



**Bureau for Private Postsecondary Education**  
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**CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT**

To: Center for Excellence in Higher Education, Owner  
California College San Diego  
700 Bay Marina Drive, Ste. 100,  
National City, CA 91950

**INSTITUTION CODE: 3701751**  
**BRANCH CODE: 29927709**  
**CITATION NUMBER: 2122040**  
**CITATION ISSUANCE/SERVICE DATE: August 23, 2021**  
**DUE DATE: September 22, 2021**  
**FINE AMOUNT: \$ 7,501.00**  
**ORDER OF ABATEMENT INCLUDED: No**

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 Center for Excellence in Higher Education, Owner of California College San Diego (Institution) located at 700 Bay Marina Drive, Ste. 100, National City, CA 91950, and California College San Diego – San Marcos (Branch) located at 277 Rancheros Drive, Suite 200, San Marcos, CA 92069, pursuant to Business and Professions Code section 125.9; California Education Code (CEC) sections 94936 and 94932; and Title 5 of the California Code of Regulations (5, CCR) section 75020 for the violations described below.

BACKGROUND

In accordance with CEC Section 94926 and CEC Section 94927, and 5, CCR Section 76240(a), an institution shall notify the Bureau in writing of its intention to close, at least 30 days prior to closing, and provide required documentation.

On July 28, 2021 the Bureau received an email from the Institution asserting their decision to close, effective August 1, 2021. Th notice of closure was not received by the Bureau 30 days prior to closing, and the Institution failed to provide a complete closure plan with all required documents necessary for orderly closure. The following items required for an orderly closure were not received and are still outstanding: an approved plan for providing teach-outs of educational programs, any agreements with any other postsecondary educational institutions to provide teach-outs, evidence of arrangements for full refunds for students and cancellation of all private loans, including EduPlan loans, for applicable students, copies of pertinent student records including transcripts, and a plan for the retention of student records approved by the Institution’s accrediting agency. Additionally, the Institution failed to provide the Bureau evidence of a plan to fully notify

students of their rights and options under the Act and this chapter pertaining to refunds and transfer options.

VIOLATIONS

#	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><b>Violation:</b>  <b>CEC Section 94926(a)(b)(c)(d) - Procedures Prior to Closing, Teach-Out Plans</b>  <i>“At least 30 days prior to closing, the institution shall notify the bureau in writing of its intention to close. The notice shall be accompanied by a closure plan, which shall include, but not necessarily be limited to, all of the following:</i>  <i>(a) A plan for providing teach-outs of educational programs, including any agreements with any other postsecondary educational institutions to provide teach-outs.</i>  <i>(b) If no teach-out plan is contemplated, or for students who do not wish to participate in a teach-out, arrangements for making refunds within 45 days from the date of closure, or for institutions that participate in federal student financial aid programs arrangements for making refunds and returning federal student financial aid program funds.</i>  <i>(c) If the institution is a participant in federal student financial aid programs, it shall provide students information concerning these programs and institutional closures.</i>  <i>(d) A plan for the disposition of student records.”</i></p> <p><b>5, CCR Section 76240(a)(4)(A)(B)(5)(6)(b)(1)(2) - Required Notices and Teach-Out Plan.</b>  <i>“All institutions, including those exempts from Bureau regulation pursuant to the Code, shall do the following prior to closing:</i>  <i>(a) At least 30 days prior to closing, the institution shall notify the Bureau in writing of its intention to close and provide a closure plan. The closure plan shall include:</i>  <i>(4) If any student will not be provided complete educational services or the educational program, the institution shall provide:</i>  <i>(A) A plan for providing teach-outs or transfers, including the details of any agreements with other institutions.</i>  <i>(B) If no teach-out is contemplated, or aid programs arrangements for making refunds and returning federal student financial aid program funds.</i>  <i>(5) A plan for the disposition of student records.</i>  <i>(6) A plan to notify students of their rights and options under the Act and this chapter.</i>  <i>(b) The institution shall notify the students of the following:</i>  <i>(1) If the institution is a participant in federal student financial aid programs, it shall provide students information concerning those programs and institutional closures.</i>  <i>(2) If any student will not be provided complete educational services or the educational program, information regarding the Student Tuition Recovery Fund and the Bureau's physical and Internet addresses.”</i></p> <p><b>The Institution failed to submit written notice of closure to the Bureau at least 30 days prior to closing and failed to provide a complete closure plan with all the required documents required for orderly closure. The subsequent criteria for orderly closure were not met: an approved plan for providing teach-outs of educational programs, any agreements with any other postsecondary educational institutions to provide teach-outs, and evidence of arrangements for full refunds for students and cancellation of all private loans, including EduPlan loans, for applicable students. Additionally, the Institution failed to provide the Bureau evidence of a plan to fully notify students of their rights and options under the Act and this chapter pertaining to refunds and transfer options.</b></p>

	<p><b><u>Order of Abatement:</u></b> The Bureau orders that the Institute provide the Bureau with a complete closure plan with all the documents required. The Institution is required to provide evidence of an any current plan for providing teach-outs for all educational programs provided and any agreements with other postsecondary educational institutions to provide teach-outs. Due to the fact that there was no prior approved teach out plans for all educational programs, the Institution is required to provide full refunds to all students and evidence of cancellation of all private loans, including EduPlan loans, for applicable students. The Bureau also requires the Institution to submit evidence of when and how the Institution fully notified the students of their rights and options under the Act and this chapter pertaining to refunds and transfer options.</p> <p><b><u>Assessment of Fine</u></b> The fine for this violation is <u>\$5,000.00</u></p>
2.	<p><b><u>Violation:</u></b> <b>CEC Section 94927.5.(a)(1)(2) Provision of Records to Bureau Prior to Closing</b> <i>“(a) Prior to closing, an institution shall provide the bureau with the following: (1) Copies of pertinent student records, including transcripts, in hardcopy or electronic form, as determined by the bureau, pursuant to regulations adopted by the bureau. (2) If the institution is an accredited institution, a plan for the retention of records and transcripts, approved by the institution’s accrediting agency, that provides information as to how a student may obtain a transcript or any other information about the student’s coursework and degrees completed.”</i></p> <p><b>The Institution failed to provide copies of pertinent student records prior to closing, including transcripts, in hardcopy or electronic form. Additionally, the Institution failed to provide a plan for the retention of student records approved by the Institution’s accrediting agency.</b></p> <p><b><u>Order of Abatement:</u></b> The Bureau orders that the Institute provide the Bureau with copies of pertinent student records, including transcripts, either in hardcopy or electric form. The Institution is also required to provide the Bureau with evidence of a plan for the retention of student records approved by the Institution’s accrediting agency.</p> <p><b><u>Assessment of Fine</u></b> The fine for this violation is <u>\$2,501.00</u></p>
<b>TOTAL ADMINISTRATIVE FINE DUE: \$7,501.00</b>	

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 **\$7,501.00** for the violations described above. **Payment must be made, 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 **September 22, 2021**, 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 **August 23, 2021**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **September 22, 2021**. 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:**

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

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 Cheryl Lardizabal, Citation Analyst at (916) 574-8968 or Cheryl.Lardizabal@dca.ca.gov.

“Original Signature on File”

“8/23/2021”

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**Christina Villanueva**  
**Discipline Manager**

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**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