



**Bureau for Private Postsecondary Education**  
**Title 5, California Code of Regulations,**  
**Division 7.5, Private Postsecondary Education,**  
**Chapter 6, Student Tuition Recovery Fund,**  
**Article 3, Payment from the Fund, Section 76200**

**Section 100. CHANGE WITHOUT REGULATORY EFFECT**

Pursuant to section 100(b)(3) of Title 1, Division 1, Chapter 1, Article 2 of the California Code of Regulations (CCR), the Bureau for Private Postsecondary Education (Bureau) hereby submits this written statement explaining why the amendment of Article 3 of Chapter 6 of Division 7.5 does not materially alter any requirement, right, responsibility, condition, prescription or other regulatory element of any CCR provision.

Subject to the approval of the Office of Administrative Law, the Board proposes to amend 5 CCR Section 76200 and two incorporated by reference forms to reflect legislative changes to the Student Tuition Recovery Fund (STRF) application process.

**Explanation of why changes have no regulatory effect:**

The proposed changes do not materially alter any requirement, right, responsibility, condition, prescription, or other regulatory element of any CCR provision. The changes are being proposed to make a regulatory provision consistent with a changed California statute. Assembly Bill (AB) 1346 (Medina, Chapter 521, Statutes of 2019) changed section 94923 of the California Education Code, which deals with the process by which students may apply for relief from the Student Tuition Recovery Fund (STRF). Section 94923 of the Education Code had previously been amended by SB 1192 (Hill, Chapter 593, Statutes of 2016), which expanded STRF eligibility in Education Code section 94923(b)(2)(D) as follows:

(2) The following students, and any other students deemed appropriate, are eligible for payment from the Student Tuition Recovery Fund:

...

(D) Notwithstanding the requirement that a student attend an institution that is not exempt from this article, pursuant to subdivision (a), a student who was enrolled at a California campus of a Corinthian Colleges, Inc., institution or was a California student enrolled in an online program offered by an out-of-state campus of a Corinthian Colleges, Inc., institution, who

also meets all of the other eligibility requirements, if the student was enrolled as of June 20, 2014, or withdrew within 120 days of that date or any greater period determined by the bureau pursuant to this section.

AB 1346 amended section 94923(b)(2)(D) and moved the language to new section 94923(b)(3)(A) and (B), which now provides:

(3) Notwithstanding the requirement that a student attend an institution that is not exempt from this article as provided in subdivision (a), the following students who either were enrolled at a California campus of a Corinthian Colleges, Inc., institution or who were California students enrolled in an online program offered by an out-of-state campus of a Corinthian Colleges, Inc., institution are eligible for payment from the Student Tuition Recovery Fund:

(A) A student who meets one of the eligibility requirements in paragraph (2), if the student also was residing in California and was attending a campus of a Corinthian Colleges, Inc., institution on or after January 1, 2010.

(B) A student who was enrolled as of June 20, 2014, or withdrew within 120 days of that date, and did not complete the student's program at the institution.

California Education Code Section 94923(b)(1) directs the Bureau for Private Postsecondary Education (Bureau) to adopt, by regulation, procedures governing the administration and maintenance of STRF. The Bureau has adopted 5 CCR section 76200, which incorporates by reference the STRF application form to be used by students in both English (STRF App Rev. 1/17) and in Spanish (*Solicitud para el Fondo de recuperacion de matricula estudiantil*, STRF App Rev. 2/17). Section 76200(b)(1) is amended to describe the new eligibility status now provided in Education Code Sec. 94923(b)(3)(A) and (B), and begins with the word "unless" to make clear that this eligibility status is an exception to the general limitation that recovery from the STRF must be applied for within four years of the qualifying event. Adding "unless" is a non-substantive change as the eligibility for Corinthian students would be moot if the four-year requirement was imposed, given the January 1, 2010 and June 20, 2014 dates in the statute, which have already passed.

Section 76200(a)(1) is being amended to reflect the new version dates to the updated STRF application forms. Additionally, the title of the Spanish version of the STRF application form has been changed to "Solicitud al Fondo de Recuperación de Matrículas para Estudiantes" to correspond with the updated title to the form. These forms describe the qualifying events from which an applicant may base their claim for reimbursement from STRF. 5 CCR Section 76200(b)(1) also restates the eligibility requirement laid out

in California Education Code section 94923, which has been altered by AB 1346. In order to make sure students have the correct information when applying for recovery from STRF, the application form must be changed to reflect the amended law, and the reference to the application forms must be updated. Based on the amended law, “Section 5: Qualifying Events” event number 4 in the STRF application forms is being deleted and replaced with a new number 4, which updates the eligibility for Corinthian students that is now provided for in Education Code §94923(b)(3)(A) and (B).

The Bureau also proposes to update the Governor’s name and Bureau’s address and telephone number, and to correct the misspelling of a word, on the application forms. The title of the Spanish version of the STRF application for has been changed to “Solicitud al Fondo de Recuperación de Matrículas para Estudiantes” and the translation of this form from English to Spanish has been updated for accuracy. These changes are without regulatory effect because they do not materially alter any requirement, right, responsibility, condition, prescription, or other regulatory element of any California Code of Regulations provision. (1 Cal. Code Regs., tit. 1, § 100, subd. (a).)