

Department of Consumer Affairs Bureau for Private Postsecondary Education



TRANSITION PROVISIONS
&
APPLICATIONS

February 16, 2010

If You Have Questions Please e-mail them to
bppve@dca.ca.gov

You Will Not Be Able To Ask Questions During The
Webcast

General Overview

California Private Postsecondary Education Act of 2009

California Education Code (CEC) beginning with section
94800

Title 5, California Code of Regulations (CCR) beginning
with section 70000

Transition Provisions

APPROVALS

Approved As Of June 30, 2007

Three year extension of approval

Reapproval (Renewal) Application Pending

Received Prior to January 1, 2006

Approved to 2012

Received After January 1, 2006

Approved to 2013

DISCLOSURE

For Institutions With Approvals Based on Reapproval
Applications Pending as of 6/30/07

Prior to Executing An Enrollment Agreement The
Student Shall Receive A Written Disclosure

**“Although this institution was approved to
operate by the former Bureau for Private
Postsecondary and Vocational Education, our
pending application for re-approval to operate
has not yet been reviewed by the Bureau for
Private Postsecondary Education.”**

PENDING APPLICATIONS

An Institution with an application for an approval to operate pending with the former BPPVE may continue to operate but must comply with the California Private Postsecondary Act of 2009.

Additional information may be required in order to process the pending application.

WRITTEN DISCLOSURE

“This institution’s application for approval to operate has not yet been reviewed by the Bureau for Private Postsecondary Education”

Never Approved to Operate / No Application Pending

May Continue To Operate

Must Comply With The Act

Shall Submit An Application By August 2, 2010

May Not Imply Or State An Application Has Been
Filed If It Has Not

Or

That The Institution Is Approved

REGISTERED INSTITUTIONS

Institutions Registered Under the (former) Private Postsecondary and Vocational Education Reform Act
Must Apply for Approval to Operate
Unless Otherwise Exempt

TEMPORARY APPROVALS

Institutions That Had Not Completed the Application Process and Operated With a Temporary Approval As Of June 30, 2007
Must Complete the Approval Process

WRITTEN DISCLOSURE

Never Approved, Temporary Approval, Registered

“This institution’s application for approval to operate has not yet been reviewed by the Bureau for Private Postsecondary Education.”

Other Transition Provisions

Emergency Regulations – in place by February 1, 2010

Unresolved Matters Shall Remain Pending

Student Tuition Recovery Fund Remains in Existence

Pending Claims (Complaints, Enforcement Actions) Shall be Adjudicated Based on the Law In Place At The Time Of The Violation or Event

Claims or Cause of Actions Commenced on or Before June 30, 2007 Shall Be Preserved.

APPLICATIONS

EXEMPTION and APPROVAL

Application for Approval to Operate For An Institution Not Accredited

Renewal of an Approval to Operate for a Non-Accredited Institution

Application for Approval to Operate by Means of Accreditation

Renewal of an Approval to Operate for an Accredited Institution

Approval By Means Of Accreditation

Not Automatic – Institutions Must Apply

Once Approved – If Accreditation Standards Allow, Substantive Changes May Be Approved By The Accreditor First and Then Submitted To The BPPE On An Application For A Substantive Change

Application for Approval To Operate And Offer Educational Programs For Non Accredited Institutions

Institution Information	Form of Business Organization	Ownership and Control	Agent for Service of Process	Organization and Management
Governing Board	Institution Representative	Mission and Objectives	Student Agreements	Financial Aid Policies, Practices
Advertising and Other Public Statements	Instruction and Degrees Offered	Description of Educational Program	Instruction in Languages Other Than English	Financial Resources and Statements
Faculty	Facilities and Equipment	Libraries and Other Learning Resources	Student Services - Job Placement	Catalog
Graduation or Completion Documents	Recordkeeping; Custodian of Records	Self-Monitoring Procedures	Additional Information	Signatures and Certifications

Institutional Information

Institution Name

Addresses

Administrative Location

Main Location

Branch(es)

Telephone and Fax Numbers

Contact Person for the Application

Website Address

Form of Business Organization

Representative

Owners or Control (25% or More)

Statements Concerning Violations

Disclosure of Pending Actions

AGENT FOR SERVICE OF PROCESS

The Officer or Person designated by the ownership of the institution to accept legal processes on behalf of the institution.

For these purposes:

The Agent Must Acknowledge They Are Responsible

The Address Must Be An Address Other Than The Institution

Must Be Updated If There Is A Change

This Is Public Information

Organization and Management

Organizational Chart - Shows the Governance and Administrative Structure of the Institution and the Relationship Between Faculty and Administrative Positions

Duty Statements and Responsibilities - For All Administrative and Faculty Positions

Identify the Chief Executive Officer, Chief Operating Officer and Chief Academic Officer – Provide Their Education and Qualifications for their Positions.

Governing Board – If there is a Governing Board Provide Contact Information

Describe In Detail The Institution's Mission and Objectives – This Is the Reason The Institution Exists

Educational Offerings

- Name of Program
- If Degree – Title and Major
- Admissions Requirements
- Ability to Benefit Examinations if Applicable
- Type and Amount of General Education Required
- Level of Courses
- Method of Instruction
- Graduation Requirements
- If Designed to Prepare Students for Employment – List the Occupations and Job Titles
- Statement Regarding Title 5, CCR 71710
- Equipment To Be Used
- Number and Qualifications of the Faculty
- Projected Number of Students For 3 Years and The Bases for the Projection
- The Learning, Skills and Competencies to be Acquired by Students Who Complete The Educational Program
- If Regulated By Another Agency, The Approval to Offer The Course
- May Be Asked for Curriculum or Syllabi

Instruction In Languages Other Than English

If Planning to Offer Educational Programs In Languages Other Than English Provide The Following:

The Language

The Language of The Textbooks and Teaching Materials

A Statement That There Are Sufficient Duly Qualified Faculty To Teach In The Language Being Used

FACULTY

- Application Requires a Statement That the Institution Has Contracted With Sufficient, Duly Qualified Faculty Who Meet the Qualifications of 5 CCR section 71720
- 5 CCR 71720

COPIES

- Advertising and Other Public Statements
 - Including Scripts for Radio & TV
- Student Agreements (Contracts)
- Catalog
- Graduation or Completion Documents

DESCRIPTIONS

Facilities and Library

For Each Program

Describe the Facilities &
Equipment Available
For Use By Students

Campus Diagram and Map

Specifications of
Significant Equipment

Lease /Rental Agreement

Permits, Certifications &
Inspections

Library Holdings, Services
and Other Learning
Resources.

If There Are No
Resources- How and
When Students May
Obtain Access to a
Library and Learning
Resources as Required
by the Curriculum

DESCRIBE – Procedures Used By The Institution To Assure Compliance With The Law and Regulations

STATEMENT of Financial Aid Policies, Practices and Disclosures

DESCRIBE – Job Placement Assistance Provided

Recordkeeping

- Provide the Name and Contact Information for the Custodian of Records –
- Custodian of Records is the Person to be Contacted for Copies of Student Records.
- **Title 5, CCR Section 71920 & 71930**
 - Transcripts shall be maintained for 50 years
 - Records shall be maintained in California
 - If an Institution closes it must make arrangements for maintenance of records

FINANCIAL RESOURCES AND STATEMENTS

- Statement That The Institution Has and Can Maintain Financial Resources Required Pursuant to 5 C.C.R. section 71745
- Submit Current, audited Financial Statements in Compliance with 5 C.C.R. section 74115

5 C.C.R. section 71745 & 5 C.C.R. section 74115

Additional Information & Signatures

Substantive Changes

Change In Educational
Objective

Change in Ownership, Control
or Business Organization Form

Change of Location

Addition of a Separate Branch

Change in Method of
Instructional Delivery

Change of Name

Change In Educational Objective

- Used For A Change In Educational Objectives, Including an Addition Of A New Diploma or a Degree Educational Program Unrelated To the Approved Educational Programs Offered By The Institution.
- Includes the Addition of A Degree Program When The Institution Was Not Previously Approved To Offer Degree Programs.

Change Of Location

A Move or Relocation More Than 10 Miles From
the Site Which the Institution Offers
Instruction.

Change of Business Organization/Control /Ownership

- Change in Form of Business Organization
(Example: Sole Owner to Corporation)
- Change in Control
A Person Who Previously Did Not Own At Least 25%
Of The Stock or Interest Acquires Ownership Of
At Least 25%
- Change In Ownership
Acquisition By A Person Of More Than 50% of An
Interest In, Or Stock of A Parent Company

Addition of a Separate Branch

Change Of Name

Change in Method of Instructional Delivery