantive Change to an Approval to Operate

**PROPOSED REGULATORY LANGUAGE CONCERNING SUBSTANTIVE CHANGE
APPROVAL**

Legend—added text indicated by underline, deletion by strikethrough

1. Amend Section 71650, Article 7, Chapter 2, Division 7.5 of Title 5 of the California Code of Regulations

71650. Application for a Change in Educational Objectives or Clock or Credit Hours Required to Complete a Program (An Increase or Decrease by 25% or More).

(a) An institution seeking to change its educational objectives, or increase or decrease by 25 percent or more the number of clock hours or credit hours required for successful completion of a program under section 94894(i) of the Code, shall complete the “Application for Change in Educational Objectives or Clock or Credit Hours Required to Complete a Program (An Increase or Decrease by 25% or More)” form (OBJ rev. 2/408/22), which is hereby incorporated by reference, to obtain prior authorization from the Bureau in accordance with 94894 of the Code. The form shall be submitted to the Bureau along with the appropriate fee as provided in Section 94930.5(c) of the Code. ~~For an institution approved under section 94885 of the Code it shall be signed and dated by the signatory(ies) required by section 71380, and for an institution approved under section 94890 of the Code it shall be signed and dated by the signatory(ies) required by section 71390, and each fact stated therein and each attachment thereto shall be declared to be true under penalty of perjury, 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)”

(b) For an application to add a degree program:

(1) “Unrelated to the approved educational programs” as used in section 94894(a) of the Code includes the addition of a degree program where no degree at that level was previously approved, whether or not the proposed program would offer a degree in the same subject area as a previously approved non-degree program or lower level degree; and a program leading to licensure

whether or not the proposed program is in the same subject area as a previously approved program that did not lead to licensure.

(2) The owner of an institution approved pursuant to section 94886 of the Code seeking to add a degree-granting program must complete an accreditation plan under section 71105, or provide proof of accreditation with the scope of that accreditation covering the institution and at least one degree program.

(3) If an application is granted pursuant to this subdivision, the Bureau shall issue a provisional approval of no more than two degree programs for which approval is sought. Such approval of the program shall run in conjunction with any existing approval to operate the institution.

(c) The application shall establish that the institution, including any branch, can meet the minimum operating standards contained in Chapter 3, and shall include:

(1) The name, school code, address, website address, and telephone and fax numbers of the institution;

(2) The reasons for changing the educational objectives, and how the proposed change helps to further the institution's mission and objectives;

(3) When the institution proposes to change the educational objectives;

(4) The impact of the change on the financial resources of the institution, including the institution's ability to comply with section 71745;

(5) A description of the facility and equipment, as required by section 71260, required for the change;

(6) For addition of a new program, all information required by sections 71210 and 71220;

(7) If the application is for a change to an existing program, a description of the differences between any programs approved and the proposed programs, including differences in admissions standards, degree requirements, curricula, and standards for student achievement;

(8) A statement that the institution has contracted with duly qualified faculty that meet the requirements of section 71720;

(9) A description of library and other learning resources, as required by Section 71270, required for the proposed change;

(10) The name, address, email address, and telephone and fax numbers of the institution's contact person for the purpose of this application; and

(11) Any additional information required by the Bureau pursuant to section 71340.

(d) An institution that has been granted an approval to operate by means of accreditation shall notify the Bureau of the substantive change within 30 days of that change on the Application for Change in Educational Objectives or Clock or Credit Hours Required to Complete a Program (An Increase or Decrease by 25% or More) form, by providing the information required by (c)(1) and (c)(10), and the fee required by Section 94930.5(c) of the Code, and shall attach certification from the institution's accreditation agency demonstrating that the substantive change was made in accordance with the institution's accreditation standards, and complies with the Act and this Division.

(e) If no grounds for denial exist as provided in section 71655, the Bureau shall provide written notice of approval of the substantive changes requested on any application submitted in compliance with this section, or for institutions approved by means of accreditation, the Bureau shall send a written acknowledgement of receipt of the application specified in subsection (d). The Bureau's authorization to make the changes requested by an institution on any application required by this section shall be deemed effective as of the date of the written notice of approval provided by the Bureau.

Note: Authority cited: Sections 94803, 94877, 94885, 94885.5 and 94895, Education Code. Reference: Sections 94823.5, 94885, 94885.5, 94893, 94894, 94895, 94896 and 94930.5, Education Code.

2. Add Section 71652, Article 7, Chapter 2, Division 7.5 of Title 5 of the California Code of Regulations

71652. Application for a Change to Begin Participation in Federal Student Financial Aid Programs Authorized by Title IV of the Federal Higher Education Act of 1965, as Amended (20 U.S.C. Sec. 1070 et seq.)

(a) An institution seeking to begin participation in federal Student Financial Aid Programs authorized by Title IV of the federal Higher Education Act of 1965, as amended (20 U.S.C. Sec. 1070 et seq. – federal Higher Education Act of 1965) shall complete the “Application for Authorization for Institution to Begin Participation in Student Financial Aid Programs (Title IV of the Higher Education Act of 1965)” form (AID New. 8/22) which is hereby incorporated by reference, to obtain prior authorization from the Bureau in accordance with 94894 of the Code. The form shall be submitted to

the Bureau along with the appropriate fee for authorization of a substantive change as provided in Section 94930.5(c) of the Code.

(b) An institution that has been granted an approval to operate by means of accreditation shall notify the Bureau of their participation in federal student financial aid programs authorized by the federal Higher Education Act of 1965 (“substantive change”) within 30 days of that substantive change by completing the Application for Authorization for Institution to Begin Participation in Student Financial Aid Programs (Title IV of the Higher Education Act of 1965) form referenced in subdivision (a) and submitting the fee required by Section 94930.5(c) of the Code.

(c) If no grounds for denial exist as provided in section 71655, the Bureau shall provide written notice of approval of the substantive changes requested on any application submitted in compliance with this section, or for institutions approved by means of accreditation, the Bureau shall send a written acknowledgement of receipt of the application specified in subsection (b). The Bureau’s authorization to make the changes requested by an institution on any application required by this section shall be deemed effective as of the date of the written notice of approval provided by the Bureau.

Note: Authority cited: Sections 94877 and 94895, Education Code. Reference: Sections 94893, 94894(j), 94895, 94896, and 94930.5, Education Code.

3. Add Section 71653, Article 7, Chapter 2, Division 7.5 of Title 5 of the California Code of Regulations

71653. Application for Authorization for a Change in Academic Measurement of an Educational Program from Clock Hours to Credit Hours

(a) An institution seeking to change the academic measurement of an educational program from clock hours to credit hours shall complete the “Application for Authorization to Change from Clock Hours to Credit Hours” form (CREDIT New. 8/22) which is hereby incorporated by reference, to obtain prior authorization from the Bureau in accordance with 94894 of the Code. The form shall be submitted to the Bureau along with the appropriate fee for authorization of a substantive change as provided in Section 94930.5(c) of the Code.

(b) An institution that has been granted an approval to operate by means of accreditation shall notify the Bureau of the change in their academic measurement of an educational program from use of clock hours or credit hours within 30 days of that change by submitting the Application for Authorization to Change from Clock Hours to Credit Hours form and submitting the fee required by Section 94930.5(c) of the Code, and shall attach written certification from the institution's accreditation agency approving of or acknowledging the change.

(c) If no grounds for denial exist as provided in section 71655, the Bureau shall provide written notice of approval of the substantive changes requested on any application submitted in compliance with this section, or for institutions approved by means of accreditation, the Bureau shall send a written acknowledgement of receipt of the application specified in subsection (b). The Bureau's authorization to make the changes requested by an institution on any application required by this section shall be deemed effective as of the date of the written notice of approval provided by the Bureau.

Note: Authority cited: Sections 94877 and 94895, Education Code. Reference: Sections 94893, 94894(k), 94895, 94896, and 94930.5, Education Code