



CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT

To: Union University of California, Owner
 Union University of California
 14200 Goldenwest Street
 Westminster, CA 92638

INSTITUTION CODE: 3009321
CITATION NUMBER: 1819084
CITATION ISSUANCE/SERVICE DATE: January 16, 2019
DUE DATE: February 15, 2019
FINE AMOUNT: \$ 10,000.00

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 Union University of California, Owner of Union University of California (Institution) located at 14200 Goldenwest Street, Westminster, CA 92638, pursuant to Business and Professions Code Section 125.9; California Education Code (CEC) Section 94936; and Title 5 of the California Code of Regulations (5, CCR) Section 75020 for the violations described below.

BACKGROUND

On June 22, 2018, an unannounced Compliance Inspection was conducted at the Institution. During the compliance inspection, the Institution failed to provide compliant backup data used to substantiate the information reported on their School Performance Fact Sheet (SPFS) upon request. The Institution representative stated that the person in charge of submitting the Annual Report was in Vietnam and due to the time difference between California and Vietnam, the representative would be unable to contact the person to obtain the backup documentation.

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.	<u>Violation:</u> 5, CCR Section 74112 (m) (1-9) – Uniform Data – Annual Report, Performance Fact Sheet <i>(m) Documentation supporting all data reported shall be maintained electronically by the institution for at least five years from the last time the data was included in either an Annual Report or a Performance Fact Sheet, and shall be provided to the Bureau upon request; and the data for each program shall include at a minimum:</i>

- (1) the list of job classifications determined to be considered gainful employment for the educational program;
- (2) student name(s), address, phone number, email address, program completed, program start date, scheduled completion date, and actual completion dates;
- (3) graduate's place of employment and position, date employment began, date employment ended, if applicable, actual salary, hours per week, and the date employment was verified;
- (4) for each employer from which employment or salary information was obtained, the employer name(s) address and general phone number, the contact person at the employer and the contact's phone number and email address, and all written communication with employer verifying student's employment or salary;
- (5) for students who become self-employed, all documentation necessary to demonstrate self-employment;
- (6) a description of all attempts to contact each student. or employer;
- (7) any and all documentation used to provide data regarding license examinations and examination results;
- (8) for each student determined to be unavailable for graduation or unavailable for employment, the identity of the student, the type of unavailability, the dates of unavailability, and the documentation of the unavailability; and
- (9) the name, email address, phone number, and position or title of the institution's representative who was primarily responsible for obtaining the students' completion, placement, licensing, and salary and wage data, the date that the information was gathered, and copies of notes, letters or emails through which the information was requested and gathered.

On June 22, 2018, the Institution representative stated they had documentation to substantiate the data reported in the 2015/2016 SPFS but could not provide the data for review as representative in charge of submitting the Annual Report was in Vietnam.

Order of Abatement:

The Bureau orders the Institution to submit the supporting documentation used to substantiate the data reported in the 2015/2016 SPFS. In addition, the Bureau orders the Institution to submit an established policy and procedure ensuring that all records are maintained by the Act and the Chapter and shall be readily available to the Bureau upon request during normal business hours.

Assessment of Fine

The fine for this violation is \$5,000.00

2

Violation

5, CCR Section 71930 (e) Maintenance of Records

(e) All records that the institution is required to maintain by the Act or this chapter shall be made immediately available by the institution for inspection and copying during normal business hours by the Bureau and any entity authorized to conduct investigations.

On June 22, 2018, the Institution representative stated that they did not have access to the supporting documentation and was unable to provide the documentation to the Bureau upon request.

Order of Abatement:

The Bureau orders the Institution to submit an established policy and procedure ensuring that all records are maintained by the Act and the Chapter and shall be readily available to the Bureau upon request during normal business hours.

	<p><u>Assessment of Fine:</u> The fine for this violation is \$5,000.00</p>
	<p>TOTAL ADMINISTRATIVE FINE DUE: \$10,000.00</p>

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 **\$10,000.00** 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 **February 15, 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 **January 16, 2019**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **February 15, 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

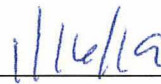
Failure for an applicant or institution to abate the violation(s) listed above or to pay the administrative fine within the time allowed may result in denial of an application for an approval or renewal to operate; disciplinary action, and/or collection action. The Bureau will promptly take all appropriate 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.



Christina Villanueva
Discipline Manager



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