



MODIFIED CITATION ORDER

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| Citation Issued To: University of Irvine 3660 Wilshire Blvd., Suite 1024 Los Angeles, CA 90010 Institution Code: 35752457 | Citation Number: 2223159 |
| | Total Fine Amount: \$6,003.00 |
| | Order of Abatement Included: Yes |

Elizabeth Elias issues this modified citation in her official capacity as Enforcement Chief of the Bureau for Private Postsecondary Education, California Department of Consumer Affairs (hereinafter referred to as the "Bureau").

LICENSING HISTORY

- On or about December 7, 2021, the Bureau issued an Approval to Operate a Private Postsecondary Institution to University of Irvine (hereinafter referred to as the "Institution"). This Approval to Operate will expire on or about December 7, 2026, unless renewed.

DISCIPLINE HISTORY

- The Institution has no prior discipline history.

CITATION JURISDICTION

- This administrative citation is issued to the Institution pursuant to California Education Code (CEC) section 94936; and Title 5 of the California Code of Regulations (5 CCR) section 75020 et seq. for the violation(s) described below.

CITATION HISTORY

- On or about June 2, 2023, the Bureau issued Citation No. 2223159. On or about June 20, 2023, the Bureau received an appeal with a request for an informal conference. The informal conference was held on July 7, 2023. New substantive facts were presented during the informal conference; therefore, the Bureau modifies the citation as follows:

**CAUSE FOR CITATION &
MODIFIED ASSESMENT OF FINE AND/OR ORDER OF ABATEMENT**

5. The Institution is in violation of the following Bureau laws and regulations:

Violation #1:

5 CCR section 71930 (e) – Maintenance Records in conjunction with CEC 94902 (b)(1) – General Enrollment Requirements

Cause for Citation: On or about April 18, 2023, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5 (a). Bureau staff reviewed student files and determined that the files did not contain School Performance Fact Sheets (SPFS). The Institution admitted they have not provided School Performance Fact Sheets to Students prior to enrollment as required.

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class C” violation. The Institution is issued a fine of \$501.00.

Administrative Fine: Affirmed.

Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to ensure all student records follow the law pursuant to 5 CCR section 71930. The Institution must submit a statement of attestation they have corrected the violation and will ensure that all students receive a School Performance Fact Sheet prior to signing an enrollment agreement and the students records will contain School Performance Fact Sheets (SPFS). The statement of attestation must be dated and signed by an authorized representative of the Institution.

Order of Abatement: Affirmed.

Violation #2:

5 CCR section 71930 (e) – Maintenance Records in conjunction with CEC 94902 (a) – General Enrollment Requirements

Cause for Citation: On or about April 18, 2023, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5(a). Bureau staff determined that the student files contained enrollment agreements that were not properly executed as the enrollment agreements were signed by the students but were not signed by an authorized representative of the Institution.

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class C” violation. The Institution is issued a fine of \$501.00.

Administrative Fine: Affirmed.

Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to ensure all student records follow the law pursuant to 5 CCR section 71930. The Institution must submit a statement of attestation they have corrected the violation and will ensure that all student records contain properly executed enrollment agreements. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Order of Abatement: Affirmed.

Violation #3:

5 CCR 71650 section (a) Application for a Change in Educational Objectives or Clock or Credit Hours Required to Complete a Program in conjunction with CEC 94893 – Authorization Required for Substantive Change

Cause for Citation: On or about April 18, 2023, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5 (a). During the inspection of student files, the Institution revealed that all courses were being taught in Korean. Bureau staff determined that the Institution is not approved to teach in any language other than English. Bureau staff informed the

Institution that they would need to submit an Application for Change in Educational Objectives prior to offering courses in Korean.

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a "Class A" violation. The Institution is issued a fine of \$5,000.00.

Administrative Fine: Modified. The Bureau modifies the administrative fine from \$5,000 to \$2,501.00. The violation remains a "Class A" violation.

Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to obtain prior Bureau approval to offer courses in any other language, besides English, by submitting an Application for Change in Educational Objectives. If the Institution does not wish to offer courses in another language, the Institution must submit a statement of attestation that they have ceased teaching in Korean and are operating in compliance with the law. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Order of Abatement: Affirmed.

Violation #4:

5 CCR Section 71720 (a)(4)(A)(1) – Faculty and 5 CCR section 71930 (e) – Maintenance Records in conjunction with CEC 94900.5 (b) – Required Institutional Records

Cause for Citation: On or about April 18, 2023, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5 (a). During the inspection, Bureau staff reviewed three faculty files and the Chief Academic Officer (CAO) file. All files contained foreign degrees, however they failed to provide the foreign degree evaluations. Bureau staff were unable to determine if faculty possesses the minimum qualifications to teach.

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a "Class B" violation. The Institution is issued a fine of \$2,500.00.

Administrative Fine: Affirmed.

Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to ensure all faculty records follow the law pursuant to CEC 94900.5 (b) and 5 CCR section 71720 (a)(4)(A)(1). The Institution must submit a statement of attestation they have corrected the violation and ensured that all faculty records are in compliance with the law. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Order of Abatement: Affirmed.

COMPLIANCE WITH ORDER OF ABATEMENT

6. In accordance with the provisions of CEC section 94936 and 5 CCR sections 75020 and 75040, the Bureau issues the order(s) of abatement described above. Evidence of compliance with the order of abatement must be submitted to the Bureau within 30 days from the date of issuance of this modified citation. Evidence of compliance with the order of abatement may sent by mail or email to:

- Mail: Bureau for Private Postsecondary Education
Attn: Discipline Unit – Tessa Barron
1747 North Market, Blvd., Suite 225
Sacramento, CA 95834
- Email: bppe.discipline@dca.ca.gov
 - In the subject line, please include the Institution name and citation number.

COMPLIANCE WITH ASSESSMENT OF FINE

7. In accordance with the provisions of CEC section 94936, and 5 CCR section 75020 et seq., the Bureau hereby orders this assessment of fines in the total amount of \$6,003.00 for the violations described above. Payment of the fines must be made to the Bureau within 30 days from the date of service of this modified citation. To assist the Bureau in processing the payment of fines, please submit the enclosed *Payment of Fine – Waiver of Appeal* form.

Payment must be sent to the Bureau by mail at:

- Bureau for Private Postsecondary Education

Attn: Discipline Unit – Tessa Barron
1747 North Market, Blvd., Suite 225
Sacramento, CA 95834

NOTICE OF APPEAL RIGHTS

8. Pursuant to 5 CCR section 75040(d), the modified decision is considered final, unless a request for a hearing was filed timely.

If the Institution requested a hearing and no longer chooses to proceed with the hearing, the Institution may request to withdraw the request for a hearing.

COMPLIANCE WITH FINE AND/OR ORDER OR ABATEMENT DISCLOSURE

9. Pursuant to 5 CCR section 75050, payment of the fine and/or compliance with any order of abatement does not constitute an admission of the violation charged and shall be represented as satisfactory resolution of the matter for the purposes of public disclosure.

Pursuant to 5 CCR section 75050, failure to comply with this citation order, its order of abatement, and/or administrative fine by the required due date is grounds for denial or discipline of an approval to operate. Where a citation is not contested and fine is not paid, the full amount of the assessed fine shall be added to the fee for renewal of the approval to operate. An approval to operate shall not be renewed without payment of the renewal fee and fine. The Bureau may also enforce the administrative fine as if it were a money judgment pursuant to CEC section 94936.

BUREAU CONTACT INFORMATION

10. If you have any questions regarding this Citation, please contact Tessa Barron, Citation Analyst by email at Tessa.Barron@dca.ca.gov or by phone at (916) 574-7791.

“Original Signature on File”

7/24/2023

Elizabeth Elias
Enforcement Chief

Citation Date of Issuance

Citation Number: 2223159
Institution: University of Irvine
Institution Code: 35752457

Enclosures:

- Payment of Fine
- Declaration of Service by Certified and First-Class Mail