

**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: 71475, 71480**

**Repeal sections:**

**NOTICE OF APPROVAL OF REGULATORY  
ACTION**

**Government Code Section 11349.3**

**OAL Matter Number: 2025-0408-02**

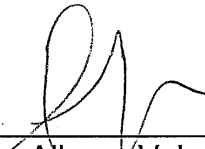
**OAL Matter Type: Regular (S)**

---

Through this regulatory action, the Bureau for Private Postsecondary Education amends sections 71475 and 71480 of title 5, regarding expired approvals to operate for non-accredited and accredited institutions.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 7/1/2025.

**Date: May 20, 2025**

  
\_\_\_\_\_  
**Allegra Volonte Anvari**  
**Attorney**

**For: Kenneth J. Pogue**  
**Director**

**Original: Deborah Cochrane, Chief**  
**Copy: Parker Strohmeyer**

REGULAR

For use by Secretary of State only

STD. 400 (REV. 10/2019)

|  |   |  |                  |
|--|---|--|------------------|
| OAL FILE<br>NUMBERS                                | NOTICE FILE NUMBER<br><b>Z-2025-0204-06</b> | REGULATORY ACTION NUMBER<br><b>2025-0408-025</b> | EMERGENCY NUMBER |
| For use by Office of Administrative Law (OAL) only |   |  |                  |
| NOTICE   |   | REGULATIONS                                      |                  |

ENDORSED - FILED  
in the office of the Secretary of State  
of the State of CaliforniaMAY 20 2025  
1:52 PM AB

|  |                             |
|--|-----------------------------|
| AGENCY WITH RULEMAKING AUTHORITY<br>Bureau for Private Postsecondary Education | AGENCY FILE NUMBER (If any) |
|--|-----------------------------|

## 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<br><input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other |  | 4. AGENCY CONTACT PERSON                       |                        | TELEPHONE NUMBER                   |
| FAX NUMBER (Optional)  |  | 5. NOTICE REGISTER NUMBER<br><b>2025, 07-2</b> |                        | PUBLICATION DATE<br><b>2/14/25</b> |

## B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

|  |  |  |  |
|--|--|--|--|
| 1a. SUBJECT OF REGULATION(S)<br>Expired Approvals  |  | 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<br>(List all section number(s) individually. Attach additional sheet if needed.)   |  | ADOPT  |  |
| TITLE(S)<br>5  |  | AMEND<br>71475, 71480  |  |
| 3. TYPE OF FILING  |  | REPEAL   |  |
| <input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)<br><input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)<br><input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))  |  | <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.<br><input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1) |  |
| <input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))<br><input type="checkbox"/> File & Print<br><input type="checkbox"/> Other (Specify)   |  | <input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)<br><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) N/A   |  |  |  |
| 5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100 )<br><input checked="" 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 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<br><input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal<br><input type="checkbox"/> Other (Specify)                                 |  |  |  |
| 7. CONTACT PERSON<br>Parker Strohmeyer   |  | TELEPHONE NUMBER<br>(279) 666-5844   | FAX NUMBER (Optional)<br>E-MAIL ADDRESS (Optional)<br>Parker.Strohmeyer@dca.ca.gov |

8. 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<br><i>Kimberly Kirchmeyer</i>                                 | DATE<br>Apr 8, 2025 |
| TYPED NAME AND TITLE OF SIGNATORY<br>Kimberly Kirchmeyer, Director, Department of Consumer Affairs |                     |

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

MAY 20 2025

Office of Administrative Law

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

**PROPOSED REGULATORY LANGUAGE  
EXPIRED APPROVALS**

**California Code of Regulations  
Division 7.5. Private Postsecondary Education  
Chapter 2. Applications  
Article 6. Renewals**

|                |   |
|----------------|---|
| <b>Legend:</b> | Added text is indicated with an <u>underline</u> .<br>Omitted text is indicated by (* * * *)<br>Deleted text is indicated by <del>strikeout</del> . |
|----------------|---|

**1. Amend Section 71475 of Article 6 of Chapter 2 of Division 7.5 of Title 5 of the California Code of Regulations**

**71475. Renewal of an Approval to Operate for a Non-Accredited Institution;  
Cancellation of an Approval to Operate**

(a) Unless renewed, an approval to operate shall expire at 12 midnight on the last day of the institution's term of approval to operate as granted pursuant to section 94802 or section 94889 of the Code.

(\* \* \* \*)

(hh) ~~In addition to the fees required by subdivision (d) of this section:~~

~~(1) An application for renewal that is received by the Bureau more than 30 days after the expiration of the approval to operate shall be submitted with the 25 percent late payment penalty fee required by section 94931(a) of the Code.~~

~~(2) An application for renewal that is received by the Bureau more than 90 days after the expiration of the approval to operate shall be submitted with the 35 percent late payment penalty fee required by section 94931(b) of the Code.~~

~~(ii) Provided that a complete renewal application is received by the Bureau prior to the expiration of the approval, a valid approval to operate shall continue until the Bureau has acted upon the renewal application.~~

~~(jj) An approval to operate that has expired may be renewed at any time within 6 months after its expiration on filing of an application for renewal and, as a condition precedent to renewal, payment of all accrued and unpaid renewal fees, late payment penalty fees prescribed in subdivision (e) of this section, and any other fees that would have been due in order to renew timely. After an approval to operate has expired for more than 6 months, the approval is automatically cancelled and the institution must submit a complete application pursuant to section 71100, meet all current requirements, and pay all fees that would have been due in order to timely renew, in order to apply for approval. Provided that a complete renewal application under CCR section 71475 is received by the Bureau on or before 30 calendar days after the expiration of the approval, a valid approval to operate shall continue until the Bureau has acted upon the renewal application. If a complete renewal application under CCR section 71475 is not received by the Bureau on or before 30 calendar days after expiration of the approval to operate, the institution's approval to operate shall terminate by operation of law on the 31<sup>st</sup> calendar day after the expiration of the approval to operate. An institution continuing to operate more than 30 calendar days beyond expiration will be subject to citation for operating without approval.~~

~~(kk) (j) An incomplete application filed under this section will render the institution ineligible for renewal.~~

Note: Authority cited: Sections 94803 and 94891, Education Code. Reference: Sections 94802, and 94889 ~~and~~ 94931, Education Code.

## **2. Amend Section 71480 of Article 6 of Chapter 2 of Division 7.5 of Title 5 of the California Code of Regulations**

### **71480. Renewal of an Approval to Operate for an Accredited Institution.**

(a) Unless renewed, an approval to operate shall expire at 12 midnight on the last day of the institution's term of approval as granted pursuant to section 94890(b) of the Code.

( \* \* \* )

~~(f) In addition to the fee required by subdivision (d) of this section:~~

~~(1) An application for renewal that is received by the Bureau more than 30 days after the expiration of the approval to operate shall be submitted with the 25 percent late payment penalty fee required by section 94931(a) of the Code.~~

~~(2) An application for renewal that is received by the Bureau more than 90 days after the expiration of the approval to operate shall be submitted with the 35 percent late payment penalty fee required by section 94931(b) of the Code.~~

~~(g) Provided that a complete renewal application is received by the Bureau prior to the expiration of the approval, a valid approval to operate shall continue until the Bureau has acted upon the renewal application.~~

~~(h) An approval to operate that has expired may be renewed at any time within 6 months after its expiration on filing of an application for renewal and, as a condition precedent to renewal, payment of all accrued and unpaid renewal fees, late payment penalty fees prescribed in subdivision (f) of this section, and any other fees that would have been due in order to renew timely. After an approval to operate has expired for more than 6 months, the approval is automatically cancelled and the institution must submit a complete application pursuant to section 71390, meet all current requirements, and pay all fees that would have been due in order to timely renew, in order to apply for approval. Provided that a complete renewal application under CCR section 71480 is received by the Bureau on or before 30 calendar days after the expiration of the approval, a valid approval to operate shall continue until the Bureau has acted upon the renewal application. If a complete renewal application under CCR section 71480 is not received by the Bureau on or before 30 calendar days after expiration of the approval to operate, the institution's approval to operate shall terminate by operation of law on the 31<sup>st</sup> calendar day after the expiration of the approval to operate. An institution continuing to operate more than 30 calendar days beyond expiration will be subject to citation for operating without approval.~~

~~(i) (g) An incomplete application filed under this section will render the institution ineligible for renewal.~~

Note: Authority cited: Sections 94803, 94890 and 94891, Education Code. Reference: Sections 94802, 94889, 94890, and 94930.5 and 94934, Education Code.