

TITLE 5. Bureau for Private Postsecondary Education
DEPARTMENT OF CONSUMER AFFAIRS

INITIAL STATEMENT OF REASONS

Hearing Date: No Hearing Scheduled

Subject Matter of Proposed Regulations: Catalog Requirements

Section(s) Affected: Title 5, Division 7.5, Section 71810

Background and Statement of the Problem:

Background: The Bureau for Private Postsecondary Education (Bureau) protects students and consumers through the regulatory oversight of California's private postsecondary educational institutions ("institutions") pursuant to the California Private Postsecondary Education Act of 2009 ("Act" – Ed. Code, §§ 94800-94950), including conducting qualitative reviews of educational programs and operating standards.

Existing law in California Education Code (EDC) Section 94909 and Title 5, Division 7.5 Section 71810 of the California Code of Regulations (CCR)¹ require private postsecondary schools in California to provide a clear, accurate, and current school catalog to prospective students before enrollment, and specify what disclosure must be included in the institution's catalog. This includes essential information such as the institutional and program information, tuition and fees, refund policies, student services, records maintenance policies, and more. These requirements are designed to ensure transparency, protect students from misleading information, and help them make informed decisions about their education. An institution's catalog must be updated annually, with supplements or inserts to an institution's catalog permitted prior to an institution's annually updated catalog so long as those supplements or inserts reflect when the change was made.

Statement of the Problem: Catalog requirements found in Section 71810 have remained largely unchanged since the Bureau's formation, despite significant shifts in the private postsecondary education landscape since that time. As a result, many of the current disclosure requirements are outdated, unclear, or not as useful to students as they otherwise could be. Some information currently required to be disclosed in an institution's catalog is either not useful because of its lack of specificity, potentially inaccurate due to annual updates, or unclear within the existing regulatory language. For example, required disclosures for international students and those with limited English proficiency, who may not receive adequate or accessible information under existing regulatory standards. Vague location-specific disclosures, lack of transparency around internships

¹ Unless otherwise specified, all references to the CCR are to Title 5.

or externships, and missing details about business or administrative hours are other areas in which existing catalog requirement disclosures are lacking or outdated. Some specific examples of these issues include, but are not limited to:

1. Bureau standards around catalog updates between annual updates are vague, could align better with standards found elsewhere, and could be made more flexible for institutions seeking to publish an update in their catalog in between annual catalog updates.
2. Current catalog requirements do not distinguish when services or policies vary from location to location.
3. Housing information is a required disclosure when the vast majority of Bureau-approved institutions do not offer housing.
4. Required internships or externships are required to be disclosed in the catalog, but the distance from the institution and other potential limitations are not required.
5. Existing catalog requirements require an institution to list its policies on the retention of student records, but do not require the institution to specify how students may access those records.
6. An institution is required to have administrative staff present during “normal business hours,” but the Bureau has no exact way to know what these hours are because it is not a required disclosure in the institution’s catalog.

The Bureau proposes to revise this regulation to ensure catalog disclosures remain clear, relevant, and aligned with the Bureau’s mission to protect students and promote informed decision-making.

The following regulatory proposal would specify all of the following requirements in regulation to provide for additional specificity where necessary, reorganize and restructure certain requirements for additional clarity and alignment, and provide for the continued utility of all required disclosure items in an institution’s catalog. The changes are as follows:

Amending section 71810(a) of the CCR to:

- Remove the allowance of annual updates to an institution’s catalog via inserts or supplements in existing regulatory text.
- Re-letter existing subsection (a) into three subsections: (a), (a)(1), and (a)(2).
- Allow changes to be made directly to a catalog between annual updates, and specify that any changes made directly to a catalog shall be clearly published on the page where the change is made, and dated at the time the change is made.
- Require new programs, services, procedures, or policies in the catalog to be published as “new.”
- Require supplements or inserts reflecting changes to an institution’s catalog to refer to the location in the catalog where the change applies and contain the school’s name, location, and publication date.
- Specify that if policies, procedures, resources, or services vary due to multiple locations, an institution must specify which location they pertain to.

Amending section 71810(b) of the CCR to:

- Add 71810(b)(3)(A) to require an institution that admits international students to disclose information concerning the Principal Designated School Official (PDSO).
- Remove superfluous examples from the regulatory text in 71810(b)(4) and (5).
- Re-letter existing 71810(b)(4) and add (b)(4)(C) to separately list the requirements of the subsection.
- Re-letter existing 71810(b)(5) and add (b)(5)(A) to separately list the requirements of the subsection.
- Add that an institution must include its policies and hours of availability for library and other learning resources in 71810(b)(10).
- Add that an institution must specify the distance education learning management system used by the institution, if it offers distance education in 71810(b)(11).
- Add that an institution must include its policies, procedures, and hours of availability for student services in 71810(b)(12).
- Remove the text of existing housing disclosures from catalog requirements found at 71810(b)(13)(A)-(B). Repeal 71810(b)(13)(C).
- Replace the text found at (b)(13)(A)-(B) with requirements to disclose the institution's business hours for the period covered by the catalog, including administrative hours where records are available pursuant to section 71930, whether records are stored digitally, and the institution's hours when it offers instruction.
- Specify in (b)(15) that an institution must disclose policies on the retention of student records in its catalog, which must comply with section 71930, including whether records are digital or at an alternate location.
- Add (b)(15)(A) to require an institution to disclose procedures for student access to their records.
- Add (b)(16) to require certain disclosures about required internships or externships, including their distance from the institution or branch location.
- Add (b)(17) to require that an institution disclose the location and distance from the institution of any requirements for licensure that occur at a location other than the institution.
- Update the references cited to reflect accurate Education Code references.

Anticipated benefits from this regulatory action:

Students attending Bureau-approved institutions benefit from the proposed regulations because the regulations further specify certain disclosures that must be provided, protecting students' rights and access to the resources and services available at the institution. More specific and inclusive requirements, such as disclosures for international students or those with limited English proficiency, help promote an environment where students have equal access to critical information and resources applicable to them. Requiring schools to disclose business hours, procedures for student access to available services, required internships, externships, or other requirements for licensure benefits students by providing them with resources to get the support they need, such as with academic advising, financial aid, or filing a complaint.

Institutions benefit from the proposed regulations, which consider existing requirements for their usefulness, relevance, and clarity, and subsequently amend, add, or remove certain disclosures. The proposed regulations ensure that the information required to be in the catalog is relevant to an institution and will help inform prospective students. Institutions benefit from having clear, effective catalog requirements to provide to students, instead of unclear or outdated requirements. Institutions also benefit from updated language that allows updates directly to an institution's catalog between annual updates, if those changes are clearly published and dated.

Prospective students, their parents, educators, and other members of the public interested in private postsecondary educational institutions will benefit from effective disclosure in institutional catalogs. If someone has an inquiry about a certain institution or its programs, they will be able to refer to a catalog that provides the most important information for them. Clear and effective disclosures in an institution's catalog can, in turn, help guide clear and effective research when selecting a private postsecondary educational institution to attend, promoting informed decision-making and upholding consumer protection.

Specific purpose of, and rationale for, each adoption, amendment, or repeal:

1. Amend section 71810 of Article 2 of Chapter 3 of Title 5 of Division 7.5 of the California Code of Regulations

71810. Catalog.

Proposed Change: Add paragraph (1) to subsection (a) of Section 71810 after the words "Each institution shall provide a catalog pursuant to Section 94909 of the Code, which shall be updated annually."

Purpose: This change restructures existing subsection 71810(a) into multiple distinct paragraphs.

Rationale: This is a non-substantive structural revision.

Proposed Change: Amend text in the new paragraph (1) of subsection 71810(a) by deleting "Annual updates may be made by the use of supplements or inserts accompanying the catalog."

Purpose: This removes the option for annual updates via supplements or inserts, which means institutional catalogs will reflect the most current annual update required by (a), rather than updates via supplements and inserts.

Rationale: Each institution must update its catalog annually, which makes annual updates via supplements or inserts unnecessary, as changes can be made directly to an

institution's catalog during the annual update. Institutions are still able to use supplements or inserts if updates occur prior to an institution issuing its annually updated catalog in the proposed paragraph (1), and the Bureau is also expanding options for changes that can be made to the catalog in between annual updates, as described further below. However, for the purposes of a regular, annual update to an institution's catalog, it is necessary for students, the public, and the Bureau to have one clear document to reference, as opposed to a document where some information may be outdated, and other information may be current but included via a supplement or insert. This change ensures that a current, accurate, and complete catalog is updated by the institution annually and sets a clear standard for all institutional catalogs.

Proposed Change: Delete the word “If” and replace it with “Any” before the word “changes” in proposed 71810(a)(1). Delete the word “in” and replace it with “to” after the word “changes” in proposed 71810(a)(1).

Purpose: Rather than introducing a conditional clause, it is clearer to institutions that they are required to publish “any” change concerning updates to an institution's catalog between annual updates.

Rationale: The proposed change makes it clear that (a)(1) applies to *any* change to an institution's educational programs, educational services, procedures, or policies between annual updates, and is required by statute or regulation to be included in the catalog. This leaves less ambiguity as to “if” a change occurred. These types of changes to a catalog reflect a point-in-time change that is implemented and disclosed by an institution from that point onwards. As a result, the Bureau proposes to use the phrasing “Any changes to...” instead of “If changes in...” pertaining to updates made between an institution's annual catalog update.

Replacing “in” with “to” is a non-substantive grammatical revision.

Proposed Change: Add the words “implemented between annual catalog updates and” after the words “educational programs, educational services, procedures, or policies” in proposed 71810(a)(1).

Purpose: This revision enhances clarity concerning updates to an institution's catalog between annual updates.

Rationale: The existing regulatory language in 71810 uses the phrase “...implemented before the issuance of the annually updated catalog...” that the Bureau is proposing to delete, as described further below. The proposed language is necessary because catalog updates are still required between annual updates if an institution makes changes to its educational programs, educational services, procedures, or policies that are required to be included in the catalog. For example, an institution may open a new educational program or modify a policy that is required to be disclosed in the catalog immediately, rather than at the time of an annual update. The Bureau proposes the text described above to make it clear that changes to an institution's educational programs,

educational services, procedures, or policies implemented between annual catalog updates must be disclosed if they are required by statute or regulation to be included in the catalog.

Proposed Change: Move the words “by statute or regulation” after the word “required” in proposed 71810(a)(1).

Purpose: This is a revision to enhance clarity in the sentence structure of the regulatory provision concerning updates to an institution’s catalog between annual updates.

Rationale: This is a non-substantive structural revision.

Proposed Change: Delete the language “are implemented before the issuance of the annually updated catalog, those changes” in 71810(a)(1).

Purpose: This revision clarifies that “changes” refers to those between annual updates.

Rationale: This is necessary because institutions still update the catalog when changes occur and are required by statute or regulation to be disclosed in the catalog; timing wise described more appropriately between updates rather than before an annual update.

Proposed Change: Add the word “published” after the words “shall be” in the proposed 71810(a)(1).

Purpose: This change provides a clearer term than the existing term “reflected.”

Rationale: The term “reflected” is potentially unclear to institutions. The Bureau proposes to use the word “published” per the Merriam-Webster dictionary definition of “published” which states, “produced or released for distribution in a book, magazine, newspaper, etc.”² If an institution is required to make changes to its catalog in between annual updates, using the word “published” makes it clear that the change would be produced or released for distribution in the institution’s catalog at the time the change is made.

Proposed Change: Delete the language “reflected at the time they are made” before the words “in supplements or inserts accompanying the catalog” in 71810(a)(1).

Purpose: Replacing “reflected” with “published” makes the regulation clearer. Removing the words “at the time they are made” is also for clarity, as the Bureau is specifying the requirements for publishing changes to a catalog between annual updates.

Rationale: As stated above, removing the word “reflected” is necessary with the Bureau’s proposed change to say “published.” Removing the words “at the time they are made” is to ensure clarity in the regulations because another proposed sentence in (a)(1), described further below, will indicate that each change shall be clearly published on the

² Merriam-Webster.com, 18 Feb. 2026, <https://www.merriam-webster.com/dictionary/published>

page where the change is made and dated at the time the change is made. Therefore, the words “at the time they are made” would be unnecessary and unclear if left as-is because of the additional specificity being added elsewhere in the section.

Proposed Change: Add “or in an updated catalog documenting the changes” after the words “in supplements or inserts accompanying the catalog” in 71810(a)(1).

Purpose: The proposed amendment allows for updates that occur between annual catalog updates to be made directly to the catalog. The change creates two avenues for reflecting changes in a catalog that occur between annual catalog updates—“supplements and inserts,” or “direct updates” to a catalog.

Rationale: A goal of this regulatory package is to streamline disclosure processes as necessary to ensure the continued utility of all disclosures. This change allows an institution to make updates directly to its catalog as long as the change is clearly published on the page it was made and dated at the time it is made. Some institutions may find this standard clearer to follow than creating a separate supplement or insert accompanying the catalog. This change is also necessary to align Bureau regulation with those of certain accrediting agencies that do not explicitly mention the use of supplements or inserts for changes to an institution’s catalog. The proposed regulatory language enables institutions to make changes to their catalogs easily while adhering to applicable standards for catalog disclosure. Additionally, it offers a new way to ensure effective disclosure that provides the most accurate and complete information in an institution’s catalog.

Proposed Change: In proposed 71810(a)(1), add the sentence: “Each change made to the catalog pursuant to this paragraph shall be clearly published on the page where the change is made, and dated at the time the change is made.”

Purpose: This change specifies the necessary information to include when an institution publishes changes to its catalog between annual catalog updates.

Rationale: The Bureau’s existing regulatory requirement requires changes that are made prior to an institution’s annually updated catalog to be “reflected at the time they are made...” This language is vague, and adding necessary specificity ensures that students and members of the public have access to current information and know when a change took place.

For example, if an institution changes its policies around access to a particular service, a student would need to know what the updated policy is and when it goes into effect, in case it affects their access to that service. Another example is if an institution updates its admission policies, a prospective student may be interested in knowing how recently those changes went into effect. One last scenario might be when an institution decides to publish a change to its library resources. A change in this area may appear as:

New - Online Library Resources:

X institution now provides students with access to its online library service, which includes reference materials and research databases, books, program resources, and more. All enrolled students are provided with free access to the library during the time they are enrolled at X institution. The online library is available to enrolled students 24 hours per day, 7 days per week. Students must have a computer or mobile device, a stable internet connection, and a valid library account to access the online library. Change Effective 1/1/2026.

Ultimately, without requirements to date and publish each change on the page where it is made and the time it was made, there is no reliable way to know exactly when that change happened and that it was published in the catalog appropriately. Therefore, it is necessary that an institution both publish the change on the page where the change is made and that the change is dated at the time it is made.

Proposed Change: In proposed 71810(a)(1), add the next sentence: “Any new educational programs, educational services, procedures, or policies shall be published as new.”

Purpose: The change requires that institutions publish new changes that may be implemented between annual catalog updates and are required to be included in an institution’s catalog as “new.”

Rationale: There are cases in which an institution implements changes in its educational programs, educational services, procedures, or policies that are entirely new. These changes may need to be published between the institution’s annual catalog update. It is necessary for new changes occurring between annual catalog updates to be documented as new, because they can have a direct impact on relevant information about an institution that students, the public, and the Bureau should know. For instance, if an institution is missing a required financial aid disclosure and is notified during a compliance inspection that it is missing, an institution may add that required disclosure into the catalog after the inspection. An institution may also make business decisions to add new policies or procedures. Publishing those changes as “new” ensures that students and members of the public have access to the most current and accurate information and know that the change is new at the institution.

Proposed Change: In proposed 71810(a)(1), add the final sentences: “If an institution utilizes supplements or inserts to publish changes to the catalog, the supplement or insert must refer to the location in the catalog where the change applies. The supplement or insert must contain the school’s name, location, and publication date.”

Purpose: This change adds necessary specificity to the information that should be contained in a supplement or insert if the institution reflects a change to its catalog using one, and that change occurs between annual catalog updates.

Rationale: This change is necessary because the current regulatory language is unclear, as there is no specificity about the requirements of those supplements or inserts that an

institution may use to publish changes to its catalog. It is necessary for consumer protection that the information provided to consumers through a supplement or insert accompanying the catalog is clear and contains essential information to document where the change applies and when it was made.

Additionally, it is necessary for a supplement or insert, like a catalog, to be specific to a school's name and location. This proposed change will align with the Bureau's other proposed change in (a)(2). If supplements or inserts did not have a requirement to specify the school's location, it could be unclear if it applied to individual locations or the entire institution.

Finally, the proposed language aligns with language used by accrediting agencies in the private postsecondary education landscape. The Catalog Checklist for the Accrediting Commission of Career Schools and Colleges (ACCSC), included in the underlying data as item #7 (see "Underlying Data," page 26) states, "[t]he supplement/addendum must contain the school's name and location and the effective date of the supplement/addendum." Adding needed specificity to Bureau regulation for supplements or inserts to an institution's catalog promotes consumer protection and informed decision-making by prospective students and other members of the public.

Proposed Change: Add paragraph (2) to subsection (a), which states, "If an institution's policies, procedures, resources, or services vary due to multiple locations, each section in the catalog shall specify which location those policies, procedures, resources, or services pertain to."

Purpose: This subsection is added so that prospective and current students, other members of the public, and the Bureau are aware of which location certain information disclosed in the catalog pertains to.

Rationale: School catalogs disclose crucial information about an institution's policies, procedures, resources or services that are especially relevant to students, prospective students, and other members of the public. EDC Section 94909 requires an institution to provide a prospective student with a current school catalog. However, if policies, procedures, resources, or services vary from location to location, it is necessary that prospective students considering attending the institution are aware of variances. Differences in services in various locations can significantly impact a student's choice of which school they attend. Some schools may have unique opportunities specific to a location. For example, the hours certain offices, labs, or student centers are open may vary by location. This text aligns with the Bureau's mandate in EDC Section 94801(d)(6) of "prevention of the harm to students and the deception of the public that results from fraudulent or substandard educational programs and degrees."

Proposed Change: Add subparagraph (A) to paragraph (3) of subsection (b) of section 71810 to state, "If the institution admits students from other countries, it shall disclose the name, office location, telephone number, and email address of the institution's Principal Designated School Official."

Purpose: This change adds a disclosure requirement in Bureau regulations for services provided at institutions that admit international students.

Rationale: International students need additional support and information specific to them because their student visa and their education are directly correlated. International students are not eligible for federal financial aid and often pay out-of-pocket for their education. It is necessary that these students know who to contact at their institution about the Student Exchange Visitor Program (SEVP) and can assist them. Institutions that participate in the SEVP admitting students from other countries must have a Principal Designated School Official (PDSO). Some schools may have other Designated School Officials (DSO), but each school must have at least a PDSO. According to the U.S. Department of Homeland Security³:

One requirement for a school to be Student and Exchange Visitor Program (SEVP)-certified is that the school must have dedicated employees for assisting and overseeing enrolled F and M students:

- *Principal designated school official (PDSO).*
- *Designated school officials (DSO).*

The role of a DSO is defined in 8 CFR 214.3 (I)(1), which can be found on the [Regulations page](#) of ICE.gov. Each campus or physical location must have a PDSO, whose duties also include serving as the main point of contact for issues related to SEVP certification. SEVP-certified schools can nominate as many additional DSOs as the school determines that it needs.

Currently, Bureau catalog requirements only require an institution to disclose whether visa services are provided or whether the institution will vouch for student status, and any associated charges. Making this requirement more specific to disclose additional contact information for a PDSO ensures accessible information is available to international students, supporting their rights and needs as students.

Disclosure of the contact information for an institution's PDSO, as opposed to a DSO, in an institution's catalog is necessary because a PDSO's "duties also include serving as the main point of contact for issues related to SEVP certification." This means the PDSO is likely the best point of contact for international students who may need assistance from their institution. A PDSO may be able to quickly assist or refer a student to another DSO on campus. Additionally, because each campus or physical location must have a PDSO, it is the most applicable contact for *all* institutions that participate in SEVP. Each participating SEVP-certified institution would be able to fulfill this requirement because it is required to have a PDSO.

³ "Designated School Official | Study in the States." *Dhs.gov*, 18 Feb. 2026, <https://studyinthestates.dhs.gov/schools/get-started/designated-school-official>

Proposed Change: Amend paragraph (4) of subsection (b) by re-lettering the paragraph into distinct subparagraphs, beginning with (b)(4)(A).

Purpose: The existing subsection (b)(4) contains subparagraphs (A) and (B). This change is the first to re-letter (b)(4) into (b)(4) and subparagraphs (A), (B), and (C). As a result, (b)(4)(A) will apply specifically to the level of English language proficiency required for each educational program.

Rationale: The Bureau is proposing to add subsection (b)(4)(A) so that subparagraph (A) lists the requirement for an institution to disclose the level of English language proficiency required of students. One of the main purposes of this regulatory package is to make catalog requirements clearer by reorganizing or restructuring existing sections. This is accomplished because (b)(4) currently has three requirements found across existing subparagraphs (A) and (B). Subparagraph (A) currently requires both the level and the documentation of English language proficiency, which can be clearer when listed separately. Restructuring these requirements, beginning with (b)(4)(A), means that each subparagraph will apply specifically to one requirement. The Bureau is also proposing to specify that a catalog must disclose the level of proficiency for each educational program, as described further below. As a result, separating the existing subparagraphs is necessary because the level of English language proficiency may vary from program to program, but the kind of documentation demonstrating the level of proficiency that is accepted by the institution may or may not vary accordingly. This change is necessary so the regulations can be clearly understood by the regulated public.

Proposed Change: Amend (b)(4)(A) by capitalizing the word “the” and adding “for each educational program;” to the end of the subsection.

Purpose: Capitalizing “the” is a non-substantive grammatical correction. The addition of “for each educational program;” addresses instances where English language proficiency may differ from one program offered by an institution to another program offered by the same institution. Adding a semicolon is a non-substantive change.

Rationale: Institutions may offer several different educational programs to students. Some institutions offer programs across different subject areas, institutions have demographic differences their student populations in a state as large as California, and some institutions may have different levels of proficiency required for their programs than others. An institution, for example, may want to have a higher English language proficiency level for a graduate-level program where the student will require an advanced knowledge of technical vocabulary related to their program. Whatever the institution’s standard is for a student’s level of English language proficiency, it is necessary for prospective students to know that, as it could impact their ability to be successful in their educational program. The semicolon ensures that paragraph (5) ends with appropriate punctuation before subparagraph (A), described below.

Proposed Change: Amend subsection (b)(4)(B) by re-lettering to have subparagraph (B) apply to the kind of documentation demonstrating English language proficiency that an

institution accepts. Remove the word “and” as a non-substantive change.

Purpose: The existing subsection (b)(4) contains subparagraphs (A) and (B). This proposed change is the second to re-letter (b)(4) into (b)(4), and subparagraphs (A), (B), and (C).

Rationale: The existing subsection 71810(b)(4)(A) currently requires both the level of English language proficiency and the documentation of proficiency, which can be made clearer when listed separately. Restructuring these requirements, with the kind of documentation demonstrating English language proficiency being listed specifically in subparagraph (B), means that each subparagraph will apply specifically to one requirement. The existing requirement in 71810(b)(4)(B) will be moved to a new subparagraph, (C), as further described below. As a result, the new subparagraph (B) will apply to the kind of documentation demonstrating English language proficiency.

Proposed Change: Amend subsection (b)(4)(B) by capitalizing the word “the” and by replacing the word “of” with “demonstrating English language” in subparagraph (B).

Purpose: Capitalizing “the” is a non-substantive grammatical correction. Replacing the word “of” with “demonstrating English language” is to make the regulation more specific as to the kind of proficiency documentation required.

Rationale: The proposed regulations split the existing subsection 71810(b)(4)(A) into subparagraphs (A) and (B) to differentiate between the level of English language proficiency and the kind of documentation the institution accepts. Avoiding the use of the generic phrase “documentation of proficiency” helps clarify the regulation. Specifying that the documentation is that which demonstrates English language proficiency makes it clear that the same correlation to English language proficiency found in subparagraph (A) will also apply in (B).

Proposed Change: Amend subsection (b)(4)(B) by removing the phrase “such as the Test of English as a Foreign Language (TOEFL),” as an “example” in the CCR.

Purpose: This change removes superfluous language from the CCR.

Rationale: The example referencing the TOEFL test is not one that comprises a regulatory requirement. Rather, it merely provides an example in Bureau regulation, which could otherwise be provided via educational resources and guidance the Bureau provides to institutions to help them understand the Bureau’s laws and regulations. Previous iterations of Bureau regulations when this provision was added several years ago do not speak to why TOEFL was chosen as an example to include in the CCR. Removing this language does not alter the regulatory requirement for an institution to disclose the kind of documentation demonstrating English language proficiency that will be accepted by the institution. Removing this language streamlines catalog disclosure requirements so they are more clearly understood by the public.

Proposed Change: Amend subsection (b)(4)(B) by adding the phrase “by the institution” after the words “that will be accepted.”

Purpose: This change is intended for clarity, to ensure that it is clear that the kind of documentation is one that is accepted specifically by the institution to demonstrate English language proficiency as it relates to students' educational programs.

Rationale: English language proficiency tests and other types of documentation can be used for a variety of purposes, such as obtaining visas and employment. Different kinds of documentation can be accepted by a variety of entities. This amendment helps ensure the regulations are clear in that the documentation demonstrating English language proficiency is documentation that will be accepted by the institution, specifically, and not another entity.

Proposed Change: Move the existing subsection (b)(4)(B) by adding it to a new subparagraph, (C). Capitalize the word “whether”.

Purpose: The existing subsection (b), paragraph (4) contains subparagraphs (A) and (B), which are being re-lettered. Existing subsection (b)(4)(B) will now become (b)(4)(C). This change is the third and final change to re-letter existing (b)(4) into (b)(4), subparagraphs (A), (B), and (C).

Rationale: The change moves the existing text at subsection 71810(b)(4)(B) into a new subparagraph (C). As a result, the newly proposed (C) will apply specifically to English language services provided. These changes are necessary to ensure that each requirement for disclosure listed in subparagraphs (A), (B), and (C) is clear and distinct from the other. Capitalizing “whether” is a non-substantive grammatical correction.

Proposed Change: Amend existing regulatory language in the new proposed subparagraph (C) by adding “English as a Second Language.” Add a comma after the abbreviation “(ESL).”

Purpose: This change adds missing words that are from an acronym.

Rationale: The existing regulations only use the abbreviation “ESL.” This term may be unclear for a member of the public seeking to understand the Bureau’s regulations if they do not already have a familiarity with what ESL means. To ensure regulations are clear and easily understood by the public, the Bureau is adding “English as a Second Language” and placing parentheses around the acronym “ESL.”

Proposed Change: Amend subsection (b), paragraph (5) by adding the word “language” before the word “proficiency.”

Purpose: Replacing the word “of” with “language” is to make the regulation more specific as to the kind of proficiency required for a program where instruction occurs in a language other than English.

Rationale: The proposed regulations split the existing subsection 71810(b)(5) into two paragraphs to differentiate between the level of English language proficiency and the kind of documentation the institution accepts. Avoiding the generic phrase “level of proficiency” helps clarify the regulatory language. Specifying that the level of proficiency is specific to proficiency for a language other than English makes the regulations clearer to the regulated public.

Proposed Change: Amend subsection (b), paragraph (5) by adding the words “for each educational program;” to the required disclosures for instruction that occurs in a language other than English.

Purpose: The addition of “for each educational program” is intended to address instances where language proficiency in a language other than English may differ from one program offered by an institution to another program offered by the same institution. Adding a semicolon is a non-substantive change.

Rationale: Institutions may offer several different educational programs to students. Some institutions offer programs across different subject areas, institutions have demographic differences in their student populations across a state as large as California, and some institutions may have different levels of proficiency required for their programs than others. Whatever the institution’s standard is for a student’s level of language proficiency, when instruction will occur in a language other than English, it is necessary for prospective students to know that, as it could impact their ability to be successful in their educational program. The semi-colon ensures that paragraph (5) ends with punctuation before the regulations continue in subparagraph (A), described below.

Proposed Change: Move text in existing subsection (b), paragraph (5) by adding it to a new subparagraph (A). Subparagraph (A) will apply specifically to the kind of documentation demonstrating language proficiency that an institution accepts.

Purpose: The existing subsection (b)(5) contains multiple requirements in the subsection. Adding subparagraph (A) to subsection (b)(5) allows for the kind of documentation demonstrating language proficiency to be listed separately from the requirement to disclose the level of language proficiency needed.

Rationale: The existing subsection 71810(b)(5) currently requires, if instruction occurs in a language other than English, that the institution disclose both the level of language proficiency and the documentation of proficiency that the institution will accept. These two requirements can be made clearer when listed separately. Restructuring these requirements, with the kind of documentation demonstrating language proficiency being listed in (b)(5)(A), means that each subsection will apply specifically to one requirement. As a result, the new (A) will apply to the kind of documentation demonstrating language proficiency.

Proposed Change: Amend subsection (b)(5)(A) by capitalizing the word “the” and by replacing the word “of” with “demonstrating language” before the word “proficiency.”

Purpose: Capitalizing “the” is a non-substantive grammatical correction. Replacing the word “of” with “demonstrating language” is to make the regulation more specific as to the kind of proficiency documentation required.

Rationale: The proposed regulations add subparagraph (A) to subsection 71810(b)(5) to differentiate between the level of language proficiency and the kind of documentation the institution accepts for languages other than English. The Bureau wants to ensure that the regulations are clear by avoiding the use of the generic phrase “documentation of proficiency.” Specifying that the documentation is that which demonstrates language proficiency makes the regulations clearer for the public.

Proposed Change: Remove the phrase “, such as the United States Foreign Language Rating System” as an “example” in the CCR.

Purpose: This change removes superfluous language from the CCR.

Rationale: The example referencing the United States Foreign Language Rating System is not one that comprises a regulatory requirement. Rather, it merely provides an example in Bureau regulation, which could otherwise be provided via educational resources and guidance the Bureau provides to institutions to help them understand the Bureau’s laws and regulations. Previous iterations of Bureau regulations, when this provision was added several years ago, do not speak to why the United States Foreign Language Rating System was chosen as an example to include in the CCR. Removing this language does not alter the regulatory requirement for an institution to disclose the kind of documentation demonstrating language proficiency that will be accepted by the institution. Removing this existing regulatory language streamlines catalog disclosure requirements so they are more clearly understood by the public.

Proposed Change: Amend existing regulatory text in the new proposed subsection (b)(5)(A) by adding the phrase “by the institution” after the words “that will be accepted.”

Purpose: This change is intended for clarity, to ensure that it is clear that the kind of documentation is one that is accepted specifically by the institution to demonstrate language proficiency as it relates to students' educational programs.

Rationale: The U.S. Foreign Language Rating System and other types of language proficiency documentation can be used for a variety of purposes, such as obtaining employment. Different kinds of documentation can be accepted by a variety of entities. This amendment helps ensure the regulations are clear in that the documentation demonstrating language proficiency is documentation that will be accepted by the institution, specifically.

Proposed Change: Amend subsection (b), paragraph (10) by adding the words “policies and” before the word “procedures” in the text of the subsection.

Purpose: This change is intended to clarify that both policies and procedures, as they relate to student access to library and other learning resources, must be included in an institution's catalog.

Rationale: The existing catalog disclosure requirement at (b)(10) requires an institution to disclose procedures for student access to library and other learning resources. When it pertains to student access to a particular service or resource, it is necessary that a student is aware of both an institution's policies and its procedures regarding that particular issue. Examples of this can be seen where the phrase "policies and procedures" or "policies and practices" are used in the section at (b)(6), (b)(7), and (b)(14). While policies and procedures may be similar, they are not interchangeable, so it is crucial that the Bureau's regulations specify that both be disclosed to students. Policies often apply an overall standard that the institution has or wants to make. Procedures, in turn, are often the actions the institution takes to enforce or implement that policy. In the context of (b)(10), for example, an institution may have a policy that states all students enrolled in a certain program have access to facilities related to their program, but may have procedures that state that access to the facility is limited to those who present a valid student ID card. It is necessary that the Bureau's regulatory requirements ensure that both components of this important information are provided to students and prospective students. Adding procedures to the catalog requirement at (b)(10) also makes it consistent with the other above-mentioned subsections.

Proposed Change: Amend existing regulatory text by adding the words "and the hours they are available" to the end of subsection (b)(10).

Purpose: This change adds a required disclosure to specify the hours of availability for library and other learning services.

Rationale: While the Bureau is specifying that an institution must include its policies and procedures for access to library and other learning resources, a crucial component of the disclosure requirements in (b)(10) are the hours of availability for library and other learning resources. The Bureau has received complaints from students alleging they did not have access to certain learning services. Examples from previously submitted catalogs of Bureau-approved institutions show how a lack of hours of available services can hinder a student's ability to access those resources.

Example 1:

"Students will also be able to receive help from a Librarian electronically and during Librarian scheduled times onsite. The Librarian hours on site are posted in the Multipurpose Room for viewing by all students. Students are able to access library resources by using the onsite library and multimedia resource lab during posted school hours."

Example 2:

"[School name] does not have a library available to students. Our instructors make any learning material, recorded classes or missed coursework available to students upon

request.”

Example 3:

“Students are allowed to check out resources, one at the time, on daily basis. They can be check[ed] out through the instructor on shift and returned and checked back in on the following day.”

While each of these requirements discloses in different ways how students can access libraries or other learning resources, there is no mention of the hours of availability in the catalog. In the first example, a student would already have to be on campus and go to the multipurpose room to know the hours of availability for the library. This disclosure also does not inform a prospective student who is required to be provided with the institution’s catalog prior to enrollment, with hours of availability of the library or other learning services, which may impact their decision to attend the institution. Listing this information in the institution’s catalog allows the student to have that information readily available at any time. In the second example, students must request any learning material, recorded classes, or missed coursework, but the catalog disclosure provides no other hours or procedures for making such a request, such as whether it must be in writing, orally, in-person, or the hours that students must make such a request. The third example provides students with a procedure to check out one resource at a time from the instructor and check it back in on the following day. However, without knowing the hours that check-in or check-out occurs, a student does not have all the information necessary to complete that process successfully. For these reasons, it is necessary to require that institutions disclose in their catalogs the hours of availability for student access to library and other learning resources.

Proposed Change: In subsection (b), paragraph (11), after the words, “If the institution offers distance education,” amend the subsection by adding “the distance education learning management systems used by the institution, and.”

Purpose: Adding the proposed language requires an institution to disclose in its catalog the distance education learning management system used, if it offers distance education to students.

Rationale: It is necessary for an institution to specify the distance education learning management system used if it offers distance education because an institution is required to report and receive prior authorization for any change in its distance education learning management system, as that is a substantive change defined by Education Code Section 94894(l). Disclosing the learning management system used by the institution in the catalog allows students and the public to be well-informed about the types of in place. The Bureau must know an institution’s chosen system, which will help to reconcile the information included in the institution’s catalog on an annual basis with what the Bureau has on file.

Proposed Change: Amend subsection (b), paragraph (12) by adding the words “including the policies and procedures for access to those services and the hours they are available” to the end of the subsection.

Purpose: This change adds needed specificity to essential information about student services that would be critical for a student or prospective student to know.

Rationale: The existing catalog disclosure requirement at subsection (b)(12) requires an institution to disclose “a description of all student services.” This requirement is vague and does not guarantee that students are provided with specific, relevant, and clear information concerning the student services offered at the institution. One intent of the Bureau in promulgating this regulatory proposal is to examine and address areas where additional specificity is needed to ensure students have access to needed information and services. When it pertains to student access to a particular service or resource, it is necessary that a student is aware of both an institution’s policies and its procedures regarding that particular issue. Examples of this can be seen where the phrase “policies and procedures” or “policies and practices” are used in the section at (b)(6), (b)(7), and (b)(14). It is necessary that the Bureau’s regulatory requirements ensure that both components of this important information are provided to students and prospective students. Adding procedures to the catalog requirement at subsection (b)(12) also makes it consistent with the other subsections mentioned above.

While the Bureau is specifying that an institution must include its policies and procedures for access to student services, a crucial component of the disclosure requirements in (b)(12) that the Bureau wants to ensure all institutions include in their catalog are the hours of availability for those services. Students have submitted complaints alleging they did not have access to student services, such as career placement services at an institution. Specifying the hours that student services are available would provide students and prospective students with a key piece of information that will help them either a) be more successful in their academics by having this information disclosed to them because it improves their ability to access to the student services by disclosing the hours they are available, or b) better understand whether an institution they are considering enrolling at will provide student services that work for and support them. For example, if a prospective student has a job, or multiple jobs, childcare commitments, or other obligations, the hours certain student services are available may or may not be feasible for them. There is currently no requirement for an institution to disclose these hours to students in its catalog. Knowing those hours can help those students best select an institution that fits their needs and will best support them as they attend.

Proposed Change: Amend subsection (b), paragraph (13) by removing the text that states “Housing information including all of the following:” in the existing subsection.

Purpose: The Bureau is removing housing information from institutional catalog requirements. Removing the text from (b)(13) also allows for new text addressing an institution’s business hours to replace the existing text in (b)(13) described below.

Rationale: This amendment is necessary because the vast majority of Bureau-approved institutions do not offer student housing, the existing housing disclosure requirements are outmoded, and the institution's catalog is not an efficient or effective method to disclose housing information about an institution as a requirement. One intent of the Bureau for this regulatory proposal is to ensure that all disclosure requirements remain useful and streamline them as necessary. Institutions are already required to separately list the cost of institutionally operated housing and meal plans on all Internet websites and documents it provides to students for purposes of advertising or otherwise displaying the student costs associated with institutionally operated housing pursuant to EDC section 69503.6. Therefore, the requirements in Bureau regulations are not necessary because if an institution *does* offer institutional housing, its cost is already required to be separately listed. However, catalogs contain vast amounts of information, and the information about housing that is currently required by (b)(13) is outdated and ineffective for students and prospective students. Ultimately, since the vast majority of Bureau institutions do not offer student housing services, requiring housing disclosures for all institutions is an ineffective disclosure requirement.

Proposed Change: Add text to subsection (b), paragraph (13) that states, "The institution's business hours for the period covered by the catalog, including, at a minimum:"

Purpose: This addition begins the new proposed catalog disclosure requirements for an institution to specify certain information regarding its business hours in its catalog, and specifies that the requirements are only a "minimum" requirement.

Rationale: Adding the institution's business hours for the period covered by the catalog is necessary for students, members of the public and the Bureau to know about an institution for contact and communication. Using the general term "business hours" to begin subsection (b)(13) allows the proposed regulation to differentiate between different types of business hours in subparagraphs (A) and (B). Specifying that the business hours are for the period covered by the catalog sets a clear parameter around when these business hours apply, to ensure that someone referencing the catalog has clear information that pertains specifically to the catalog for that annually issued version. Finally, specifying that the minimum business hours disclosure requirements proposed in subsection (b)(13) are just that – a minimum – allows for institutions to choose to disclose additional business hours beyond the minimum standard if they so choose.

Proposed Change: Amend subsection (b)(13)(A) by removing the text from subparagraph (A) that currently states, "Whether the institution has dormitory facilities under its control;" in the existing subsection.

Purpose: The Bureau is removing housing information from institutional catalog requirements. Removing the text from subsection (b)(13)(A) continues this process and allows for new text addressing an institution's administrative business hours to replace the existing text, as further described below.

Rationale: As mentioned above, the Bureau is removing housing disclosure requirements from section 71810, because the vast majority of Bureau-approved institutions do not offer student housing, the existing housing disclosure requirements are outmoded, and the institution's catalog is not an efficient or effective method to disclose housing information about an institution as a requirement. One intent of the Bureau for this regulatory proposal is to ensure that all disclosure requirements remain useful and streamline them as necessary. Since most Bureau-approved institutions do not have dormitory facilities under their control, having this as a disclosure in the catalog for all institutions is not necessary. If an institution does offer dormitory services, it is already required to separately list the cost of institutionally operated housing and meal plans on all Internet websites and documents it provides to students for purposes of advertising or otherwise displaying the student costs associated with institutionally operated housing pursuant to EDC section 69503.6.

Proposed Change: Add text to subsection (b)(13)(A) that states, "The institution's normal business hours. For the purposes of this chapter, "normal business hours" shall mean the institution's primary administrative hours where records are available pursuant to section 71930, which shall be reasonably held so any person authorized under the Act may inspect the records, including records that are stored or accessed in a digital format or at a location other than the institution's primary administrative location and;"

Purpose: This subparagraph (A) adds a definition for "normal business hours," which is found three times in the cross-referenced section (section 71930) and requires an institution to disclose those normal business hours in its catalog.

Rationale: Requiring institutions to disclose their normal business hours in the catalog enhances transparency and ensures consistency with existing regulatory requirements under section 71930. Section 71930 requires an institution to have staff present during "normal business hours" if records are stored digitally, and records must be available for inspection by the Bureau during these "normal business hours." The term "normal business hours" is referenced multiple times in that section, which is in the same chapter as section 71810. Yet without a clear definition or disclosure requirement, the requirement is ambiguous for both institutions and individuals seeking access to records. This ambiguity affects not only individuals authorized to inspect records, but also students who may be seeking copies of their transcripts or need help clarifying other parts of their student records, like financial aid documents, equipment or supply charges, or payment records. The proposed regulatory change promotes clarity, facilitates compliance monitoring, and ensures that authorized individuals are aware of when and how they may access institutional records by defining the term and mandating its inclusion in the catalog. This is particularly important in an era where records may be stored digitally or off-site, making it essential to establish clear disclosures as to when an institution's "normal business" hours occur and when records are available.

Proposed Change: Amend subsection (b)(13)(B) by removing the text "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" in the existing subsection.

Purpose: The Bureau is removing housing information from institutional catalog requirements. Removing the text from subsection (b)(13)(B) continues this process and allows for new text addressing an institution's administrative business hours to replace the existing text, as further described below.

Rationale: As mentioned above, the Bureau is removing housing disclosure requirements from 71810, because the vast majority of Bureau-approved institutions do not offer student housing, the existing housing disclosure requirements are outmoded, and the institution's catalog is not an efficient or effective method to disclose housing information about an institution as a requirement.

Institutions are not guaranteed qualified experts in housing market trends or costs, and it is not necessary for the regulation to require an institution's catalog to disclose the "approximate cost or range of cost of the housing" when the regulation itself does not specify what "reasonably near" entails, and does not differentiate between key aspects of housing, such as the cost of renting versus the cost of owning. Furthermore, housing availability and costs can change drastically within a geographic area more quickly than an institution might update its annual catalog. For example, a natural disaster might quickly reduce housing availability near an institution. Conversely, a new apartment complex being constructed might increase housing availability near an institution. For each of these scenarios, those changes occur within timeframes that can be quicker than when an institution issues its annually updated catalog or when the institutional staff member who is responsible for updating housing information determines how it should be incorporated into the catalog. This means that the information that a student receives in the catalog regarding nearby housing costs may not even be accurate. Thus, the Bureau is proposing to delete this catalog disclosure requirement.

Proposed Change: Add text to subsection (b)(13)(B) that states, "The hours when the institution offers instruction."

Purpose: This subparagraph (B) adds a disclosure requirement to disclose the hours when an institution offers instruction.

Rationale: It is necessary to address hours when instruction occurs that may include hours outside of an institution's "normal business hours" defined in subparagraph (A). Requiring institutions to disclose the hours when instruction is offered provides prospective and enrolled students with essential information to make informed decisions about their educational commitments. This disclosure supports transparency by clearly communicating when instruction occurs. An institution is already required to provide certain information required by EDC section 94909(a)(5), including "a description of the instruction provided...the requirements for completion of each program...and the total number of credit hours, clock hours, or other increments required for completion."

For students seeking an institution where instruction occurs in the evening, or other students seeking instruction on certain days of the week, knowing when instruction occurs and receiving that information disclosed to them prior to enrollment can help them

determine if the institution's program will support them in their academic goals, work, and personal responsibilities. It also helps regulatory agencies and other stakeholders verify that instructional activities align with the institution's stated hours of instruction. Including this information in the catalog ensures it is readily accessible across institutions and is necessary for the Bureau to promote informed decision-making and ensure that private postsecondary educational institutions offer complete and accurate information to prospective students.

Proposed Change: Repeal existing subsection (b)(13)(C) that states "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."

Purpose: The Bureau is removing housing information from institutional catalog requirements in section 71810, subsection (b), paragraph (13). Repealing subparagraph (C) completes this process.

Rationale: As mentioned above, the Bureau is removing housing disclosure requirements from section 71810, because the vast majority of Bureau-approved institutions do not offer student housing, the existing housing disclosure requirements are outmoded, and the institution's catalog is not an efficient or effective method to disclose housing information about an institution as a requirement. One intent of the Bureau for this regulatory proposal is to ensure that all disclosure requirements remain useful and streamline them as necessary. Since the vast majority of Bureau-approved institutions do not offer housing services, this requirement is unnecessary.

Proposed Change: Amend subsection (b), paragraph (15) by adding "which shall comply with section 71930, including whether records are stored or accessed in a digital format or at a location other than the institution's primary administrative location" to the end of the subsection.

Purpose: This change is intended to clarify that an institution's disclosed record retention policies must comply with Bureau regulations, and to add a disclosure about whether records are stored digitally or at a location other than the institution's primary administrative location.

Rationale: This amendment reinforces the Bureau's intent for this package to examine areas where additional specificity is necessary to ensure students have access to needed records and services, and presents an opportunity for alignment between institutional catalog disclosures and existing regulatory requirements found in section 71930. The proposed change aligns catalog requirements with record maintenance policies by explicitly stating that disclosed record retention policies in a catalog must comply with record maintenance provisions required by regulation. By requiring institutions to disclose whether records are stored or accessed digitally or at an off-site location, the change promotes transparency and ensures that students, regulators, and other stakeholders have a clear understanding of how and where institutional records are

maintained. This is particularly important in modern administrative environments where digital and remote storage are increasingly common. Furthermore, certain requirements in section 71930(c)(1)-(3) apply specifically to records stored in a non-physical format. The added language helps prevent confusion, supports regulatory oversight, and ensures institutions are accountable for maintaining accessible and compliant recordkeeping practices.

Proposed Change: Add subparagraph (A) to subsection (b), paragraph (15), to state, “The procedures by which students may access their student records.”

Purpose: This change is intended to clarify that in addition to institutional policies for record maintenance, institutions must disclose the procedures as they relate to student access to those records in their catalog.

Rationale: The existing catalog disclosure requirement at the existing subsection (b)(15) requires an institution to disclose “policies on the retention of student records.” This requirement is vague and does not guarantee that students are provided with specific, relevant, and clear information concerning their student records that are, or will be, maintained by the institution. One intent of the Bureau in promulgating this regulatory proposal is to examine and address areas where additional specificity is needed to ensure students have access to their records, information, and services. When it pertains to student access to their records, it is necessary that a student is aware of both an institution’s policies for maintaining student records and its procedures for how students can access those records, such as at an administrative office, via an online student portal, or another way. Examples of this can be seen where the phrase “policies and procedures” or “policies and practices” are used in the section at (b)(6), (b)(7), and (b)(14). It is necessary that the Bureau’s regulatory requirements ensure that both components of this important information are provided to students and prospective students. Adding procedures to the catalog requirement at subsection (b)(12) also makes it consistent with the other subsections mentioned above.

Proposed Change: Add paragraph (16) to subsection (b), to state, “If an institution requires internships or externships as a requirement for the completion of an educational program, it shall disclose those required internships and externships, including the distance, in miles, of those internships and externships from the institution or branch location, and any other requirements or limitations for successful completion by the student.”

Purpose: This change adds needed specificity to essential information about required internships and externships that is critical for a student or prospective student to know.

Rationale: Existing law at EDC section 94909(a)(5) requires an institution to disclose in its catalog, “any required internships or externships” in order for a student to complete the program. Disclosing only the existence of such an internship or externship helps to know that a requirement for the student to complete *exists*, but it does little to inform the student as to whether or not that requirement will be feasible to complete. This proposed

regulatory change to add subsection (b)(16) ensures that students and prospective students are informed about critical components of their educational program when internships or externships are required for them to complete that program. Requiring additional catalog disclosures specific to the logistical requirements of these internships or externships placements, such as the distance they occur from the institution, helps students assess the feasibility of meeting these obligations based on their individual circumstances. It is necessary to specify that the distance be “in miles” to avoid various interpretations of what “distance” means, such as “5 blocks” or “within walking distance.” The proposed addition of subsection (b)(16) also promotes transparency and consistency across institutions by standardizing the type of information that must be disclosed. Requiring an institution to disclose “any other requirements or limitations for successful completion by the student” allows an institution the flexibility to offer a variety of internships and highlight their unique differences, opportunities, and limitations in the catalog. It provides a prospective student with the information they need to make an informed choice about their educational program. This added clarity supports consumer protection and helps prevent potential barriers to a student’s ability to complete their program that may arise from undisclosed or impractical placement requirements.

Proposed Change: Add paragraph (17) to subsection (b) to state, “If an educational program is designed to lead to positions in a profession, occupation, trade, or career field requiring licensure in this state, the institution shall disclose the location and distance, in miles, from the institution or branch location of any requirements for eligibility for licensure that occur at a location other than the institution or branch location.”

Purpose: This change adds needed specificity to essential information about requirements for licensure that occur at a location other than an institution or branch location that would be critical for a student or prospective student to know.

Rationale: Existing law at EDC section 94909(a)(6) requires an institution to disclose in its catalog, “[i]f 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.” As is the case with required disclosures for internships and externships, disclosing only the list of requirements for licensure helps to inform a student or prospective student that requirements for licensure *exist*, but it does not fully inform the student as to whether or not that requirement will be feasible to complete by providing other logistical information to them. This proposed regulatory change to add subsection (b)(17) ensures that students and prospective students are informed about a critical component of their educational program when it is designed to lead to licensure. Requiring additional catalog disclosures specific to the logistical requirements for licensure, such as the distance any of those requirements occur from the institution, helps students assess the feasibility of meeting these obligations based on their individual circumstances. It is necessary to specify that the distance be “in miles” to avoid various interpretations of what “distance” means, such as “5 blocks” or “within walking distance.” The proposed addition of subsection (b)(17) also promotes transparency and consistency across institutions by standardizing the type of information that must be disclosed. This added clarity supports consumer protection and

helps prevent potential barriers to a student's ability to complete their program that may arise from undisclosed or infeasible licensure requirements.

Proposed Change: Update the Note for section 71810 to add Education Code Sections 94897, 94900, and 94900.5 to the References.

Purpose: Add the correct references to the Note of the section as a result of the proposed regulatory language.

Rationale: It is necessary to amend the Note to include the reference to Education Code Sections 94897, 94900, and 94900.5, which are being incorporated into the proposed regulations at section 71810.

Underlying Data

Technical, theoretical, or empirical studies, reports, or documents relied upon:

1. Discussion on this proposed regulation occurred at the Bureau for Private Postsecondary Education's Advisory Committee meeting on February 26, 2025. The memorandum of what was presented is on pages 76 to 82 of the meeting materials located at:
https://bppe.ca.gov/about_us/meetings/materials/20250226_acm.pdf.
2. The summary of the discussion of the proposal from the Bureau's February 26, 2025 Advisory Committee meeting can be found in the meeting minutes of the Bureau for Private Postsecondary Education's Advisory Committee meeting, located at: https://bppe.ca.gov/about_us/meetings/minutes_20250226.pdf.
3. The provisions of this proposed regulation were discussed at the Bureau for Private Postsecondary Education's Advisory Committee meeting on May 28, 2025. The text of what was presented is on pages 85 to 88 of the meeting materials located at:
https://bppe.ca.gov/about_us/meetings/materials/20250528_acm.pdf.
4. The summary of the discussion of the proposal from the Bureau's May 28, 2025 Advisory Committee meeting can be found in the meeting minutes of the Bureau for Private Postsecondary Education's Advisory Committee meeting located at:
https://bppe.ca.gov/about_us/meetings/minutes_20250528.pdf.
5. The provisions of this proposed regulation were further discussed at the Bureau for Private Postsecondary Education's Advisory Committee meeting on November 5, 2025. The text of what was presented is on pages 79 to 82 of the meeting materials located at:
https://bppe.ca.gov/about_us/meetings/materials/20251105_materials.pdf.
6. The summary of the discussion of the proposal from the Bureau's November 5, 2025 Advisory Committee meeting can be found in the meeting minutes of the

Bureau for Private Postsecondary Education's Advisory Committee meeting located at: https://bppe.ca.gov/about_us/meetings/20251105_minutes.pdf.

7. The Catalog Checklist for the Accrediting Commission of Career Schools and Colleges (ACCSC). The language referencing supplements and inserts can be found on page 1 of the document.

Business Impact:

The Bureau has made the initial determination that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses including the inability of California businesses to compete with businesses in other States.

This initial determination is based on the fact that proposed regulations affect an annually issued catalog, and updating this catalog regularly is already part of an institution's existing normal business practices. As a result, the regulations do not result in additional workload or costs to businesses operating in the state.

Economic Impact Assessment:

This Bureau has determined that this regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California because the regulations affect an annually issued catalog, which all institutions are required to maintain.
- It will not create new business or eliminate existing businesses within the State of California because the regulations affect an institution's catalog, which is a disclosure document that provides information about the institution, and does not affect whether a new business is created or an existing business is eliminated.
- It will not affect the expansion of businesses currently doing business within the State of California because the regulations affect information disclosed in a school's catalog, and not an institution's ability to expand its business.
- This regulatory proposal does not affect the health and welfare of California residents because it does not relate to health and welfare.
- This regulatory proposal does not affect worker safety because it does not involve worker safety.
- This regulatory proposal does not affect the state's environment because it

does not involve the environment.

Specific Technologies or Equipment:

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives:

No reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to affected private persons and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the law being implemented or made specific.

Description of reasonable alternatives to the regulation that would lessen any adverse impact on small business:

No such alternatives have been proposed, however, the Bureau welcomes comments from the public.