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

PROPOSED REGULATORY LANGUAGE
Catalog Requirements

Legend:	Added text is indicated with an underline. Omitted text is indicated by (* * * *) Deleted text is indicated by ~~strikeout~~. Added modified text is indicated with a double underline. Deleted proposed text is indicated with ~~double strikeout~~.

1. Amend section 71810 of Division 7.5 of Title 5 of the California Code of Regulations to read as follows:

§ 71810. Catalog

(a) Each institution shall provide a catalog pursuant to Section 94909 of the Code, which shall be updated annually.

(1) ~~Annual updates may be made by the use of supplements or inserts accompanying the catalog. If~~ Any changes to~~in~~ educational programs, educational services, procedures, or policies implemented between annual catalog updates and required by statute or regulation to be included in the catalog ~~by statute or regulation are implemented before the issuance of the annually updated catalog, those changes~~ shall be published ~~reflected at the time they are made~~ in supplements or inserts accompanying the catalog or in an updated catalog documenting the changes. 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. Any new educational programs, educational services, procedures, or policies shall be published as "new" through the end of the annual catalog period in which the new educational programs, educational services, procedures, or policies were added. 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.

(2) 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.

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

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

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

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

(A) If the institution is certified by the Student and Exchange Visitor Program (SEVP)~~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.

(4) Language proficiency information, including:

(A) ~~t~~The level of English language proficiency required of students for each educational program;

(B) ~~and t~~The kind of documentation ~~of~~ demonstrating English language proficiency, ~~such as the Test of English as a Foreign Language (TOEFL),~~ that will be accepted by the institution; and

(C~~B~~) ~~w~~Whether English language services, including instruction such as English as a Second Language (ESL), are provided and, if so, the nature of the service and its cost;

(5) Whether any instruction will occur in a language other than English and, if so, the level of language proficiency required for each educational program; and

(A) ~~t~~The kind of documentation ~~of~~ demonstrating language proficiency~~, such as the United States Foreign Service Language Rating System,~~ that will be accepted by the institution;

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

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

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

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

(10) A description of library and other learning resources and the policies and procedures for student access to those resources and the hours they are available;

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

(12) A description of all student services, including the policies and procedures for access to those services and the hours they are available;

(13) The institution's business hours for the period covered by the catalog, including, at a minimum: ~~Housing information including all of the following:~~

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

(B) The hours when the institution offers instruction. ~~The availability of housing located reasonably near the institution's facilities and an estimation of the approximate cost or range of cost of the housing; and~~

~~(C) If the institution has no responsibility to find or assist a student in finding housing, a clear and conspicuous statement so indicating. A statement that the program is "non-residential" does not satisfy this subparagraph.~~

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

(15) Policies on the retention of student records, 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.

(A) The procedures by which students may access their student records.

(16) 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 approximate distance, in driving-distance miles rounded to the nearest mile, of those internships and externships from the institution or branch location, and any other requirements ~~or limitations~~ for successful completion by the student.

(17) 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 approximate distance, in driving-distance miles rounded to the nearest mile, 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.

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

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

Note: Authority cited: Sections 94803, 94877 and 94885, Education Code. Reference: Sections 94837, 94885, 94897, 94900, 94900.5, and 94909, Education Code.