



CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT

To: Sofia University, SPC, Owner
 Sofia University
 1069 East Meadow Circle
 Palo Alto, CA 94303

INSTITUTION CODE: 79461402
CITATION NUMBER: 1920059
CITATION ISSUANCE/SERVICE DATE: August 30, 2019
DUE DATE: September 29, 2019
FINE AMOUNT: \$ 2,502.00
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 Sofia University, SPC, Owner of Sofia University (Institution) located at 1069 East Meadow Circle Palo Alto, CA 94303 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 6, 2018, the Bureau conducted an announced Compliance inspection at the Institution. As a result of seventeen minor violations that were unable to be cleared before the end of the inspection, the Institution was issued Notice to Comply #CA 79461402 0618 (NTC). The Institution was given thirty days from the date of the inspection to either remedy all violations listed in the NTC or submit a written Notice of Disagreement. A Notice of Disagreement was not received, and the Institution was able to clear fourteen of the seventeen violations within thirty days, three violations remain outstanding.

VIOLATION(S)

#	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.	Violation: 5, CCR Section 76140. Record-Keeping Requirements

(a) A qualifying institution shall collect and maintain records of student information to substantiate the data reported on the STRF Assessment Reporting Form and records of the students' eligibility under the Fund. Such records shall include the following for each student:

- (1) Student identification number,
- (2) First and last names,
- (3) Email address,
- (4) Local or mailing address,
- (5) Address at the time of enrollment,
- (6) Home address,
- (7) Date enrollment agreement signed,
- (8) Courses and course costs,
- (9) Amount of STRF assessment collected,
- (10) Quarter in which the STRF assessment was remitted to the Bureau,
- (11) Third-party payer identifying information,
- (12) Total institutional charges charged, and
- (13) Total institutional charges paid.

(b) The qualifying institution shall maintain the data required under this section in an electronic format that is readily available and open to inspection by the Bureau upon request. The institution shall make the records immediately available to a Bureau representative conducting a site inspection or, upon written request, shall provide a copy within 14 calendar days of the request. All records shall be provided to the Bureau in an intelligible and orderly manner and in an electronic format.

The Institution failed to submit to the Bureau the thirteen substantiating data points for the information reported on the 1st quarter 2018 Student Tuition Recovery Fund Assessment (STRF) Form. Student information for "Course Name" was not provided.

Order of Abatement:

The Institution shall submit to the Bureau complete substantiating data that includes "Course Name", for the information reported on the 2018 1st Quarter STRF Assessment Form.

Assessment of Fine

The fine for this violation is **\$501.00**

2. Violation:

CEC Section 94913. Institutional Web Site Requirements

(a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following:

- (5) The institution's most recent annual report submitted to the bureau.

The Institution failed to update their website to contain the most recent corrected 2016 Annual Report submitted to the Bureau to include the information for the following program:

- Master's in Transpersonal Psychology (online)

Order of Abatement:

The Institution shall update their website to include the updated 2016 Annual Report, that includes information for the approved program listed above. The Institution shall provide evidence of compliance for Bureau review.

Assessment of Fine

The fine for this violation is **\$501.00**

3.	<p><u>Violation:</u> CEC Section 94902. General Enrollment Requirements <i>(b) An enrollment agreement is not enforceable unless all of the following requirements are met:</i> <i>(3) Prior to the execution of the enrollment agreement, the student and the institution have signed and dated the information required to be disclosed in the Student Performance Fact Sheet pursuant to subdivisions (a) to (d), inclusive, of Section 94910. Each of these items in the Student Performance Fact Sheet shall include a line for the student to initial and shall be initialed and dated by the student.</i></p> <p>CEC Section 94912. Signature, Initials Required <i>Prior to the execution of an enrollment agreement, the information required to be disclosed pursuant to subdivisions (a) to (d), inclusive, of Section 94910 shall be signed and dated by the institution and the student. Each of these items shall also be initialed and dated by the student.</i></p> <p>Student records maintained by the Institution did not contain School Performance Fact Sheets that were signed pursuant to CEC Sections 94902(b)(3) and 94912.</p> <p><u>Order of Abatement:</u></p>
	<p>The Institution shall submit to the Bureau documentation of an established policy and procedure of how compliance with CEC section 94902 and 94912 will be maintained.</p> <p><u>Assessment of Fine</u> The fine for this violation is \$1,500.00</p>
TOTAL ADMINISTRATIVE FINE DUE: \$2,502.00	

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 **\$2,502.00** 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 September 29, 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 **August 30, 2019**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **September 29, 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:

~~Gabriella Perez, Discipline Citation Program~~
Bureau for Private Postsecondary Education
2535 Capitol Oaks Drive, Suite 400
Sacramento, CA 95833

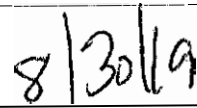
Failure for an applicant or institution to abate the violation(s) listed above or to pay the administrative fine within the time allowed may result in denial of an application for an approval or renewal to operate; disciplinary action, and/or collection action. The Bureau will promptly take all appropriate 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 Gabriella Perez, Citation Analyst, at (916) 621-2593 or Gabriella.Perez@dca.ca.gov.



Christina Villanueva
Discipline Manager



Date

Enclosures

- Notice to Comply #CA 79461402 0618 (NTC)
- 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