



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

To: Michael Choi
Coding Dojo
465 Fairchild Drive #209
Mountain View, CA 94043

1980 Zanker Road
San Jose, CA 95112

INSTITUTION CODE: Unapproved
CITATION NUMBER: 1415052
CITATION ISSUANCE/SERVICE DATE: April 27, 2015
DUE DATE: May 26, 2015
FINE AMOUNT: \$ 50,000.00
ORDER OF ABATEMENT INCLUDED: YES

Yvette Johnson issues this Citation: Assessment of Fine and Order of Abatement (Citation) in her official capacity as Enforcement Chief of the Bureau for Private Postsecondary Education (Bureau) of the California Department of Consumer Affairs.

CITATION

A Citation is hereby issued to Michael Choi, Owner of Coding Dojo (Institution) located at 465 Fairchild Drive #209, Mountain View, CA 94043 and 1980 Zanker Road, San Jose, CA 95112 pursuant to Business and Professions Code section 148; California Education Code (CEC) §94944; and Title 5 of the California Code of Regulations (5 CCR) §75020 for the violation(s) described below.

VIOLATION

Table with 2 columns: # and description of violation. Row 1: 1. Violation: CEC 94886 - Approval to Operate Required. Description: "Except as exempted in Article 4 (commencing with Section 94874) or in compliance with the transition provisions in Article 2 (commencing with Section 94802), a person shall not open, conduct, or do business as a private postsecondary educational institution in this state without obtaining an approval to operate under this chapter." Additional text: On 12/20/13, the Bureau received a complaint alleging Coding Dojo was operating without Bureau approval. On 1/7/14, Bureau staff mailed the "Operating Educational Institution without Proper

Approval" letter to Michael Choi, owner of Coding Dojo.

On 1/14/14, D.G., Vice President of Operations of Coding Dojo was informed by Bureau staff of Bureau policies and the need for Coding Dojo to have Bureau approval. D.G. indicated he did not intend to close the institution because it earns approximately \$2.5 million per quarter.

On 1/16/14, owner Michael Choi informed Bureau staff that he wanted to comply but hoped to remain open during the approval process.

On 1/17/14, Bureau staff received a letter from D.G. The letter stated that the institution is working diligently to address their issues and promptly comply. Also, that they will do whatever is necessary to correct this matter.

On 1/21/14, Bureau staff received a letter from J.F., counsel for the institution, confirming receipt of the Bureau's letter dated 1/7/14 and stated that Coding Dojo does not appear to fall within the scope of the Private Postsecondary Education Act (Act). J. F. also stated that Coding Dojo was not doing business as a postsecondary educational institution.

On 2/9/15, Bureau staff mailed another "Operating Educational Institution without Proper Approval" letter to Michael Choi via certified and regular mail. Both letters were returned to the Bureau as "unable to forward."

On 4/6/15, Bureau staff researched the Coding Dojo's website and found programs advertised for \$10,500 (online), \$11,500 (three month hybrid) and \$12,500 (bootcamp)

The investigation and supporting evidence revealed that Coding Dojo is operating without Bureau approval. Coding Dojo continues to maintain a website at codingdojo.com and advertises courses ranging from \$10, 500 to \$12,500. The institution has failed to submit an application for Approval to Operate.

Order of Abatement:

The Bureau orders that the institution cease to operate immediately until such time that an approval to operate has been obtained from the Bureau. In accordance with CEC 94926, the institution must file a school closure plan with the Bureau.

Assessment of Fine

The fine for this violation is \$50,000.00

TOTAL ADMINISTRATIVE FINE DUE: \$50,000.00

ASSESSMENT OF A FINE

In accordance with CEC section 94944; and 5 CCR section 75020(b), the Bureau hereby orders this assessment of a fine in the amount of **\$50,000.00** for the violations described above. **Payment must be made, to the Bureau, within 30 days from the date of service of the Citation.**

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.**

BACKGROUND

On 12/20/13, the Bureau received a complaint alleging Coding Dojo was operating without Bureau approval. On 1/7/14, Michael Choi, owner of Coding Dojo was issued an "Operating Educational Institution without Proper Approval" letter.

On 1/14/14, D.G., Vice President of Operations of Coding Dojo was informed by Bureau staff of the need for Coding Dojo to have Bureau approval.

On 1/16/14, Michael Choi, owner of Coding Dojo indicated his desire to comply with Bureau laws but also remain open during the application process. On 1/17/14, D.G. Vice President of Operations for Coding Dojo contacted the Bureau via written correspondence that Coding Dojo was working to correct this matter.

On 1/21/14, the Bureau received correspondence from J.F., counsel for Coding Dojo, confirming receipt of the Bureau's letter dated 1/7/14 and expressing his opinion that Coding Dojo is not a private postsecondary institution and does not fall under the scope of Bureau laws.

On 4/6/15, Bureau staff researched Coding Dojo's website and found programs being offered for \$10,500, \$11,500 and \$12,500.

Michael Choi, owner of Coding Dojo, continues to operate as an unapproved institution. To date the Bureau has not received an application for approval to operate.

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 **May 26, 2015**, 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 **April 27, 2015**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **May 26, 2015**. 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:

Jody Wright, 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 Jody Wright, Enforcement Analyst, at 916-431-6940 or Jody.Wright@dca.ca.gov.


Yvette Johnson
Enforcement Chief

April 27, 2015
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