



Bureau for Private Postsecondary Education
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APPEAL OF CITATION INFORMAL CONFERENCE
DECISION: CITATION AFFIRMED

December 22, 2020

University of North Los Angeles DBA Tysons Education Corporation, Owner
University of North Los Angeles
1000 South Fremont Avenue, Building A10, Suite 10425
Alhambra, CA 91803

Date of Issuance	Citation Number	Institution Code
December 22, 2020	2021102	17834689

On November 20, 2020, an informal telephone conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. 2021102 (Citation) against University of North Los Angeles DBA Tysons Education Corporation, Owner of University of North Los Angeles (Institution). In attendance were Beth Scott, Enforcement Chief, Mehdi Banai, President, and Dr. Skipper, Vice President.

Pursuant to Business and Professions Code, section 125.9; California Education Code, section 94936; and Title 5 of the California Code of Regulations, section 75020 and section 75040, the Bureau for Private Postsecondary Education (Bureau) renders the following decision relative to your appeal of the Citation No. 2021102.

It is the decision of the Enforcement Chief that on December 11, 2020, Citation No. 2021102 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> 5, CCR Section 76130 (a-e)– Collection and Submission of Assessments <i>“(a) A qualifying institution shall collect the assessment from each student in an educational program at the time it collects the first payment from or on behalf of the student at or after enrollment. The assessment shall be collected for the entire period of enrollment, regardless of whether the student pays the institutional charges in increments.</i> <i>(b) A qualifying institution shall complete the STRF Assessment Reporting Form (Rev. 2/10) and remit it with the STRF assessments collected from students to be received by the Bureau no later than the last day of the month following the close of the quarter as follows:</i> <i>(1) April 30 for the first quarter,</i></p>

(2) July 31 for the second quarter,
(3) October 31 for the third quarter, and
(4) January 31 for the fourth quarter. If the due date falls on a Saturday, Sunday or State or federal holiday, the due date shall be extended to the next regular business day for the Bureau.
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(c) The STRF Assessment Reporting Form shall contain the following information:
(1) Total number of students who signed enrollment agreements for educational programs during the reporting period; and
(2) Total number of students eligible for STRF who signed enrollment agreements for educational programs during the reporting period; and
(3) The total number of students who signed their enrollment agreement during the reporting period, were eligible for STRF, and who made their first payment during the reporting period; and
(4) The total number of students who signed their enrollment agreement in a previous reporting period, were eligible for STRF, and who made their first payment during the current reporting period; and
(5) Total amount of institutional charges after rounding each student's institutional charges to the nearest \$1,000, for all eligible STRF students whose STRF assessment was collected in the reporting period; and
(6) Current contact telephone number of the person preparing the form; and
(7) A declaration dated and signed under penalty of perjury by the person preparing the form that the form and any attachments are true and correct.

(d) In the event of a school closure, any collected assessments shall be remitted to the Bureau within seven days following the cessation of instruction.

(e) Submission of all prior reports and assessments required by this section is a condition of renewal.”

The Institution has failed to submit STRF Assessment Reporting Forms for the following quarters:

- Fourth Quarter for 2019; and
- First and Second Quarters for 2020.

On December 17, 2019, the Institution was notified via mail at, 1000 South Fremont Avenue, Building A10, Suite 10047, Mail Stop 91, Alhambra, CA 91803, that the STRF Assessment Reporting Form for the 4th quarter of 2019 was due. As of October 1, 2020, the Bureau has not received the STRF Assessment Reporting Form from the Institution.

On March 24, 2020, the Institution was notified via mail at, 1000 South Fremont Avenue, Building A10, Suite 10047, Mail Stop 91, Alhambra, CA 91803, that the STRF Assessment Reporting Form for the 1st quarter of 2020 was due. As of October 1, 2020, the Bureau has not received the STRF Assessment Reporting Form from the Institution.

On June 18, 2020, the Institution was notified via mail at, 1000 South Fremont Avenue, Building A10, Suite 10047, Mail Stop 91, Alhambra, CA 91803, that the STRF Assessment Reporting Form for the 2nd quarter of 2020 was due. As of October 1, 2020, the Bureau has not received the STRF Assessment Reporting Form from the Institution.

Order of Abatement:

The Bureau orders that the Institution submit the delinquent STRF Assessment Reporting Forms with the STRF Assessments collected from students for the quarters listed above. The information

provided shall comply with "Record Keeping Requirements" Pursuant to 5, CCR section 76140.

Assessment of Fine

The fine for this violation is \$50.00

2.

Violation:

5, CCR Section 74006 (a) and (b) - Annual Fee

"(a) An institution's annual fee is due within 30 days of the date on which the institution originally receives its approval to operate and each year thereafter on the anniversary of the date of the original approval.

(b) An institution shall pay its annual fee in addition to any other applicable fees.

CEC Section 94930.5 (g)- Fee Schedule

"(g) Notwithstanding subdivision (d), effective July 1, 2018, the annual fee for each campus described in subparagraphs (A) and (B) of paragraph (1) of subdivision (d) shall be in an amount equal to 0.55 percent of that campus' total gross revenue derived from students in California, but not to be less than two thousand five hundred dollars (\$2,500) and not to exceed sixty thousand dollars (\$60,000) for each campus."

CEC Section 94931(b)- Late Payment

"(b) A fee that is not paid on or before the 90th calendar day after the due date for payment of the fee shall be subject to a 35 percent late payment penalty fee."

2019 Annual Fee and Late Payment Penalty

The Institution has failed to pay its annual fee and late payment penalty for calendar year 2019.

On December 3, 2018, the Institution was notified, Invoice # 900338034, via mail at ,1000 South Fremont Avenue, Building A10, Suite 10047, Mail Stop 91, Alhambra, CA 91803, stating that the annual fee for calendar year 2019 was due on January 1, 2019.

On February 19, 2019, the 1st Delinquency Notice (Invoice # 900339833) was sent via mail at, 1000 South Fremont Avenue, Unit 91, Alhambra, CA 91803, stating that the annual fee for calendar year 2019 was due on January 1, 2019.

On April 15, 2019, the 2nd Delinquency Notice (Invoice # 900339833) was sent via mail at ,1000 South Fremont Avenue, Unit 91, Alhambra, CA 91803, stating that the annual fee for calendar year 2019 was due on January 1, 2019.

On November 22, 2019, the Institution Owner was notified by Bureau staff during an Announced Compliance Inspection that the annual fee for calendar year 2019 was outstanding. The Institution Owner stated that payment would be submitted on November 25, 2019.

As of October 1, 2020, the Bureau has not received the annual fee nor late payment penalty for calendar year 2019 from the Institution.

2020 Annual Fee and Late Payment Penalty

The Institution has failed to pay its annual fee and late payment penalty for calendar year 2020.

On December 2, 2019, the Institution was notified, Invoice # 900346127, via mail at, 1000 South Fremont Avenue, Building A10, Suite 10047, Mail Stop 91, Alhambra, CA 91803, stating that the annual fee for calendar 2020 was due on January 1, 2020.

	<p>On February 18, 2020, the 1st Delinquency Notice (Invoice # 900347842) was sent via mail at ,1000 South Fremont Avenue, Building A10, Suite 10047, Mail Stop 91, Alhambra, CA 91803, stating that the annual fee for calendar year 2020 was due on January 1, 2020.</p> <p>On April 15, 2020, the 2nd Delinquency Notice (Invoice # 900347842) via mail at, 1000 South Fremont Avenue, Building A10, Suite 10047, Mail Stop 91, Alhambra, CA 91803, stating that the annual fee for calendar year 2020 was due on January 1, 2020.</p> <p>As of October 1, 2020, the Bureau has not received the annual fee nor the late payment penalty fee for calendar year 2020 from the Institution.</p> <p><u>Order of Abatement:</u> The Bureau orders the Institution to submit its annual fees for calendar year 2019 and 2020 in accordance with 5, CCR section 74006(a)(b) and CEC section 94930.5(g). In addition, the Institution must pay all late payment penalty fees.</p> <p><u>Assessment of Fine</u> The fine for this violation is \$00.00</p>
3.	<p><u>Violation:</u> 5, CCR Section 71930 (e)- Maintenance of Records <i>“(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.”</i></p> <p>On November 22, 2020, Bureau staff conducted an Announced Compliance Inspection at the Institution. The Institution failed to provide access to student records during the inspection. The Institution Owner stated that the Institution had not had any students enrolled since December 2017.</p> <p><u>Order of Abatement:</u> The Bureau orders the Institution to submit a written policy, or procedure, of how future compliance with 5 CCR Section 71930 (e) will be maintained.</p> <p><u>Assessment of Fine</u> The fine for this violation is \$250.00</p>
4.	<p><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></p> <ul style="list-style-type: none"> <i>(1) the list of job classifications determined to be considered gainful employment for the educational program;</i> <i>(2) student name(s), address, phone number, email address, program completed, program start date, scheduled completion date, and actual completion dates;</i> <i>(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;</i> <i>(4) for each employer from which employment or salary information was obtained, the employer name(s)</i>

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 selfemployment;
(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 November 22, 2020, Bureau staff conducted an Announced Compliance Inspection at the Institution. During the inspection, the Institution failed to provide the supporting documentation to substantiate the data reported on the 2016/2017 SPFS as required by 5, CCR 74112 (m)(1-9).

Order of Abatement:

The Bureau orders the Institution to submit a written policy, or procedure, of how future compliance with 5 CCR Section 74112 (m)(1-9) will be maintained.

Assessment of Fine

The fine for this violation is \$5,000.00

TOTAL MODIFIED ADMINISTRATIVE FINE DUE: \$5,300.00

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:

Nicole Mitchell, 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 **December 22, 2020**. The order of abatement and payment are due by **January 24, 2021**.

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 Nicole Mitchell, Citation Analyst, at (916) 574-8995 or at Nicole.Mitchell@dca.ca.gov.

“Original Signature on File”

“12/22/2020”

Christina Villanueva
Discipline Manager

Date

Enclosures

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