

1 KAMALA D. HARRIS  
Attorney General of California  
2 ARMANDO ZAMBRANO  
Supervising Deputy Attorney General  
3 NANCY A. KAISER  
Deputy Attorney General  
4 State Bar No. 192083  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-5794  
6 Facsimile: (213) 897-2804  
*Attorneys for Complainant*  
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8 **BEFORE THE**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
9 **FOR THE BUREAU FOR PRIVATE POSTSECONDARY EDUCATION**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Statement of Issues  
Against:

Case No. 1001583

12 **SOUTHERN CALIFORNIA UNIVERSITY**  
13 **OF SPORTS AND BUSINESS**

**STATEMENT OF ISSUES**

14 **Approval to Operate an Institution Non-**  
15 **Accredited Applicant**

16 Respondent.

17  
18 Complainant alleges:

19 **PARTIES**

20 1. Joanne Wenzel (Complainant) brings this Statement of Issues solely in her official  
21 capacity as the Chief of the Bureau for Private Postsecondary Education, Department of  
22 Consumer Affairs.

23 2. On or about May 20, 2013, the Bureau for Private Postsecondary Education received  
24 an application for an Approval to Operate for an Institution Non-Accredited from Southern  
25 California University of Sports and Business (Respondent). On or about May 10, 2013, Sang Dae  
26 Shin and Neung Mo Lee (members of the Board of Directors) certified under penalty of perjury to  
27 the truthfulness of all statements, answers, and representations in the application. The Bureau  
28 denied the application on January 29, 2016.



1 (7) That, upon satisfactory completion of an educational program, the institution gives  
2 students a document signifying the degree or diploma awarded.

3 (8) Adequate records and standard transcripts are maintained and are available to students.

4 (9) The institution is maintained and operated in compliance with this chapter and all other  
5 applicable ordinances and laws.

6 “(b) Except as provided in Section 94855.1, an institution offering a degree must satisfy  
7 one of the following requirements:

8 (i) Accreditation by an accrediting agency recognized by the United States Department of  
9 Education, with the scope of that accreditation covering the offering of at least one degree  
10 program by the institution.

11 (ii) An accreditation plan, approved by the bureau, for the institution to become fully  
12 accredited within five years of the bureau's issuance of a provisional approval to operate to the  
13 institution. The provisional approval to operate to an unaccredited degree-offering institution  
14 shall be in compliance with Section 94885.5.”

15 8. Education Code section 94887:

16 “An approval to operate shall be granted only after an applicant has presented sufficient  
17 evidence to the bureau, and the bureau has independently verified the information provided by the  
18 applicant through site visits or other methods deemed appropriate by the bureau, that the applicant  
19 has the capacity to satisfy the minimum operating standards. The bureau shall deny an application  
20 for an approval to operate if the application does not satisfy those standards.”

21 **REGULATORY PROVISIONS**

22 9. California Code of Regulations, title 5, division 7.5, section 71100, states, in pertinent  
23 part:

24 “(a) An applicant seeking approval to operate pursuant to Section 94886 of the Code, other  
25 than Approval to Operate by Accreditation pursuant to Section 94890(a)(1) of the Code, shall  
26 complete the "Application for Approval to Operate for an Institution Not Accredited," Form  
27 Application 94886 (rev. 2/10). An applicant seeking approval to operate by accreditation pursuant  
28 to Section 94890(a)(1) of the Code shall comply with section 71390.

1           “(b) An applicant shall submit the completed form, the information or documentation,  
2 required by this Article, the appropriate application fee as provided in Section 94930.5(a)(1) of  
3 the Code, and any appropriate annual fee as required by Article 1 of Chapter 5 of this Division, to  
4 the Bureau.

5           “(c) An application that fails to contain all of the information required by this article shall  
6 render it incomplete.”

7           10. California Code of Regulations, title 5, section 71210, states:

8           “(a) The institution shall identify and describe the educational program it offers, or  
9 proposes to offer. If the educational program is a degree program, the institution shall identify the  
10 full title which it will place on each degree awarded.

11           “(b) In addition to the general title, such as “Bachelor of Arts” or “Master of Science,” each  
12 degree title shall include the name of a specific major field of learning involved.

13           “(c) In addition, the institution shall list the following for each educational program offered:

14           (1) The admissions requirements, including minimum levels of prior education, preparation,  
15 or training;

16           (2) If applicable, information regarding the ability-to-benefit examination as required by  
17 section 94904 of the Code;

18           (3) The types and amount of general education required;

19           (4) The title of the educational programs and other components of instruction offered,  
20 including a description of the level of the courses (e.g., below college level, undergraduate level,  
21 graduate level);

22           (5) The method of instruction;

23           (6) The graduation requirements; and

24           (7) Whether the educational program is designed to fit or prepare students for employment  
25 in any occupation. If so, the Form Application 94886 shall identify each occupation and job title  
26 to which the institution represents the educational program will lead.”

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1 11. California Code of Regulations, title 5, section 71220 states:

2 "For each educational program that the institution offers or proposes to offer, the Form  
3 Application 94886 shall contain a statement that the educational program meets the requirements  
4 of section 71710, as well as the following:

5 (a) A description of the educational program.

6 (b) A description of the equipment to be used during the educational program.

7 (c) A description of the number and qualifications of the faculty needed to teach the  
8 educational program.

9 (d) A projection, and the bases for the projection, of the number of students that the  
10 institution plans to enroll in the educational program during each of the three years following the  
11 date the Form Application 94886 was submitted.

12 (e) A description of the learning, skills, and other competencies to be acquired by students  
13 who complete the educational program.

14 (f) If licensure is a goal of an educational program, a copy of the approval from the  
15 appropriate licensing agency if required. A copy of the intent to approve conditioned solely upon  
16 institutional approval from the Bureau will also meet this requirement.

17 "Upon request, the institution shall provide to the Bureau copies of the curriculum or  
18 syllabi required pursuant to section 71710."

19 12. California Code of Regulations, title 5, section 71700 states:

20 "The Bureau may request that an institution document compliance with the standards set  
21 forth in the Act and this Division to obtain and maintain an approval to operate."

22 13. California Code of Regulations, title 5, section 71710 states, in pertinent part:

23 "In order to meet its mission and objectives, the educational program defined in section  
24 94837 of the Code shall be comprised of a curriculum that includes:

25 . . .

26 (c) Course or module materials that are designed or organized by duly qualified faculty. For  
27 each course or module, each student shall be provided with a syllabus or course outline that  
28 contains:

- 1 (1) A short, descriptive title of the educational program;
- 2 (2) A statement of educational objectives;
- 3 (3) Length of the educational program;
- 4 (4) Sequence and frequency of lessons or class sessions;
- 5 (5) Complete citations of textbooks and other required written materials;
- 6 (6) Sequential and detailed outline of subject matter to be addressed or a list of skills to be
- 7 learned and how those skills are to be measured;
- 8 (7) Instructional mode or methods.
- 9 (d) If degree granting, require research of an appropriate degree that utilizes a library and
- 10 other learning resources;
- 11 (e) Specific learning outcomes tied to the sequence of the presentation of the material to
- 12 measure the students' learning of the material; and
- 13 (f) Evaluation by duly qualified faculty of those learning outcomes.

14 14. California Code of Regulations, title 5, section 71720, subdivisions (a)(1) and (9)

15 states, in part:

- 16 (a) An Educational Program Leading to a Degree.
- 17 (1) An institution offering an educational program that leads to a degree shall employ duly
- 18 qualified faculty sufficient in number to provide the instruction, student advisement, and learning
- 19 outcomes evaluation necessary for the institution to document its achievement of its stated
- 20 mission and objectives, and for students to achieve the specific learning objectives of each course
- 21 offered;
- 22 . . .
- 23 (9) The institution shall maintain records documenting that each faculty member is duly
- 24 qualified and was qualified to perform the duties to which the faculty member was assigned,
- 25 including providing instruction, evaluating learning outcomes, evaluating graduate dissertations,
- 26 theses, and student projects, and participating on doctoral committees.

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**FIRST CAUSE FOR DENIAL OF APPLICATION**

**(Education Programs)**

15. Respondent's application is subject to denial under Education Code section 94887 and California Code of Regulations, title 5, division 7.5, section 71100, subdivisions (a) to (c), by failing to meet minimum operating standards, in that Respondent failed to provide sufficient evidence that all courses offered were designed or organized by duly qualified faculty, in violation of section 71710, subdivision (c).

**SECOND CAUSE FOR DENIAL OF APPLICATION**

**(Faculty)**

16. Respondent's application is subject to denial under Section 94887 and California Code of Regulations, title 5, section 71720, by failing to meet minimum operating standards, as follows:

a. Respondent failed to identify faculty qualified to design curriculum for its general education courses (American History, World History, College Algebra, Calculus, and Introduction to Scientific Research), in violation of California Code of Regulations, title 5, section 71720, subdivision (a)(9).

b. Respondent failed to provide sufficient evidence that duly qualified faculty sufficient in number have been contracted to provide the instruction, student advisement, and learning outcomes evaluation necessary for the institution to document its achievement of its stated mission and objectives, and for students to achieve the specific learning objectives of each course offered, in violation of California Code of Regulations, title 5, section 71720, subdivision (a)(1).

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**PRAYER**

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Director of the Department of Consumer Affairs issue a decision:

1. Denying the application of Southern California University of Sports and Business for an Approval to Operate for an Institution Non-Accredited;
2. Taking such other and further action as deemed necessary and proper.

DATED: 8/31/16

  
\_\_\_\_\_  
JOANNE WENZEL  
Chief  
Bureau for Private Postsecondary Education  
Department of Consumer Affairs  
State of California  
*Complainant*

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