



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

<u>OFFICE USE ONLY</u>		
DATE STAMP		
Main <input type="checkbox"/>	Branch <input type="checkbox"/>	Satellite <input type="checkbox"/>
REVIEWED BY _____		
SAIL ENTRY DATE _____		

## SCHOOL CLOSURE PLAN FORM

This form is provided as an aid to assist closing schools in submitting information to the BPPE. For the Bureau's laws and regulation regarding school closures: See California Education Code §§ 94926-94927.5 and Title 5, California Code of Regulations, §76240. A plan is required to be submitted to the Bureau at least 30 days prior to closing.

Main  Branch  Satellite

(If more than one location is closing, please attach a separate document listing each location's school code and physical address)

### 1. INSTITUTION

Name: \_\_\_\_\_ School Code: \_\_\_\_\_

Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Mailing Address (if different from above): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Web Address: \_\_\_\_\_

### 2. DATE AND REASON FOR CLOSURE

Date of Closure: \_\_\_\_\_ Last Date of Instruction: \_\_\_\_\_

Reason: \_\_\_\_\_

### 3. CONTACT PERSON FOR SCHOOL CLOSURE INFORMATION

Name/title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone number: \_\_\_\_\_ Email: \_\_\_\_\_

#### **4. STUDENT INFORMATION**

Please provide the Bureau with student information in both hard copy and in electronic format.

- a. How many students will be enrolled on school's closure date: \_\_\_\_\_
- b. Provide a list of student names, addresses, telephone numbers and email addresses that were enrolled at any time during the 120 days prior to school's closure. Please indicate which students received refunds issued by the institution and the amount of the refund.

List is  is not  attached (If not attached, indicate reason) \_\_\_\_\_

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c. Provide the institution's plan to notify students of a) the pending closure, b) student rights and options under the California Private Postsecondary Act of 2009 (Act), including the Bureau's physical address and website c) Title 5, California Code of Regulations, Chapter 6 (relating to the Student Tuition Recovery Fund) and d) if the institution participates in federal student financial aid programs (Title IV funding), information concerning those programs and institutional closures.

Yes  No  Plan is attached. (If no, indicate reason) \_\_\_\_\_

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d. Provide a copy or draft of the correspondence to students notifying them of the institution's pending closure, student rights and options as indicated above.

Yes  No  Letter is attached. (If no, indicate reason) \_\_\_\_\_

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#### **5. TEACH-OUTS OR TRANSFERS**

For students who were unable to complete their education the institution is required to provide a total refund of all institutional charges. However, upon the Bureau's approval of a teach-out or transfer plan, the institution may be authorized to provide pro-rata refunds. Is there a plan for teach-outs or transfers, including any agreements with other institutions?

Yes  No

a.) If there is a teach-out or transfer plan, provide the institution's proposed teach-out or transfer plan. (This plan must be approved prior to notifying students)

Yes  No  Teach-out or transfer plan is attached. (If no, indicate reason) \_\_\_\_\_

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b.) For students who do not wish to participate in a teach-out or transfer, or if no teach-out or transfer is planned, have arrangements been made for refunds within 45 days from the date of closure?

Yes  No  (If no, indicate reason) \_\_\_\_\_

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If the Institution participated in Federal Student Financial Aid Programs, have arrangements been made for return of these funds?

Yes  No  (if no, indicate reason) \_\_\_\_\_

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**6. CUSTODIAN OF RECORDS** (CEC §94900; 5 CCR §§ 71920, 71930)

**Institutions are required to retain student transcripts permanently in the State of California.**

**Have you arranged to provide the Custodian of Records the following information and documents?**

- The name, address, email address and telephone number for each student;
- The degree or certificate granted and the date on which that degree or certificate was granted for each student;
- The course and units on which the certificate of degree was based for each student; and
- The grades earned by the student in each of those courses for each student.

Yes  No  (If no, indicate reason) \_\_\_\_\_

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**Please be aware that:**

- An institution must maintain all student records required by the Act and 5 CCR, Chapter 3, Article 3, and the records must be maintained in this state.
- An institution must maintain for a period of 5 years the pertinent student records described in 5 CCR §71920 from the student's date of completion or withdrawal.
- An institution and its owners are jointly and separately responsible to arrange at their expense for the storage and safekeeping in California of all student records required to be maintained.
- An institution shall make these records immediately available for inspection and copying, without charge, except as provided for in 5 CCR §71930(c)(4), during normal business hours by any entity authorized by law to inspect and copy records.

**Please provide the Custodian of Records information below:**

Name of Custodian of Records: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: CA Zip: \_\_\_\_\_

Telephone number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Fax number: \_\_\_\_\_

## 7. SIGNATURE

**\*\* If the institution has more than one owner, please make a copy of this section for each owner to sign and date. \*\***

School Name: \_\_\_\_\_

School Code: \_\_\_\_\_

Owners Signature \_\_\_\_\_ Date \_\_\_\_\_

PRINT NAME: \_\_\_\_\_ Title \_\_\_\_\_

At any time during the closure process, staff from the Bureau's Closed Schools Unit / Office of Student Assistance (OSAR) is available to meet with you and /or the school's students. The Bureau's participation and assistance can answer questions or alleviate any concerns you or the students may have about the closure process. For the most effective assistance, please provide the Bureau at least 48 hours notification for this service.

If you have questions or require clarification contact the Bureau's Closed Schools Unit at the letterhead address, through our website ([www.bppe.ca.gov](http://www.bppe.ca.gov)), or at 916-431-6959.

The Office of Student Assistance website address is [www.OSAR.bppe.ca.gov](http://www.OSAR.bppe.ca.gov). Additionally, they can be contacted by email at [OSAR@dca.ca.gov](mailto:OSAR@dca.ca.gov), or at 888-370-7589, option 5.

For references, see the Closed School Applicable Laws and Regulations.

Mail this completed form to: BPPE  
Closed School Unit  
P.O. Box 980818  
West Sacramento, CA 95798-0818

**Bureau for Private Postsecondary Education**  
Applicable Laws and Regulations to Closed Schools

**California Private Postsecondary of Education Act of 2009**  
**California Education Code**

**ARTICLE 15. Orderly Institutional Closure and Teach-outs**

*Article 15 Added by Stats. 2009, Ch. 310, §6. (AB 48)*

**94926. Procedures Prior to Closing, Teach-Out Plans**

At least 30 days prior to closing, the institution shall notify the bureau in writing of its intention to close. The notice shall be accompanied by a closure plan, which shall include, but not necessarily be limited to, all of the following:

- (a) A plan for providing teach-outs of educational programs, including any agreements with any other postsecondary educational institutions to provide teach-outs.
- (b) If no teach-out plan is contemplated, or for students who do not wish to participate in a teach-out, arrangements for making refunds within 45 days from the date of closure, or for institutions that participate in federal student financial aid programs arrangements for making refunds and returning federal student financial aid program funds.
- (c) If the institution is a participant in federal student financial aid programs, it shall provide students information concerning these programs and institutional closures.
- (d) A plan for the disposition of student records.

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

**94927. Institutions in Default of Enrollment Agreement**

An institution shall be considered in default of the enrollment agreement when an educational program is discontinued or canceled or the institution closes prior to completion of the educational program. When an institution is in default, student institutional charges may be refunded on a pro rata basis if the bureau determines that the school has made provision for students enrolled at the time of default to complete a comparable educational program at another institution at no additional charge to the students beyond the amount of the total charges in the original enrollment agreement. If the institution does not make that provision, a total refund of all institutional charges shall be made to students.

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

**94927.5. Provision of Records to Bureau Prior to Closing**

(a) Prior to closing, an institution shall provide the bureau with the following:

- (1) Pertinent student records, including transcripts, as determined by the bureau, pursuant to regulations adopted by the bureau.
- (2) If the institution is an accredited institution, a plan for the retention of records and transcripts, approved by the institution's accrediting agency, that provides information as to how a student may obtain a transcript or any other information about the student's coursework and degrees completed.

(b) Subdivision (a) applies to all private postsecondary institutions, including institutions that are otherwise exempt from this chapter pursuant to Article 4 (commencing with Section 94874).

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

**ARTICLE 18. Compliance, Enforcement, Process, and Penalties**

*Article 18 Added by Stats. 2009, Ch. 310, §6. (AB 48)*

**94932. Enforcement Authority**

The bureau shall determine an institution's compliance with the requirements of this chapter. The bureau shall have the power to require reports that institutions shall file with the bureau in addition to the annual report, to send staff to an institution's sites, and to require documents and responses from an institution to monitor compliance. When the bureau has reason to believe that an institution may be out of compliance, it shall conduct an investigation of the institution. If the bureau determines, after completing a compliance inspection or investigation, that an institution has violated any applicable law or regulation, the bureau shall take appropriate action pursuant to this article.

*Added by Stats. 2009, Ch. 310, §6. (AB 48) Amended by Stats. 2016, Ch. 593, §*

## **Title 5 of the California Code of Regulations**

### **Article 3. Maintenance and Production of Records**

#### **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.

### **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.

### **Article 4. Orderly Closure and Teach-outs**

#### **76240. Required Notices and Teach-Out Plan.**

All institutions, including those exempt from Bureau regulation pursuant to the Code, shall do the following prior to closing:

- (a) At least 30 days prior to closing, the institution shall notify the Bureau in writing of its intention to close and provide a closure plan. The closure plan shall include:
- (1) The exact date and reason for the closure.
  - (2) The last date of instruction for each educational service or program.
  - (3) A list of students who were enrolled at any time during the 60 days prior to closure.
  - (4) If any student will not be provided complete educational services or the educational program, the institution shall provide:
    - (A) A plan for providing teach-outs or transfers, including the details of any agreements with other institutions.
    - (B) If no teach-out is contemplated, or for students who do not wish to participate in a teach-out,

arrangements for making refunds within 45 days from the date of closure, or for institutions that participate in federal student financial aid programs arrangements for making refunds and returning federal student financial aid program funds.

(5) A plan for the disposition of student records.

(6) A plan to notify students of their rights and options under the Act and this chapter.

(b) The institution shall notify the students of the following:

(1) If the institution is a participant in federal student financial aid programs, it shall provide students information concerning those programs and institutional closures.

(2) If any student will not be provided complete educational services or the educational program, information regarding the Student Tuition Recovery Fund and the Bureau's physical and Internet addresses.

Note: Authority cited: Sections 94803 and 94877, Education Code. Reference: Sections 94874.5, 94909, 94911, 94926, 94927 and 94927.5, Education Code.