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**DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

In the Matter of the Automatic Suspension of Approval  
to Operate Degree Granting Programs Directed to:  
  
San Diego University for Integrative Studies  
  
School Code 3711111  
  
Applicant.

Case No. BPPE21-656  
**DECISION**

**INTRODUCTION**

Effective December 7, 2021, the Bureau for Private Postsecondary Education (Bureau) automatically suspended the approval to operate degree programs issued to San Diego University for Integrative Studies, Inc., and the owner of San Diego University for Integrative Studies (collectively, the University). The Bureau determined that the University was subject to automatic suspension of approval to operate for failing to submit evidence to the Bureau of having achieved accreditation status by July 1, 2020.

The Director of the Department of Consumer Affairs received from the University a timely appeal of the Bureau’s suspension order. The Director, or her designee, is required to hear such appeals at an informal office conference. (Cal. Code Regs., tit 15, § 71410, subd. (b).) An informal conference commenced on January 6, 2022, before the Director’s designee, Assistant Chief Counsel Michelle Angus. Both parties submitted written argument and exhibits. Ronald L. Holt, Esq., appeared on behalf of the University and sworn testimony was provided by Cristina Versari, President of the University. Linh Nguyen appeared on behalf of the Bureau and sworn testimony was provided by Joanna Murray, Senior Bureau Education Specialist. At the conclusion of the informal office conference, the matter was submitted for a final decision.

1 After considering the evidence and argument submitted by the University and the Bureau, the  
2 Bureau's order is AFFIRMED.

### 3 **FACTUAL AND PROCEDURAL BACKGROUND**

4 On April 1, 1999, the Bureau initially approved the University to operate. On July 1, 2015,  
5 the University submitted its initial accreditation plan, which indicated its intention to achieve  
6 accreditation with Accrediting Counsel for Independent Colleges and Schools (ACICS). The  
7 University achieved pre-accreditation status with ACICS on February 5, 2016. On March 13, 2017,  
8 the Bureau acknowledged the University's pre-accreditation status but advised the University that  
9 the Secretary of the United States Department of Education no longer recognized ACICS, and the  
10 University needed to submit a new accreditation plan.

11 On April 13, 2017, the University submitted a new accreditation plan with Distance  
12 Education Accrediting Commission (DEAC). The University's plan demonstrated an intent to  
13 achieve pre-accreditation by August 2017, and full accreditation by January 2019. On August 13,  
14 2019, the University achieved pre-accreditation with DEAC.

15 In early 2019, the University learned that ACICS had regained its accreditation recognition.  
16 Because the University believed it could achieve accreditation more quickly with ACICS, the  
17 University resumed pursuing accreditation with ACICS. In early 2020, ACICS once again lost its  
18 accreditation recognition, and the University switched back to pursuing accreditation with DEAC.

19 On January 22, 2020, the Bureau wrote the University, requesting an update on the  
20 University's accreditation progress and reminding the University that failure to achieve full  
21 accreditation by July 1, 2020, would result in the automatic suspension of the University's approval  
22 to operate. On April 15, 2020, the University responded and provided documentation showing the  
23 University had not made any further progress towards accreditation since achieving pre-  
24 accreditation with DEAC in August 2019.

25 On May 31, 2020, the University submitted a request for an extension of time, until August  
26 2021, to achieve full accreditation. On June 22, 2020, the Bureau approved a six-month extension  
27 until January 1, 2021. On December 14, 2020, the University submitted a second request for an  
28 extension of time until January 2022. The University's request explained that due to delays with

1 preparing required financial documents needed for a DEAC site visit, the University had decided to  
2 withdraw its pending DEAC accreditation application to avoid a denial and mandatory one-year  
3 waiting period and instead file a new application in January 2021. On December 28, 2020, the  
4 Bureau granted the University a six-month extension, until July 1, 2021.

5 On May 28, 2021, the University submitted a third request for an extension of time to  
6 achieve full accreditation. At that time, DEAC had not yet accepted the University's application for  
7 accreditation and the University had not submitted the application fee. On July 9, 2021, the  
8 University submitted updated documentation in support of its May 28th request for an extension of  
9 time, including a revised timeline showing a final initial application would be submitted to DEAC  
10 by July 20, 2021. The University further explained DEAC could not accept the previously  
11 submitted application because the University still did not have the required financials. The  
12 University also provided a letter from DEAC's Director of Accreditation indicating the University  
13 had submitted a "very aggressive" plan for achieving accreditation by June 2022 and that they  
14 would do the best they could. On July 13, 2021, the Bureau granted an additional four-month  
15 extension for the University to provide documentation confirming the University's application and  
16 fee had been accepted by DEAC on or before November 1, 2021.

17 On November 1, 2021, and November 3, 2021, the University requested an additional three-  
18 month extension of time; the University's request for an extension of three months was unclear as  
19 to what the requested extension was for, i.e., for DEAC to confirm acceptance of the University's  
20 application and fee or to achieve full accreditation. In the University's November 1st  
21 communication, the University acknowledged that DEAC had yet to confirm acceptance of the  
22 University's application and fee. On November 17, 2021, the Bureau denied the University's  
23 request for further extension of time, noting the University had failed to demonstrate strong  
24 progress towards obtaining full accreditation. The Bureau's denial also noted that the University's  
25 request for a further extension failed to provide: (1) evidence that the University had submitted the  
26 required application and fee or otherwise document the steps the University had taken that  
27 constitute strong progress towards accreditation; (2) an amended plan to achieve accreditation or  
28 otherwise explain why the University had failed to submit an application to DEAC on July 20,

1 2021, as indicated in the University’s prior accreditation plan; and (3) any documentation from  
2 DEAC indicating that the University was likely to achieve full accreditation.

3 On December 2, 2021, the Bureau issued the subject Suspension Order to the University,  
4 resulting in the suspension of the University effective December 7, 2021. The Suspension Order  
5 (1) automatically suspended the University’s ability to operate any of its degree programs; (2)  
6 directed the University to cease enrolling new students; (3) required the University to submit a  
7 degree closure plan within thirty days to the Bureau; and (4) required the University to notify all  
8 students in writing of the suspension and inform them of their rights during this time. On  
9 December 9, 2021, the University appealed the Suspension Order.

### 10 LEGAL STANDARDS

11 The University was required to submit evidence to the Bureau of having achieved  
12 accreditation by July 1, 2020. Education Code section 94885.5, subdivision (b)(3) provides that an  
13 institution shall provide evidence of obtaining full accreditation by July 1, 2020. The Bureau shall  
14 grant an extension of time, not to exceed two years, to reach accreditation where an institution  
15 timely provides sufficient evidence of making “strong progress toward obtaining accreditation.”  
16 (Ed. Code, § 94885.5, subd. (d)(1).) In order for the Bureau to grant such an extension, the  
17 institution shall provide evidence:

18 **includ[ing], but ... not limited to, an amended accreditation plan** adequately  
19 identifying why ... accreditation outlined in the original plan submitted to the bureau  
20 was not achieved, active steps the institution is taking to comply with this section,  
21 and **documentation from an accrediting agency demonstrating the institution’s**  
22 **likely ability to meet the requirements of this section.**

23 (Ed. Code, § 94885.5, subd. (d)(2) [emphasis added].)

24 An institution that does not submit evidence to the Bureau of having achieved accreditation by the  
25 dates provided, as required, “shall have its approval to operate automatically suspended on the  
26 applicable date. The bureau shall issue an order suspending the institution and that suspension shall  
27 not be lifted ...” (Ed. Code, § 94885.5, subd. (e).) A suspended institution must cease enrolling  
28 students, provide the Bureau with a degree program closure plan within 30 days, and provide notice  
to currently enrolled students within five days. (Ed. Code, § 94885.5; Cal. Code Regs., tit. 5,  
§§ 71410, 74250.) The closure plan must include the following elements:

- 1 (1) The date the institution stopped enrolling new students in its degree  
2 programs;  
3 (2) A list of contact information for all students currently enrolled in each  
4 degree program;  
5 (3) A teach-out plan that includes a plan for the disposition of student records  
6 and is compliant with the provision of Education Code section 94927; and  
7 (4) A copy of the notification to be provided to students.  
8 (Cal. Code Regs., tit 5, § 74250, subd. (a).) The notice to students must include the following  
9 elements:

- 6 (1) That the institution has received a notice of suspension from the Bureau  
7 and may no longer offer degree programs;  
8 (2) A teach-out plan, which shall provide, at a minimum, the following  
9 information  
10 (A) The name and location of the institution(s) that is (are) providing  
11 the teach-out;  
12 (B) The date upon which the instruction at the teach-out institutions  
13 will begin;  
14 (C) How and when payments will be made to the new institution and  
15 any relevant financial information; and  
16 (D) Whom to contact at the new institution(s).  
17 (3) That the student may choose not to participate in the teach-out, and instead  
18 seek a refund for any classes the student is currently enrolled in or has not yet  
19 completed.  
20 (Cal. Code Regs., tit 5, § 74250, subd. (b).)

## 21 **DISCUSSION**

22 At hearing, the University's President, Cristina Versari, appeared and offered testimony in  
23 the matter. The University asserted that the Bureau erroneously denied the University's  
24 November 2021 request for an extension and failed to consider the effects the COVID pandemic  
25 has had on the University in trying to obtain full accreditation. In support of this, the University  
26 provided evidence of various delays due to numerous individuals falling ill with Covid-19. This  
27 evidence, however, was vague, lacking in dates or other details substantiating why the delays were  
28 so lengthy or plentiful. Additionally, the University focused on the fact that it had to switch  
accrediting entities twice due to loss of recognition by the U.S. Department of Education. The  
University's decision to switch accreditors the second time, however, was by choice as the  
University was close to achieving full accreditation with ACICS when it switched back to DEAC.  
The University did not explain why this decision should have entitled it to further extension.  
Finally, the University argued the Bureau wrongly denied the November 2021 request for an  
extension because the Bureau had failed to specifically inform the University of the requirements  
for requesting an extension of time. The evidence required to support a request for an extension of

1 time to achieve accreditation, however, is clearly outlined in Education Code section 94885.5,  
2 subdivision (d)(2).

3 The Bureau defended its denial of the November 2021 request for an extension and automatic  
4 suspension through the testimony of Joanna Murray. The Bureau convincingly explained how the  
5 University has a long history of falling behind on its own developed plans for accreditation. For  
6 example, the University originally planned to be pre-accredited by August 2017, but the University  
7 did not achieve pre-accreditation until one year later in August 2018. And, the Bureau gave the  
8 University three extensions of time before finally denying a request. Importantly, with the third  
9 extension, the Bureau had determined that the University was reaching its last opportunity for a  
10 path to achieve full accreditation before the July 1, 2022, statutorily imposed deadline with  
11 extension. As such, the Bureau intentionally gave the University specific milestones it had to  
12 achieve by November 1, 2021, i.e., the University needed to provide documentation that DEAC had  
13 accepted the University's application and fee. But, when the University failed to provide evidence  
14 that DEAC had accepted its application and fee by November 1, 2021, the University no longer had  
15 any viable path to achieve full accreditation by July 1, 2022, just seven months later.

16 Most importantly, Education Code section 94885.5, subdivision (d) clearly sets forth the  
17 requirements for an extension of time. An institution may be granted an extension of time to obtain  
18 full accreditation, not to exceed two years, with sufficient evidence the institution is making strong  
19 progress towards accreditation. (Cal. Ed. Code, § 94885.5, subd. (d)(1).) Evidence submitted to  
20 the Bureau in support of such an extension "shall" include (1) an amended accreditation plan  
21 adequately identifying why accreditation outlined in the original was not achieved; (2) active steps  
22 the institution is taking to comply with this section; and (3) documentation from the accrediting  
23 agency demonstrating the institution's likely ability to achieve full accreditation. Not only did the  
24 University not provide this information to the Bureau with its November 2021 request for an  
25 extension, it did not provide all of this information in its exhibits or through testimony at the  
26 hearing. Indeed, the University did not provide any evidence at the hearing of how the University  
27 believed it could achieve full accreditation within any time period, let alone by the statutory  
28 mandate of July 1, 2022. Accordingly, there was, and is, no basis for granting an extension of time.

1 Because the University did not achieve accreditation by July 1, 2020, and it is not eligible for an  
2 extension of time to achieve accreditation, the Bureau appropriately suspended the University's  
3 approval to operate degree programs.

4 **DECISION**

5 The Bureau's Order Suspending Approval to Operate Degree Granting Programs is  
6 AFFIRMED.

7  
8 DATED January 26, 2022

*Michelle Angus*  
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Legal Affairs  
Department of Consumer Affairs

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