



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

To: Language Studies International, Inc., Owner
Language Studies International
1706 Fifth Avenue, 3rd Floor
San Diego, CA, 92101

INSTITUTION CODE: 3709361
CITATION NUMBER: 1920316
CITATION ISSUANCE/SERVICE DATE: May 27, 2020
DUE DATE: June 26, 2020
FINE AMOUNT: \$ 6,501.00
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 : Language Studies International, Inc., Owner of Language Studies International (Institution) located at 1706 Fifth Avenue, 3rd Floor, San Diego, CA, 92101, 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

On July 17, 2019, Bureau staff conducted an unannounced Compliance Inspection at the Institution. During the Inspection, Bureau staff reviewed student files and found that the files did not contain a verification of high school completion or equivalent. The Institution representative stated that they are working with Bureau and the Institution’s accreditor to develop an alternate ability to benefit (ATB) test and that Institution does not collect verification of high school completion or equivalent because their students are minors and have not completed high school at the time of attendance.

In addition, the Institution representative provided Bureau staff with a copy of the supporting documentation for the for the School Performance Fact Sheets (SPFS). Upon review, Bureau staff found that the supporting documentation was missing some of the required fields per 5, CCR Section 74112 (m)(1-9).

VIOLATION

1.	<p><u>Violation:</u> 5, CCR Section 71920 (a)(b)(1)(A) - Student Records <i>(a) The institution shall maintain a file for each student who enrolls in the institution whether or not the student completes the educational service.</i></p>

(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:

(1) Written records and transcripts of any formal education or training, testing, or experience that are relevant to the student's qualifications for admission to the institution or the institution's award of credit or acceptance of transfer credits including the following:

(A) Verification of high school completion or equivalency or other documentation establishing the student's ability to do college level work, such as successful completion of an ability-to-benefit test;

Student files failed to include verification of high school completion or equivalency or other documentation establishing the student's ability to do college level work, such as successful completion of an ATB test. On July 29, 2019, the Bureau approved the Institution's request for an alternate ATB test.

Order of Abatement:

The Bureau orders the Institution to include copies of student's successful completion of the approved ATB test in student files and maintain compliance with 5, CCR section 71920.

Assessment of Fine

The fine for this violation is \$1,501.00

2.

Violation:

5, CCR Section 74112 (m)(1)(2)(9) - Uniform Data- Annual Report, Performance Fact Sheets

“(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:

(1) the list of job classifications determined to be considered gainful employment for the educational program;

(2) student name(s), address, phone number, email address, program completed, program start date, scheduled completion date, and actual completion dates;

(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.

5, CCR Section 71930 (e) - Maintenance of Records

(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.

The Institution provided a written statement to Bureau staff stating that they have the supporting documentation in an electronic data base, however, were unable to provide it to Bureau staff on the day of the inspection.

Order of Abatement:

The Bureau orders the Institution to submit the supporting documentation for the SPFS and an established policy, or procedure, of how the Institution will maintain future compliance with 5, CCR section 74112 and 71930.

	Assessment of Fine The fine for this violation is <u>\$5,000.00</u>
TOTAL ADMINISTRATIVE FINE DUE: \$6,501.00	

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 **\$6,501.00** for the violations described above. **Payment must be made, to the Bureau, within 30 days from the date of service of the Citation.**

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 **June 26, 2020**, 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 **May 27, 2020**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **June 26, 2020**. 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 N. Market Blvd., Suite 225
Sacramento, CA 95834

Page 3 of 4

Citation: Assessment of Fine and Order of Restitution
Language Studies International, Inc., Owner of
Language Studies International
Institution Code: 3709361

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”

“5/27/2020”

Christina Villanueva
Discipline Manager

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