

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

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 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 31st 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.~~

~~(kkj)~~ 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 31st 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~~ 94931, Education Code.