

Assembly Bill No. 1898

CHAPTER 273

An act to amend, repeal, and add Section 94742.1 of the Education Code, relating to private postsecondary education.

[Approved by Governor August 31, 2000. Filed with Secretary of State September 1, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1898, R. Wright. Private postsecondary education: Bureau for Private Postsecondary and Vocational Education: short-term career training.

Existing law, known as the Private Postsecondary and Vocational Education Reform Act of 1989, generally sets minimum standards of instructional quality, ethical and business practices, health and safety, and fiscal responsibility for private postsecondary and vocational educational institutions, as defined. The act establishes the Bureau for Private Postsecondary and Vocational Education, which, among other things, is required to review and investigate all institutions, programs, and courses of instruction approved under the act. Under the act, educational services, including services defined as "short-term career training," meeting certain requirements qualify for registration status. The act defines "short-term career training" to exclude, among other things, an educational service represented to lead to, or offered for the purpose of preparing a student for, employment as a private security guard or private patrol operator.

This bill would instead include within the definition of "short-term career training" an educational service represented to lead to, or offered for the purpose of preparing a student for, employment as a private security guard or private patrol operator, and meeting prescribed criteria, including, but not limited to, a total charge to the student of \$750 or more. The changes in existing law made by this bill would remain in effect until January 1, 2005.

The people of the State of California do enact as follows:

SECTION 1. Section 94742.1 of the Education Code is amended to read:

94742.1. (a) "Short-term career training" means an educational service consisting of all of the following:

- (1) The total charge to the student is two thousand dollars (\$2,000) or less.
- (2) The length of training is less than 250 hours.



(3) The course is represented as preparing the student for any occupation or job title.

(b) “Short-term career training” does not include any of the following:

(1) Instruction leading to a degree.

(2) Instruction financed by a federal or state loan or grant.

(3) Any educational service, other than provided for in subdivision (a), consisting of more than 250 hours of instruction or costing two thousand dollars (\$2,000) or more in total charges that is divided or structured into one or more segments that consists of 250 or fewer hours of instruction, the total charge for which is less than two thousand dollars (\$2,000).

(4) Any educational service represented to lead to, or offered for the purpose of preparing a student for, employment as a certified nursing assistant.

(c) Notwithstanding any other provision of law, this chapter is not applicable to any educational service represented to lead to, or offered for the purpose of preparing a student for, employment as a private security guard or as a private patrol operator if all of the following circumstances exist:

(1) The total charge to the student is less than seven hundred fifty dollars (\$750).

(2) The training consists of less than 75 hours of instruction.

(3) The cost of instruction to the student is not financed by a federal or state loan.

(4) The educational service provided is approved by the Bureau of Security and Investigative Services of the Department of Consumer Affairs.

(d) (1) “Short-term career training” includes any educational service represented to lead to, or offered for the purpose of preparing a student for, employment as a private security guard or as a private patrol operator if the total charge to the student is seven hundred fifty dollars (\$750) or more or if all of the following circumstances exist:

(A) The training consists of 75 or more hours of instruction.

(B) The instruction meets all of the requirements of subdivision (a).

(C) The instruction does not meet any of the criteria set forth in paragraphs (1) to (3), inclusive, of subdivision (b).

(D) The educational service provided is approved by the Bureau of Security and Investigative Services of the Department of Consumer Affairs.

(2) Any institution that provides educational services as set forth in paragraph (1) shall disclose to prospective students, in writing and prior to the signing of the enrollment agreement required by Section 94931.1, the number of hours of training required by the Bureau of Security and Investigative Services of the Department of Consumer



Affairs for each type of licensure, registration, permit, or card to which the training is represented to lead.

(e) “Short-term career training” may include an educational service licensed by another state agency so long as that educational service complies with subdivision (a) and Article 9.5 (commencing with Section 94931).

(f) This section shall remain in effect only until January 1, 2005, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2005, deletes or extends that date.

SEC. 2. Section 94742.1 is added to the Education Code, to read:

94742.1. (a) “Short-term career training” means an educational service consisting of all of the following:

(1) The total charge to the student is two thousand dollars (\$2,000) or less.

(2) The length of training is less than 250 hours.

(3) The course is represented as preparing the student for any occupation or job title.

(b) “Short-term career training” does not include any of the following:

(1) Instruction leading to a degree.

(2) Instruction financed by a federal or state loan or grant.

(3) Any educational service, other than provided for in subdivision (a), consisting of more than 250 hours of instruction or costing two thousand dollars (\$2,000) or more in total charges that is divided or structured into one or more segments that consists of 250 or fewer hours of instruction, the total charge for which is less than two thousand dollars (\$2,000).

(4) Any educational service represented to lead to, or offered for the purpose of preparing a student for, employment as a certified nursing assistant, a private security guard, or a private patrol operator.

(c) Short-term career training may include an educational service licensed by another state agency so long as that educational service complies with subdivision (a) and Article 9.5 (commencing with Section 94931).

(d) This section shall become operative on January 1, 2005.

