



ORDER SUSPENDING APPROVAL TO OPERATE DEGREE GRANTING PROGRAMS

To: Silicon Valley University, Owner
Silicon Valley University
2010 Fortune Drive
San Jose, CA 95131

INSTITUTION CODE: 42693428

ORDER NUMBER: BPPE23-0774

ORDER MAILING DATE: October 25, 2023

ORDER EFFECTIVE DATE: October 30, 2023

DUE DATE TO REQUEST INFORMAL OFFICE CONFERENCE: November 29, 2023

Elizabeth Elias, as the designee of the Bureau Chief of the Bureau for Private Postsecondary Education (Bureau), hereby issues this Order Suspending Approval to Operate Degree Granting Programs of the above institution (Order).

Pursuant to California Education Code (CEC) section 94885.5 and Title 5 of the California Code of Regulations (5 CCR) section 71410, this Order is hereby issued to Silicon Valley University, owner of Silicon Valley University (Institution), located at 2010 Fortune Drive, San Jose CA 95131 for the violations described below.

Timeline of Relevant Events

On May 24, 2021, the Bureau received the initial accreditation plan from the Institution that indicated it would seek accreditation with the WASC Senior College and University Commission (WSCUC).

On May 24, 2021, the Institution, an unaccredited degree granting institution, received a provisional approval to operate one (1) degree program, under Institution Code 42693428. The provisional approval was granted in accordance with CEC section 94885.5. The provisional approval letter issued by the Bureau indicated that pre-accreditation must be achieved by May 24, 2023 and full accreditation must be achieved by May 24, 2026.

On August 31, 2022, the Bureau mailed the Institution a follow-up letter requesting an update on accreditation progress.

On September 7, 2022, the Bureau received an updated Accreditation Benchmark Table from the Institution that confirmed it was still in the accreditation process.

On February 27, 2023, the Bureau mailed the Institution a Visiting Committee empanelment letter to review the Institution's progress towards accreditation. The same day, the Bureau received an email from the Institution regarding the Visiting Committee and attached documentation in support of the Institution's progress towards accreditation.

On April 3, 2023, the Institution notified the Bureau by email that it was still awaiting a decision from WSCUC.

On April 17, 2023, the Institution notified the Bureau by email that it submitted its eligibility application on December 22, 2022, and was still awaiting a decision from WSCUC.

On April 18, 2023, the Bureau provided a copy of the Visiting Committee Report to the Institution. The report stated that, based on the review of the documents received by the Visiting Committee to date, it was the Visiting Committee's opinion that the Institution is able to meet its stated accreditation goals in the time allotted. However, the Visiting Committee acknowledged in the report that this assessment constitutes a projection, and a final determination can only be made by the intended accreditor.

On April 28, 2023, the Bureau mailed the Institution a letter requesting an update on accreditation progress and included extension request instructions. The same day, the Bureau received an email from the Institution confirming receipt of this letter.

On May 3, 2023, the Bureau received an updated Accreditation Benchmark Table from the Institution and request for a three-month extension to achieve pre-accreditation or candidacy status as the Institution received a letter from WSCUC denying eligibility, due to deficiencies in a number of eligibility criteria. The Institution notified the Bureau of its intent to address the eligibility criteria deficiencies with WSCUC and request reconsideration of the letter.

On June 14, 2023, the Bureau granted the Institution an extension until August 23, 2023, to achieve pre-accreditation or candidacy status.

On June 19, 2023, the Institution notified the Bureau that it is submitting a request to WSCUC to reconsider their accreditation eligibility. The Institution confirmed they are also researching other regional accrediting agencies they may be able to seek accreditation from.

On August 3, 2023, the Institution notified the Bureau via email that WSCUC denied its accreditation eligibility. The Institution stated it was looking into the accreditation process with the Higher Learning Commission (HLC).

On August 16, 2023, the Bureau sent an email requesting an update on accreditation progress.

On August 23, 2023, the Bureau received an inquiry from the Institution regarding the extension deadline expiring August 24, 2023. The Bureau advised the Institution that it may continue to operate until it receives notification from the Bureau.

On August 30, 2023, the Bureau received an update from the Institution confirming WSCUC's denial of the Institution's accreditation eligibility.

On September 8, 2023, the Bureau notified the Institution, in writing, that the Institution failed to satisfy CEC section 94885.5(d).

Basis for Suspension

Pursuant to CEC section 94885.5(b)(3), the Institution was required to submit evidence of having achieved accreditation candidacy or pre-accreditation by May 24, 2023. As defined by 5 CCR section 70000(s) "pre-accreditation" or "candidacy" means that "an institution has submitted a completed application for initial accreditation with the required fee, which was accepted by the accreditor."

On June 14, 2023, the Bureau granted the Institution's request for a three-month extension to achieve pre-accreditation or candidacy status by August 23, 2023.

On August 3, 2023, the Institution notified the Bureau via email that WSCUC denied it accreditation eligibility. On August 30, 2023, the Bureau received an update from the Institution confirming WSCUC's denial of the Institution's accreditation eligibility.

The Institution is automatically suspended as to its degree program because the August 23, 2023 deadline has passed, WSCUC denied the Institutions accreditation eligibility, and the Institution did not submit sufficient evidence to demonstrate that it is making strong progress toward obtaining accreditation with an accrediting agency, did not show active steps the Institution is taking to comply with CEC section 94885.5, and failed to provide documentation from an accrediting agency demonstrating the Institution's likely ability to meet the requirements of CEC section 94885.5.

ORDER

In accordance with the provisions of CEC section 94885.5 and 5 CCR sections 71410 and 74250, the Bureau hereby orders the following:

The approval to operate, issued to Silicon Valley University is automatically suspended as to its degree program. The Bureau will not lift the suspension until the Institution complies with the requirements of CEC section 94885.5 by submitting evidence to the Bureau of having achieved pre-accreditation or candidacy.

1. You must immediately **cease enrolling new students** in all of your degree programs.
2. Within 30 days of the effective date of this Order, you must submit a **degree program closure plan** to the Bureau with all of the following:
 - a. The date the Institution stopped enrolling new students in the degree program.
 - b. A list of contact information for all students currently enrolled in each degree program.
 - c. A **teach-out plan** with information on the arrangements you have made for students to complete their educational programs at another institution. **The Institution shall not teach-out its own students.** The teach-out plan must: (1) provide the name and location of the institution(s) providing the teach-out; (2) include a plan for the

disposition of student records per CEC section 94927.5; (3) be compliant with the refund provisions of CEC section 94927; and (4) include a copy of the notification to be provided to students identified in item #4 below.

3. You must notify, in writing, all currently enrolled students within five (5) business days of the effective date of this Order of the following:
 - a. That the Institution has received a notice of suspension from the Bureau and may no longer offer degree programs.
 - b. The teach-out plan, which shall provide, at minimum, the following information: (1) the name and location of the institution(s) that is providing the teach-out, (2) the date upon which instruction at the teach-out institution(s) will begin, (3) how and when payments will be made to the new institution and any relevant financial information, and (4) a contact person at the new institution(s).
 - c. That the student has a right to choose not to participate in the teach-out, and instead seek a refund for any classes the student is currently enrolled in or has not yet completed.
 - d. The Institution must submit a copy of the notification to students to the Bureau within ten (10) business days of the effective date of this Order.
4. Any student may seek a refund on a pro rata basis if the Bureau determines that the school has made provision for students enrolled at the time of default to complete a comparable educational program at another institution at no additional charge to the students beyond the amount of the total charges in the original enrollment agreement. If the Institution does not make that provision, a total refund of all institutional charges shall be made to students. The Institution must provide refunds within 45 days of the request by a student.
5. Failure of the Institution to comply with the requirements of this Order will be considered a violation and subject to action by the Bureau.

APPEAL OF ORDER

You may request an appeal of this Order before the Director of the Department of Consumer Affairs, or his or her designee. (5 CCR section 71410.)

This suspension is automatic per CEC section 94885.5(c). The Institution shall not operate its degree program during any appeal.

If you wish to appeal this Order, you must do so within 30 days from the effective date of the Order. *Unless you sign a written request for an appeal and deliver it to the Bureau within 30 days from the*

effective date of the Order, you will be deemed to have waived your right to appeal this matter to the Department of Consumer Affairs.

Upon timely receipt of your request for an appeal, an informal conference will be arranged within 30 days, or as extended at your request or by the Bureau for good cause. Upon request and approval, the person approved to operate the Institution and/or representative may participate in the informal conference.

Please submit your request to:

Bureau for Private Postsecondary Education
Attn: Aurzella Izmarai-Karimi
1747 N. Market Blvd., Ste. 225
Sacramento, CA 95834

Failure by an Institution to comply with the Order above may result in further enforcement action. The Bureau will promptly take all appropriate action to enforce this Order.

CONTACT INFORMATION

If you have any questions regarding this Order or can verify that you submitted evidence to the Bureau of accreditation candidacy or pre-accreditation, please contact Aurzella Izmarai-Karimi, Enforcement Analyst, at 916-574-7344 or Aurzella.Izmarai-Karimi@dca.ca.gov.

“Original Signature on File”

10/25/2023

Elizabeth Elias
Enforcement Chief

Date

Enclosures

- Declaration of Service by Certified and First-Class Mail