



Bureau for Private Postsecondary Education
1747 N. Market Blvd. Ste 225 Sacramento, CA 95834
P.O. Box 980818, West Sacramento, CA 95798-0818
P (916) 574-8900 F (916) 263-1897 www.bppe.ca.gov



APPEAL OF CITATION INFORMAL CONFERENCE
DECISION: CITATION AFFIRMED

February 28, 2020

University of San Jose, Owner
University of San Jose
1631 N First Street, Suite 200
San Jose, CA 95112

Date of Issuance	Citation Number	Institution Code
February 28, 2020	1920176	Unapproved

On February 7, 2020, an informal telephone conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. 1920176 (Citation) against University of San Jose, Owner of University of San Jose (Institution). In attendance were Beth Danielson, Enforcement Chief, Doug Smith, Bureau Attorney, Dr. Cai, Attorney, and Claude Wang, Founder and President.

Pursuant to Business and Professions Code, section 148; California Education Code (CEC), section 94944; and Title 5 of California Code of Regulations (5, CCR), section 75020 and section 75040, the Bureau for Private Postsecondary Education (Bureau) renders the following decision relative to your appeal of the Citation No. 1920176.

It is the decision of the Enforcement Chief that on February 20, 2020, Citation No. 1920176 is affirmed for the following reason(s):

- No new substantive facts were presented at the conference.

VIOLATION CODE SECTIONS

#	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><u>Violation:</u> CEC Section 94886. Approval to Operate Required <i>“Except as exempted in Article 4 (commencing with Section 94874) or in compliance with the transition provisions in Article 2 (commencing with Section 94802), a person shall not open, conduct, or do business as a private postsecondary educational institution in this state without obtaining an approval to operate under this chapter.”</i></p> <p>CEC Section 94858. Private Postsecondary Educational Institution <i>“Private postsecondary educational institution” means a private entity with a physical presence in this state that offers postsecondary education to the public for an institutional charge.</i></p> <p>CEC Section 94817.5. Approved to Operate or Approved <i>“Approved to operate” or “approved” means that an institution has received authorization pursuant</i></p>

to this chapter to offer to the public and to provide postsecondary educational programs.”

CEC Section 94868. To Offer to the Public

“To offer to the public” means to advertise, publicize, solicit, or recruit.”

On November 20, 2018, Bureau staff reviewed the Institution’s active website (<http://usjus.org>), and found the Institution advertises the following programs to the public with their respective educational program costs: Big Data Essential Training for \$2,590, Deep Learning Essential Training for \$2,590, Advanced Java Programming for \$880, Practical Deep Learning with TensorFlow for \$8,900, Blockchain Core Technology Training for \$7,900, Blockchain Financial Executive Seminar for \$800, Software Engineer (Big Data) Training for \$1,2000, Big Data Seminar for \$800, Data Science Training for \$12,000, Software Engineer Essential Training for \$5,900, and Software Engineer Advanced Training for \$5,900.

Based on the Bureau’s investigation, the Institution is operating a private postsecondary educational institution outside the provisions of the California Private Postsecondary Act of 2009. The Institution advertises educational programs with tuition fees exceeding \$2,500.00. Total charges of the courses exceed the threshold for operating per CEC section 94874(f) and requires Bureau approval to operate.

Order of Abatement:

The Bureau orders that the Institution cease to operate as a private postsecondary educational institution, unless the Institution qualifies for an exemption under CEC section 94874. The Institution must discontinue recruiting or enrolling students and cease all instructional services and advertising in any form or type of media, including <http://usjus.org/> and any other websites not identified here that are associated with the Institution, until such time as an approval to operate is obtained from the Bureau. The Institution must disconnect all telephone service numbers including but not limited to (408) 571-6516 that are associated with the Institution until such time as an approval to operate is obtained from the Bureau. To comply with the Order of Abatement the Institution must submit a school closure plan to the Bureau pursuant to California Education Code section 94926. The Institution must provide a roster of each student currently enrolled at the Institution. The roster must include the names of the students, their contact information (including phone number, email address, and physical address), the programs in which they are enrolled, the amount paid for the programs.

Assessment of Fine

The fine for this violation is \$75,000.00

TOTAL MODIFIED ADMINISTRATIVE FINE DUE: \$75,000.00

ORDER OF ABATEMENT

The Bureau orders that you comply with the orders described in the ‘Violation Code Sections’ of this document and submit evidence of compliance within 30 days from the date of this decision.

PENALTY – ASSESSMENT OF A FINE

Payment of the administrative fine is due within 30 days from the date of this decision. Please complete the Payment of Fine form. Payment must be made to the Bureau by check, or money order. Please include the citation number on the payment of the fine assessment. Payment of the administrative fine shall not constitute an admission of the violation(s) charged and shall be represented as satisfactory resolution of the matter for purposes of public disclosure. Payments may be mailed to:

Cheryl Lardizabal, Discipline Citation Program
Bureau for Private Postsecondary Education
1747 N. Market Blvd., Suite 225
Sacramento, CA 95834

APPEAL OF CITATION

You *do not* have the right to request another Informal Conference to appeal this affirmed Citation. If you did not initially request an Administrative Hearing within 30 days from when the original citation was issued, you can no longer request one.

EFFECTIVE DATE OF CITATION AND FINE ASSESSMENT

This affirmed Citation is effective on February 28, 2020. The order of abatement and payment are due by **March 29, 2020**.

Failure to abate the violation or to pay the administrative fine within the time allowed is grounds for denial of an application for an approval to operate or discipline. The Bureau will promptly take all appropriate action to enforce the Affirmed 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 decision or desire further information, please contact Cheryl Lardizabal, Citation Analyst, at (916) 574-8926 or at Cheryl.Lardizabal@dca.ca.gov.

“Original signature on file”

“2/28/2020”

Christina Villanueva
Discipline Manager

Date

Enclosures

- Payment of Fine – Waiver of Appeal Rights
- Declaration of Service by Certified and First-Class Mail