

**State of California
Office of Administrative Law**

In re:
Bureau for Private Postsecondary Education

Regulatory Action:

Title 05, California Code of Regulations

Adopt sections:

Amend sections: 71395, 76000, 76020

Repeal sections:

**NOTICE OF APPROVAL OF CHANGES
WITHOUT REGULATORY EFFECT**

California Code of Regulations, Title 1,
Section 100

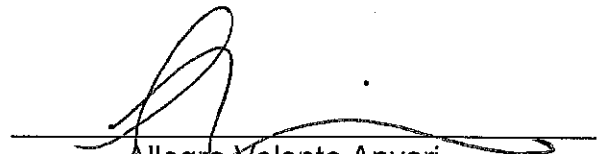
OAL Matter Number: 2024-1003-03

OAL Matter Type: Nonsubstantive (N)

In these changes without regulatory affect, the Bureau for Private Postsecondary Education (Bureau) amends Title 5, California Code of Regulations, Sections 71395, 76000 and 76020 to delete reference to section 94874.1 of the California Education Code, which has been repealed, and to delete and update outdated citations to 94803.

OAL approves this change without regulatory effect as meeting the requirements of California Code of Regulations, title 1, section 100.

Date: October 21, 2024


Allegra Volonte Anvari
Attorney


For: Kenneth J. Pogue
Director

Original: Deborah Cochrane, Chief

Copy: Parker Strohmeyer

NONSUBSTANTIVE

For use by Secretary of State only

OAL FILE NUMBERS Z-	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER 2024-1003-03	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			ENDORSED - FILED In the office of the Secretary of State of the State of California OCT 21 2024 
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY Bureau for Private Postsecondary Education			AGENCY FILE NUMBER (If any)

OFFICE OF ADMIN. LAW
2024 OCT 8 PM 2:40

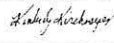
A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Delete Repealed Statute Reference and Update Authority and Reference	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND
	71395, 76000, 76020
TITLE(S)	REPEAL
5	
3. TYPE OF FILING	
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)
	<input type="checkbox"/> File & Print
	<input type="checkbox"/> Other (Specify)
	<input checked="" type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
	<input type="checkbox"/> Print Only
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)	
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)	
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State
	<input checked="" type="checkbox"/> §100 Changes Without Regulatory Effect
	<input type="checkbox"/> Effective other (Specify)
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY	
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission
<input type="checkbox"/> Other (Specify)	<input type="checkbox"/> State Fire Marshal
7. CONTACT PERSON Parker Strohmeyer	TELEPHONE NUMBER (279) 666-5844
FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) Parker.Strohmeyer@dca.ca.gov

I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct; and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE Oct 3, 2024
TYPED NAME AND TITLE OF SIGNATORY Kimberly Kirchmeyer, Director, Department of Consumer Affairs	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

OCT 21 2024

Office of Administrative Law

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

Delete Repealed Statute Reference and Update Authority and Reference

Legend:	Added text is indicated with an <u>underline</u> . Omitted text is indicated by (* * * *) Deleted text is indicated by strikeout .
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1. Amend Section 71395 of Article 3 of Chapter 2 of Division 7.5 of Title 5 of the California Code of Regulations.

71395. Application; Fees

(a) In order to obtain verification from the Bureau that it is exempt pursuant to Section 94874 of the Code, an institution must complete an application with the requirements of this section.

(b) The application for verification of exemption shall include all of the following:

(* * * *)

(7) If an institution is claiming an exemption under section 94874(d)(2), 94874(g), 94874(h), 94874(i), or 94874(j) ~~or 94874.1~~ of the Code, a letter from that entity indicating the validity of the accreditation or approval, and the name and contact information for a representative of that entity;

(* * * *)

Note: Authority cited: Sections 94803, 94874, and 94877, Education Code. Reference: Sections ~~94874.1~~ and ~~94874.7~~, of the Education Code.

2. Amend Section 76000 of Article 1 of Chapter 6 of Division 7.5 of Title 5 of the California Code of Regulations.

76000. Definitions.

For purposes of this chapter, the following definitions apply:

(* * * *)

Note: Authority cited: Sections ~~94803, 94877~~ and 94923, Education Code. Reference: Sections ~~94874.1, 94923, 94926, 94927~~ and 94927.5, Education Code.

3. Amend Section 76020 of Article 1 of Chapter 6 of Division 7.5 of Title 5 of the California Code of Regulations.

76020. Student Tuition Recovery Fund (STRF).

(a) The fund exists to relieve or mitigate economic losses suffered by a student while enrolled at a qualifying institution, who at the time of enrollment is or was a California resident or was enrolled in a California residency program, if the student enrolled in the institution and the student or a third-party payer, prepaid tuition, paid or is deemed to have paid the assessment and suffered economic loss as a result of any of the conditions specified in section 94923 of the Code or due to an institution losing its eligibility to receive a third-party payer benefit such as Cal Grant, Pell Grant, or veterans' financial aid programs under Title 38 of the Code of Federal Regulations.

Note: Authority cited: Sections ~~94803, 94877~~ and 94923, Education Code. Reference: Sections ~~94874.1, 94923, 94926, 94927~~ and 94927.5, Education Code.