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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  
12 Against:

Case No. 1001764

13 **RICHFIELD UNIVERSITY**

**STATEMENT OF ISSUES**

14 **Renewal of Approval to Operate and Offer**  
15 **Educational Program for Non-Accredited**  
**Institutions Applicant**

16 **Institution Code: 1936931**

17 Respondent.

18  
19 Complainant alleges:

20 **PARTIES**

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

24 2. On or about May 17, 2013, the Bureau for Private Postsecondary Education received  
25 an application for Renewal of Approval to Operate an Institution Non-Accredited from Richfield  
26 University ("Respondent"). On or about May 10, 2013, Dr. Michael Rahni as 95% owner and  
27 Roya A. Nik as 5% owner certified under penalty of perjury to the truthfulness of all statements,

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1 answers, and representations in the application. The Bureau denied the application on March 4,  
2 2016.

3 **APPLICANT'S LICENSE HISTORY**

4 3. On or about May 17, 2013, the Bureau received an Application for Renewal of  
5 Approval to Operate an Institution Non-Accredited (Application Number 26150) from  
6 Respondent.

7 4. On or about June 25 2013 the Bureau issued the first deficiency letter to Respondent.  
8 On or about July 22, 2013, the Bureau received a response from Respondent.

9 5. On or about November 14, 2013, the Bureau sent the second deficiency letter to  
10 Respondent. On or about December 11, 2013, the Bureau received a response from Respondent.

11 6. On or about January 23, 2014, the Bureau sent the third deficiency letter to  
12 Respondent. On or about February 25, 2014, the Bureau received a response from Respondent.

13 7. On or about May 23, 2013, the Bureau sent the fourth deficiency letter to  
14 Respondent. On or about June 5, 2014, the Bureau received a response from Respondent.

15 8. On or about November 14, 2014, the Bureau sent the fifth deficiency letter to  
16 Respondent. On or about December 22, 2014, the Bureau received a response from Respondent.

17 9. On or about August 5, 2015, the Quality of Education Unit ("QEU") sent the sixth  
18 deficiency letter to Respondent. On or about October 2, 2015, the Bureau received a response  
19 from Respondent.

20 10. On or about October 29, 2015, the QEU sent the seventh deficiency letter to  
21 Respondent. On or about December 15, 2015, the Bureau received a response from Respondent.

22 11. On or about March 4, 2016, the Bureau sent Respondent a "Notice of Denial" letter.

23 12. On or about May 11, 2016, Respondent submitted a request for an appeal.

24 **JURISDICTION**

25 13. This Accusation is brought before the Director of the Department of Consumer  
26 Affairs ("Director") for the Bureau, under the authority of the following laws. All section  
27 references are to the Education Code unless otherwise indicated.

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1 **STATUTORY PROVISIONS<sup>1</sup>**

2 14. Business and Professions Code section 22 defines the term “board” to include  
3 “bureau.”

4 15. Section 94891, subdivision (b) of the Education Code states:

5 “(b) To be granted a renewal of an approval to operate, the institution shall demonstrate its  
6 continued capacity to meet the minimum operating standards.”

7 16. Section 94909 of the Education Code states in relevant part:

8 (a) Except as provided in subdivision (d), prior to enrollment, an institution shall  
9 provide a prospective student, either in writing or electronically, with a school catalog  
10 containing, at a minimum, all of the following:

11 ....

12 (5) A description of the programs offered and a description of the instruction provided  
13 in each of the courses offered by the institution, the requirements for completion of  
14 each program, including required courses, any final tests or examinations, any required  
15 internships or externships, and the total number of credit hours, clock hours, or other  
16 increments required for completion....

17 17.. Section 94913 of the Education Code states in relevant part:

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

20 ....

21 (2) A School Performance Fact Sheet for each educational program offered by the  
22 institution....

23 **REGULATORY PROVISIONS**

24 18. California Code of Regulations, title 5, division 7.5, section 71700 states:

25 “The Bureau may request that an institution document compliance with the standards set  
26 forth in the Act and this Division to obtain and maintain an approval to operate.”

27 19. California Code of Regulations, title 5, division 7.5, section 71710 states:

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

....

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<sup>1</sup> California Private Postsecondary Education Act of 2009, Ed. Code § 94880, et. seq. was recently amended, effective January 1, 2015. (See Senate Bill No. 1247).

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

- ....
- (2) a statement of educational objectives;
- (3) length of the educational program;
- (4) sequence and frequency of lessons or class sessions;
- ....
- (6) sequential and detailed outline of subject matter to be addressed or a list of skills to be learned and how those skills are to be measured;
- ....
- (e) specific learning outcomes tied to the sequence of the presentation of the material to measure the students' learning of the material....

20. California Code of Regulations, title 5, division 7.5, section 71715 states:

“....

(b) The institution shall document that the instruction offered leads to the achievement of the learning objectives of each course....”

21. California Code of Regulations, title 5, division 7.5, section 71720 states:

(a) An Educational Program Leading to a Degree.

(1) An institution offering an educational program that leads to a degree shall employ duly qualified faculty sufficient in number 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;

....

(4) The faculty shall have sufficient expertise to support the institution's awarding of a degree identifying a specialty or major field of emphasis, demonstrated by, at a minimum:

(A) That the person possesses one of the following:

- 1. a degree from: an institution approved by the Bureau or previously approved by a predecessor agency of the Bureau; or an accredited institution in the United States or Canada; or other state approved institution that documents that the institution at which the faculty member earned his or her degree is equivalent to an institution that is approved by the Bureau; or an institution outside the United States or Canada and in addition provides a comprehensive evaluation of the degree performed by a foreign credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES).

1 2. a credential generally recognized in the field of instruction.

2 (B) The degree, professional license, or credential possessed by the person shall be at  
3 least equivalent to the level of instruction being taught or evaluated;

4 ....

5 (9) The institution shall maintain records documenting that each faculty member is  
6 duly qualified and was qualified to perform the duties to which the faculty member  
7 was assigned, including providing instruction, evaluating learning outcomes,  
8 evaluating graduate dissertations, theses, and student projects, and participating on  
9 doctoral committees....

### 10 **FIRST CAUSE FOR DENIAL OF APPLICATION**

#### 11 **(Failure to Meet Minimum Operating Standards – Description of Educational Program 12 Fails to Provide Acceptable Course Content)**

13 22. Respondent's application is subject to denial under Education Code section 94891,  
14 subdivision (b) and California Code of Regulations, title 5, section 71710, subdivisions (c)(4) and  
15 (6), in that Respondent's syllabi and or course content do not provide sequence and frequency of  
16 lessons or class sessions, or a sequential and detailed outline of subject matter to be addressed or  
17 a list of skills to be learned and how those skills are to be measured. The course descriptions in  
18 the catalog do not appear to be related to the course or the description is unclear and does not  
19 explain what will be taught, as follows:

20 a. On November 23, 2015, the Bureau reviewed Respondent's online learning platform.  
21 The platform contained one program, which was Masters of Business Administration in Global  
22 Leadership. The syllabi posted online for the program did not correspond with the syllabi  
23 submitted for review on October 2, 2015, and December 15, 2015.

### 24 **SECOND CAUSE FOR DENIAL OF APPLICATION**

#### 25 **(Failure to Meet Minimum Operating Standards – Description of Educational Program 26 Fails to Determine Length of Educational Programs)**

27 23. Respondent's application is subject to denial under Education Code section 94891,  
28 subdivision (b) and California Code of Regulations, title 5, section 71710, subdivisions (c)(3) and  
(4), in that Respondent's syllabi and or course content do not provide the length of the  
educational program, or the sequence and frequency of lessons or class sessions. The Bureau is  
unable to determine the length of the educational programs, as follows:

1 a. The syllabi Respondent submitted to the Bureau lists total program hours and two  
2 sets of class times. However, the syllabi do not specify if both class sessions are designated for  
3 one course or if a different course will be taken during each session. Additionally, the beginning  
4 and end date for each class is not listed.

5 **THIRD CAUSE FOR DENIAL OF APPLICATION**

6 **(Failure to Meet Minimum Operating Standards – Description of Educational Program  
7 Fails to Provide Clear Learning Objectives)**

8 24. Respondent's application is subject to denial under Education Code section 94891,  
9 subdivision (b) and California Code of Regulations, title 5, section 71710, subdivisions (c)(2) and  
10 (e), and section 71715, in that Respondent's syllabi and or course content do not provide a  
11 statement of educational objectives; specific learning outcomes tied to the sequence of the  
12 presentation of the material to measure the students' learning of the material; or, document that  
13 the instruction offered leads to the achievement of the learning objectives of each course. The  
14 course description, objectives and outcomes do not correspond and the Bureau is unable to  
15 determine specific and measurable outcomes for numerous class offerings.

16 **FOURTH CAUSE FOR DENIAL OF APPLICATION**

17 **(Failure to Meet Minimum Operating Standards – Faculty)**

18 25. Respondent's application is subject to denial under Education Code sections 94891,  
19 subdivision (b) and California Code of Regulations, title 5, section 71720, subdivisions (a)(4)(A)  
20 and (B), (a)(1), and (a)(9), in that Respondent failed to provide the Bureau with all current faculty  
21 transcripts as requested, as follows:

22 a. On or about December 1, 2013, Respondent reported in their deficiency response that  
23 they, "were having everyone's qualifications verified by NACES." On or about September 30,  
24 2015, Respondent reported that all transcripts in need of NACES evaluation had been submitted  
25 to Academic Evaluation Services for review. The Bureau did not receive any of the current  
26 faculty transcripts and is unable to determine if the institution has contracted with qualified  
27 faculty members.

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1 **FIFTH CAUSE FOR DENIAL OF APPLICATION**

2 **(Failure to Meet Minimum Operating Standards – Catalog)**

3 26. Respondent's application is subject to denial under Education Code sections 94891,  
4 subdivision (b) and 94909, subdivision (a)(5), in that Respondent failed to provide descriptions of  
5 the programs offered and a description of the instruction provided in each of the courses offered  
6 by the institution, the requirements for completion of each program, including required courses,  
7 any final tests or examinations, any required internships or externships, and the total number of  
8 credit hours, clock hours, or other increments required for completion. The course descriptions  
9 presented in Respondent's catalog do not appear to be related to the course title and or do not  
10 give a clear depiction of the content of the class.

11 **SIXTH CAUSE FOR DENIAL OF APPLICATION**

12 **(Failure to Meet Minimum Operating Standards – Advertising and Other Public Statements)**

13 27. Respondent's application is subject to denial under Education Code sections 94891,  
14 subdivision (b) and 94913, subdivision (a)(2), in that Respondent failed to maintain an Internet  
15 Web site that provided the School Performance Fact Sheet for each educational program offered  
16 by the institution. The Bureau notified Respondent that the link for the most recent School  
17 Performance Fact Sheet was not active in the sixth deficiency letter mailed on August 5, 2015.  
18 Respondent failed to correct the violation.

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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 Richfield University for a Renewal of Approval to Operate an Institution Non-Accredited; and,
2. Taking such other and further action as deemed necessary and proper.

DATED: 3/10/17

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

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