

Bureau for Private Postsecondary Education

**FINAL STATEMENT OF REASONS**

Hearing Date: April 25, 2018

Subject Matter of Proposed Regulations: Out-of-State Institution registration

(4) Sections Affected: Adopt sections 71396, 71397, 71398, and 71399

Updated Information

The Initial Statement of Reasons is included in this file. No updates have been made to that information.

The 45-Day public comment period began March 9, 2018 and ended April 23, 2018. The Bureau for Private Postsecondary Education (Bureau) held a regulatory hearing on April 25, 2018, in Sacramento, California. The Bureau received no comments during the 45-day comment period and no comments at the hearing.

Incorporation by Reference

- Application for Registration or Re-Registration of Out of State Institutions [Form Application 94801.5 (rev. 1/17)]

The incorporation by reference method was used because it would be impractical and cumbersome to publish a three-page form in the California Code of Regulations CCR). The form is intended to assist institutions and Bureau staff in the registration process. The form was developed to establish consistency and obtain necessary information from institutions for the Bureau to determine an institution's eligibility and necessity for registration or re-registration. The form is dense with questions and instructions, and is lengthy; if it was incorporated into the CCR, it would increase the size of Division 7.5 and may cause confusion to the user.

The forms were made available to the public and are posted on the Bureau's website.

Local Mandate Determination

The proposed regulations do not impose any mandate on local agencies or school districts.

Summary and Response to Comments

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE INITIAL NOTICE PERIOD OF MARCH 9, 2018 THROUGH APRIL 23, 2018, AND THOSE RECEIVED AT THE PUBLIC HEARING ON APRIL 25, 2018.

The Bureau did not receive any comment during the notice period or at the public hearing.

#### Alternatives That Would Lessen Adverse Economic Impact on Small Business

No alternatives were proposed to the Bureau that would lessen any adverse economic impact on small business.

#### Alternatives Determination

The Bureau has determined that no alternative it considered or that was otherwise identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The amendments adopted by the Bureau are the only regulatory provisions identified by the Bureau that accomplish the goal of protecting consumers of private postsecondary education services by having out-of-state private postsecondary institutions that enroll California residents in distance education programs register with the Bureau so that they participate in the Student Tuition Recovery Fund providing the same protection for students of these institutions as those attending similar institutions within the state. Except as set forth and discussed in summary and responses to comments, no other alternatives have been proposed or otherwise brought to the Bureau's attention.