

**California Code of Regulations
Title 5. Education
Division 7.5. Private Postsecondary Education
Chapter 2. Applications
Article 7. Applications for a Substantive Change to an Approval to Operate**

**PROPOSED REGULATORY LANGUAGE CONCERNING SUBSTANTIVE CHANGE
APPROVAL FOR METHOD OF INSTRUCTIONAL DELIVERY**

Legend—added text indicated by underline, deletion by strikethrough

**1. Amend Section 71600, Article 7, Chapter 2, Division 7.5 of Title 5 of the
California Code of Regulations**

**71600. Application for Significant Change in Method of Instructional Delivery or
Change in Distance Education Learning Management System**

(a) An institution seeking to make a significant change in its method of instructional delivery or a change of its distance education learning management system shall complete the “Significant Change in Method of Instructional Delivery or Change in Distance Education Learning Management System” form (INS rev. 2/108/23, hereby incorporated by reference) to obtain prior authorization. For the purposes of this section a “significant change in instructional delivery” is any change that alters the way students interact with faculty or access significant equipment, and a “change of its distance education learning management system” is a change in the distance education learning management system other than an upgrade of the existing software of the system, or a system that is renamed but otherwise unchanged from the previous system other than an upgrade. The form shall be submitted to the Bureau along with the appropriate fee as provided in Section 94930.5(c) of the Code. ~~For an institution approved under section 94885 of the Code, it shall be signed and dated by the signatory(ies) required by section 71380, and for an institution approved under section 94890 of the Code, it shall be signed and dated by the signatory(ies) required by section 71390, and each fact stated therein and each attachment thereto shall be declared to be true under penalty of perjury, in the following form:~~

~~“I declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.~~

(Date)

(Signature)

~~(b) The application shall establish that the institution, if making a significant change in its method of instructional delivery, can meet the minimum operating standards contained in Chapter 3, and shall include:~~

~~(1) The name, school code, address, and telephone and fax numbers of the institution;~~

~~(2) A description of the proposed new method of instructional delivery, and how the curriculum will be changed or adapted to meet the change in delivery method;~~

~~(3) A detailed explanation of the reasons for the proposed change;~~

~~(4) A description of how the change affects students, administration, and the institution's financial resources;~~

~~(5) If the proposed change will result in any significant changes in existing faculty, facilities, library or learning resources, the institution shall provide the applicable information required by Section 71250 through 71270, inclusive;~~

~~(6) A description of how the institution will phase in the new method of instructional delivery;~~

~~(7) The name, address, email address, and telephone and fax numbers of the institution's contact person for the purpose of this application; and~~

~~(8) Any additional information required by the Bureau pursuant to section 71340.~~

~~(e) An institution that has been granted an approval to operate by means of accreditation shall notify the Bureau of the substantive change within 30 days of that change on the Application for Significant Change in Method of Instructional Delivery or~~

Change in Distance Education Learning Management System form by providing the information required in sections (1) and (2) of the form ~~(b)(1) and (b)(7)~~, and shall attach certification from the institution's accreditation agency demonstrating that the substantive change was made in accordance with the institution's accreditation standards, and complies with the Act and this Division.

(c) "Distance education learning management system" is defined as an online system designed or used for the facilitation of distance education to create, distribute, and manage the delivery of educational content.

Note: Authority cited: Sections 94803 and 94895, Education Code. Reference: Sections 94893, 94894, 94895, 94896 and 94930.5, Education Code.