# BEFORE THE DEPARTMENT OF CONSUMER AFFAIRS BUREAU FOR PRIVATE POSTSECONDARY EDUCATION STATE OF CALIFORNIA

In the Matter of the Statement of Issues Against:

## **CODING HOUSE INSTITUTE**

Case No. 1000841

Application for Approval to Operate an Institution Non-Accredited

OAH No. 2015121007

Respondent.

### DECISION

The attached Stipulated Denial of Application for Approval to Operate and Order is hereby accepted and adopted as the Decision of the Director of the Department of Consumer Affairs in the above-entitled matter.

This Decision shall become effective

DATED: Marc 2,2018

APR - 8. 2018

RYAN MARCROFT Deputy Director Legal Affairs Division Department of Consumer Affairs

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10	FOR THE BUREAU FOR PRIVATE POSTSECONDARY EDUCATION STATE OF CALIFORNIA						
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12	In the Matter of the Statement of Issues	Case No. 1000841					
13	Against:	OAH No. 2015121007					
14	CODING HOUSE INSTITUTE	STIPULATED DENIAL OF					
15	Application for Approval to Operate an Institution Non-Accredited	APPLICATION FOR APPROVAL TO OPERATE AND ORDER					
16	Respondent.						
16 17	Respondent.						
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1	2. Respondent Coding House Institute ("Respondent"), a Delaware corporation, is	
2	representing itself in this proceeding and has chosen not to exercise its right to be represented by	
3	counsel.	
4	3. On or about April 8, 2014, Respondent filed an Application for Approval to Operate	
5	for an Institution Non-Accredited, dated April 4, 2014. On or about June 3, 2015, the Bureau	
6	issued to Respondent a Notice of Denial of Application for Approval to Operate.	
. 7	JURISDICTION	
8	4. Statement of Issues No. 1000841 was filed before the Director of the Department of	
9	Consumer Affairs ("Director"). The Statement of Issues and all other statutorily required	:
10	documents were properly served on Respondent on November 12, 2015.	
11	5. The Statement of Issues was subsequently amended. The operative Statement of	
12	Issues, a Third Amended Statement of Issues, was corrected via a Notice of Errata, filed on or	
13	about September 28, 2017. A copy of this Third Amended Statement of Issues is attached as	
14	Exhibit A and incorporated by reference.	
15	ADVISEMENT AND WAIVERS	
16	6. Respondent has carefully read, and understands the charges and allegations in the	
17	Third Amended Statement of Issues No. 1000841. Respondent has also carefully read, and	
18	understands the effects of this Stipulated Denial of Application for Approval to Operate and	
19	Order.	`.
20	7. Respondent is fully aware of its legal rights in this matter, including the right to a	
21	hearing on the charges and allegations in the Third Amended Statement of Issues; the right to be	
22	represented by counsel at its own expense; the right to confront and cross-examine the witnesses	
23	against it; the right to present evidence and to testify on its own behalf; the right to the issuance of	
24	subpoenas to compel the attendance of witnesses and the production of documents; the right to	
.25	reconsideration and court review of an adverse decision; and all other rights accorded by the	
26	California Administrative Procedure Act and other applicable laws.	
27	8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and	
28	every right set forth above.	
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STIPULATED DENIAL OF APPLICATION FOR APPROVAL TO OPERATE AND ORDER In the Matter of the Statement of Issues Against Coding House Institute (OAH No. 2015121007)

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#### <u>CULPABILITY</u> ·

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9. Respondent understands and agrees that the charges and allegations in the Third Amended Statement of Issues No. 1000841, including, but not limited to Causes for Denial Number 1 through 25, if proven at a hearing, constitute cause for denying its application for an Approval to Operate. For the purpose of resolving the Third Amended Statement of Issues without the expense and uncertainty of further proceedings, Respondent agrees that, if at a hearing, Complainant could establish a factual basis for these charges in the Third Amended Statement of Issues, and that Respondent hereby gives up its right to contest those charges.

9 10. Respondent understands and agrees that, based on the matters set forth in Paragraph 9
10 (above), its application is subject to denial because of an inability to satisfy minimum operating
11 standards.

### **RESERVATION**

11. The admissions made by Respondent in this stipulation are only for the purposes of this proceeding, or any other proceedings in which the Director of the Department of Consumer Affairs, Bureau for Private Postsecondary Education, or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

#### <u>CONTINGENCY</u>

This stipulation shall be subject to approval by the Director of the Department of 18 12. Consumer Affairs or the Director's designee. Respondent understands and agrees that counsel for 19 Complainant and the staff of the Bureau for Private Postsecondary Education may communicate 20 directly with the Director and staff of the Department of Consumer Affairs regarding this 21 stipulation and settlement, without notice to or participation by Respondent. By signing the 22 stipulation, Respondent understands and agrees that it may not withdraw its agreement or seek to 23 rescind the stipulation prior to the time the Director considers and acts upon it. If the Director 24 fails to adopt this stipulation as the Decision and Order, the Stipulated Denial of Application for 25 Approval to Operate and Order shall be of no force or effect, except for this paragraph, it shall be 26 inadmissible in any legal action between the parties, and the Director shall not be disqualified 27from further action by having considered this matter. 28

STIPULATED DENIAL OF APPLICATION FOR APPROVAL TO OPERATE AND ORDER In the Matter of the Statement of Issues Against Coding House Institute (OAH No. 2015121007) 13. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

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14. This Stipulated Denial of Application for Approval to Operate and Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This stipulation and Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

10 15. In consideration of the foregoing admissions and stipulations, the parties agree that
11 the Director may, without further notice or formal proceeding, issue and enter the following
12 Order:

# <u>ORDER</u>

IT IS HEREBY ORDERED that Respondent Coding House Institute's Application for Approval to Operate an Institution Non-Accredited is denied.

This stipulation constitutes a record of denial, and shall become part of Respondent's
 application history with the Bureau for Private Postsecondary Education.

Acceptance of this stipulation does not prohibit the Bureau from initiating or
 prosecuting any other matter related to Respondent's violation of California Education Code
 sections 94886 and 94927.5.

3. Respondent shall comply with the California Private Postsecondary Education Act of
 2009 (Education Code section 94800 *et seq.*), including, but not limited to, Education Code
 sections 94886 and 94927.5.

4. The Bureau reserves the right to take action against Respondent for any failure to
abide by the terms of this stipulation.

### **ACCEPTANCE**

I have carefully read the Stipulated Denial of Application for Approval to Operate and
Order. I understand the stipulation and the effect it will have on my Application. I enter into this

STIPULATED DENIAL OF APPLICATION FOR APPROVAL TO OPERATE AND ORDER In the Matter of the Statement of Issues Against Coding House Institute (OAH No. 2015121007)

	and agree to be bound by	y the Decision and Ord	er of the Director of th	e Depart
of Consumer	Affairs.		•••	÷
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