



## **CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT**

To: Appear Media Inc., Owner  
Brentwood University  
15615 Alton Parkway, #450  
Irvine, CA 92618

**INSTITUTION CODE: 42693395**

**CITATION NUMBER: 1819113**

**CITATION ISSUANCE/SERVICE DATE: February 8, 2019**

**DUE DATE: March 10, 2019**

**FINE AMOUNT: \$ 7,500.00**

**ORDER OF ABATEMENT INCLUDED: Yes**

Christina Villanueva issues this Citation: Assessment of Fine and Order of Abatement (Citation) in her official capacity as Discipline Manager of the Bureau for Private Postsecondary Education (Bureau) of the California Department of Consumer Affairs.

### CITATION

A Citation is hereby issued to Appear Media Inc., Owner of Brentwood University (Institution) located at 15615 Alton Parkway, #450, Irvine, CA 92618, pursuant to Business and Professions Code section 125.9; California Education Code (CEC) sections 94936 and 94932; and Title 5 of the California Code of Regulations (5, CCR) section 75020 for the violations described below.

### BACKGROUND

On August 11, 2016, the Institution was granted a provisional approval to offer two-degree programs. On September 24, 2018, Bureau staff notified the owner, M.P., via email, that the Institution's website inaccurately stated that the Institution is accredited. CEC section 94813 defines "Accredited" as an institution accredited by an accrediting agency recognized by the United States Department of Education (USDE). The accreditor listed on the Institution's website is not recognized by USDE; therefore, the Institution is prohibited from advertising that it is accredited.

Additionally, the Institution is required by 5, CCR section 71775, to include, on its website, a notice to prospective degree program students. On February 5, 2019, a review of the Institution's website by Bureau staff revealed the Institution's website does not include the required notice. The Institution is in violation of CEC section 94897 and 5, CCR section 71775.

VIOLATION

#	Below you will find the California Education Code (CEC) and/or Title 5 of the California Code of Regulations (5, CCR code) section(s) of law you are charged with violating.
1.	<p><b><u>Violation:</u></b> <b>CEC Section 94897(e). Prohibited Business Practices</b> <i>An institution shall not do any of the following:</i> <i>(e) Advertise, or indicate in promotional material, that the institution is accredited, unless the institution has been accredited by an accrediting agency.</i></p> <p>On September 24, 2018, Bureau staff informed the Institution’s owner, M.P. by email, that the Institution’s website unlawfully advertised the Institution was accredited by the Accreditation Service for International Colleges (ASIC), which is not recognized as an accrediting agency by USDE. On February 5, 2019, Bureau staff reviewed the Institution’s website and found that the website had been changed from “accredited” to “accredited internationally.” The Institution remains in violation of CEC section 94897 Prohibited Business Practices, for using the term “accredited” in its advertising.</p> <p>CEC section 94813 states “Accredited” means an institution is accredited by an accrediting agency recognized by USDE. As of February 8, 2019, ASIC is not listed on USDE’s list of recognized accrediting agencies.</p> <p><b><u>Order of Abatement:</u></b> The Bureau orders that the Institution remove all references to the term “Accredited” from its website as well as promotional materials until the Institution achieves accreditation by an accrediting agency recognized by USDE. The Institution shall provide proof of compliance to the Bureau.</p> <p><b><u>Assessment of Fine</u></b> The fine for this violation is <u>\$5000.00</u></p>
2.	<p><b><u>Violation:</u></b> <b>5, CCR Section 71775 – Pre-Enrollment Disclosure; Notice to Prospective Degree Program Students</b> <i>(a) An unaccredited institution enrolling a student in a degree program that has received provisional approval shall, prior to execution of an enrollment agreement, provide the student with the following notice, which shall be in at least 12-point type in the same font as the enrollment agreement:</i></p> <p style="text-align: center;"><b><i>“Notice to Prospective Degree Program Students</i></b></p> <p><i>This institution is provisionally approved by the Bureau for Private Postsecondary Education to offer degree programs. To continue to offer this degree program, this institution must meet the following requirements:</i></p> <ul style="list-style-type: none"><li><i>• Become institutionally accredited by an accrediting agency recognized by the United States Department of Education, with the scope of the accreditation covering at least one degree program.</i></li></ul>

- Achieve accreditation candidacy or pre-accreditation, as defined in regulations, by (date two years from date of provisional approval), and full accreditation by (date five years from date of provisional approval).

If this institution stops pursuing accreditation, it must:

- Stop all enrollment in its degree programs, and
- Provide a teach-out to finish the educational program or provide a refund.

An institution that fails to comply with accreditation requirements by the required dates shall have its approval to offer degree programs automatically suspended.

Institutional Representative Initials: \_\_\_\_\_ Student Initials: \_\_\_\_\_

Date: \_\_\_\_\_ Date: \_\_\_\_\_ "

(b) The student and an institutional representative shall initial and date the notice prior to executing an enrollment agreement. An initialed copy of the notice shall be given to the student and the original shall be retained in the enrolled student's records.

(c) The notice shall also be posted immediately preceding or following as to clearly pertain to the description of the degree program, including, but not limited to, one or more of the following; admissions requirements, length of program, courses offered or areas of focus. **Such notice shall be included, at a minimum, in the following locations:**

- (1) The institution's catalog where each degree program is described.
- (2) The institution's website where each degree program is described.**
- (3) The institution's degree program brochures.

A review of the Institution's website on February 8, 2019 revealed that the Institution failed to include the pre-enrollment disclosure listed above on its website where the Master of Business Administration and Doctor of Business Administration programs are described.

**Order of Abatement:**

The Bureau orders that the Institution post the required disclosures on its website where its provisionally-approved programs are described, as required by 5, CCR section 71775(c)(2). The Institution shall provide evidence of compliance to the Bureau.

**Assessment of Fine**

The fine for this violation is \$2,500.00

**TOTAL ADMINISTRATIVE FINE DUE: \$7,500.00**

ASSESSMENT OF A FINE

In accordance with CEC section 94936; and 5, CCR sections 75020 and 75030, the Bureau hereby orders this assessment of fine in the amount of **\$7,500.00** for the violations described above.

**Payment must be made, to the Bureau, within 30 days from the date of service of the Citation.**

COMPLIANCE WITH ORDER OF ABATEMENT

In accordance with the provisions of CEC section 94936 and 5, CCR section 75020 the Bureau hereby issues the order(s) of abatement described above. **Evidence of compliance with the order(s) of abatement must be submitted, to the Bureau, within 30 days from the date of service of the Citation.**

APPEAL OF CITATION

You have the right to contest this Citation through an informal conference with the Bureau; and/or through an administrative hearing in accordance with Chapter 5 (Commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

If you wish to contest this Citation, you must submit the 'Notice of Appeal of Citation – Request for Informal Conference and/or Administrative Hearing' form (enclosed) within 30 days from the date of service of the Citation. *If you do not request an informal conference and/or an administrative hearing within 30 days from the service of the Citation, you will not be able to request one at a later time.*

Unless a written request for an informal conference and/or an administrative hearing is signed by you and delivered to the Bureau by **March 10, 2019**, you will be deemed to have waived or forfeited your right to appeal this matter.

EFFECTIVE DATE OF CITATION

If you do not request an informal conference and/or an administrative hearing, this Citation shall become effective on **February 8, 2019**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **March 10, 2019**. Your payment of the administrative fine shall not constitute an admission of the violation(s) charged.

If a hearing is requested, you will not be required to comply with this Citation until 30 days after a final order is entered against you.

**Payment of the administrative fine and/or written request for appeal must be mailed to:**

Gurinder Sandhu, Discipline Citation Program  
Bureau for Private Postsecondary Education  
2535 Capitol Oaks Drive, Suite 400  
Sacramento, CA 95833

Failure for an applicant or institution to abate the violation(s) listed above or to pay the administrative fine within the time allowed may result in denial of an application for an approval or renewal to operate; disciplinary action, and/or collection action. The Bureau will promptly take all appropriate action to enforce this Citation and recover the civil penalties prescribed therein or found to be due after a hearing.

CONTACT INFORMATION

If you have any questions regarding this Citation, or desire further information, please contact Gurinder Sandhu, Citation Analyst, at 916-431-6940 or [Gurinder.Sandhu@dca.ca.gov](mailto:Gurinder.Sandhu@dca.ca.gov).



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**Christina Villanueva**  
**Discipline Manager**



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**Date**

Enclosures

- Applicable Laws Violated
- Statement of Rights: Appeal Process Information Sheet
- Notice of Appeal of Citation: Request for Informal Conference and/or Administrative Hearing
- Payment of Fine – Waiver of Appeal
- Declaration of Service by Certified and First- Class Mail