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

To: California State Association of Free Will Baptists
California Christian College
4881 East University Avenue
Fresno, CA 93703

INSTITUTION CODE: 1000341
CITATION NUMBER: 1617030
CITATION ISSUANCE/SERVICE DATE: JANUARY 10, 2017
DUE DATE: FEBRUARY 9, 2017
FINE AMOUNT: $ 4,101.00
ORDER OF ABATEMENT INCLUDED: YES

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

CITATION

A Citation is hereby issued to California State Association of Free Will Baptists, Owner of California Christian College located at 4881 East University Avenue, Fresno, CA 93703 pursuant to Business and Professions Code section 148; California Education Code (CEC) section 94936; and Title 5 of the California Code of Regulations (5 CCR) section 75020 for the violations described below.

BACKGROUND

On April 17, 2015, the Bureau received an Enforcement Referral alleging California Christian College's School Performance Fact Sheet (SPFS) is not in the correct format and California Christian College is not maintaining documentation supporting all SPFS data. Through the course of the Bureau's investigation, Bureau staff found California Christian College had multiple violations in their SPFS and their catalog. Bureau staff also confirmed that California Christian College did not notify the Bureau of a substantive change in regards to their educational programs prior to offering the new programs. California Christian College was able to resolve the violations related to their 2015-2016 School Catalog. However, California Christian College is in violation of Bureau law for failing to maintain their SPFS backup documentation and their failure to notify the Bureau of a change in educational programs within the required 30 days of the date the substantive change took effect.

VIOLATION

#	The California Education Code (CEC) and the California Code of Regulations (CCR). Below you will find the code section(s) of law you are charged with violating.
1.	**Violation:** 5,CCR 74112(a) - Uniform Data – Annual Report, Performance Fact Sheet *"(a) Format. The format for the Performance Fact Sheet shall be in at least 12 pt. type, in an easily readable font, with 1.15 line spacing. The Performance Fact Sheet shall contain all and only the information required or specifically permitted by section 94910 of the Code or this chapter."* On April 24, 2015, Bureau staff reviewed California Christian College's SPFS, published on their website, and found that the 2012/2013 SPFSs contain information above and beyond what is permitted per 5,CCR 74112(a). The 2012/2013 SPFSs contain a statement on the last page that says, "California Christian College offers degree granting programs that are accredited through Transnational Association of Christian Schools and Colleges. The data provided reflects students who have continued on to complete their preferred degree." This statement is not permitted by law or regulation and is therefore in violation of 5,CCR 74112(a). **Order of Abatement:** The Bureau orders the institution to resubmit their 2012/2013 SPFS containing all and only the information required by regulation, in accordance with 5,CCR 74112(a). The Bureau orders the institution to submit their 2013/2014 SPFS containing all and only the information required by regulation, in accordance with 5,CCR 74112(a). In addition, the Bureau passed new regulations in July 2016 that contain new requirements for SPFS backup documentation. The Bureau orders the institution to review the new regulations contained in 5,CCR 74112 to ensure compliance with current regulations. The Bureau orders that the institution submit a written policy of how compliance with this code section will be maintained. **Assessment of Fine** The fine for this violation is $1,000.00
2.	**Violation:** 5,CCR 74112(h) - Uniform Data – Annual Report, Performance Fact Sheet *"(h) Documentation supporting all data reported shall be maintained by the institution for at least five years from the time included in either an Annual Report or a Performance Fact Sheet, and shall include at a minimum: student name(s), address, phone number, email address, program completed, program start and completion dates, place of employment and position, salary, hours, and a description of all attempts to contact each student. Documentation shall also include the name, email address, phone number, and position or title of the institution's representative who is 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."* On October 15, 2015, California Christian College provided the SPFS backup documentation to the Bureau. Bureau staff reviewed the submitted documentation and found that California Christian College failed to provide most of the required data that supports their 2012/2013 SPFS. Documentation supporting all data reported did not include employment position, salary, hours, and a description of all attempts to contact each student. Documentation also did not include the

	name, email address, phone number, and position or title of the institution's representative who is 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. **Order of Abatement:** The Bureau orders the institution to collect, maintain and submit student information to substantiate the 2012/2013 and 2013/2014 SPFS and that SPFS backup documentation meets regulation standards in accordance with 74112(h) for all periods from January 1, 2012 through December 31, 2015. In addition, the Bureau passed new regulations in July 2016 that contain new requirements for SPFS backup documentation. The Bureau orders the institution to review the regulations contained in 5,CCR 74112(m) to ensure compliance with current regulations. The Bureau orders that the institution submit a written policy of how compliance with this code section will be maintained. **Assessment of Fine** The fine for this violation is $3,000.00
3.	**Violation:** CEC 94896(b) - Substantive Change for Institutions Approved by Means of Accreditation *"(b) The institution shall notify the bureau of the substantive change on a form provided by the bureau."* CEC 94894. Substantive Change Defined *The following changes to an approval to operate are considered substantive changes and require prior authorization:* *(a) A change in educational objectives, including an addition of a new diploma or a degree educational program unrelated to the approved educational programs offered by the institution.* 5,CCR 71650(d) – Application for Change in Educational Objectives *"(d) An institution that has been granted an approval to operate by means of accreditation shall notify the Bureau of the substantive change within 30 days of that change on the Change in Educational Objectives form, by providing the information required by (c)(1) and (c)(10), and shall attach certification from the institution's accreditation agency demonstrating that the substantive change was made in accordance with the institution's accreditation standards, and complies with the Act and this Division."* On April 24, 2015, Bureau staff identified that California Christian College advertised three programs on their website that were not approved by the Bureau: Certificate in Urban Leadership, Associate of Arts in Liberal Studies, and Youth Ministry Emphasis. On October 20, 2015, California Christian College submitted an Application for a Change in Educational Objectives to the Bureau to add the additional three educational programs. Included in the application was a letter dated September 23, 2014 from the institution's accreditor, Transnational Association of Christian Colleges and School, which stated that California Christian College was approved to offer the programs. Based on the evidence, California Christian College did not notify the Bureau within 30 days of the date on which the substantive change took effect, as required by 5,CCR 71650(d).

	Assessment of Fine The fine for this violation is $101.00
	TOTAL ADMINISTRATIVE FINE DUE: $4,101.00

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 **$4,101.00** 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.**

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 **FEBRUARY 9, 2017**, 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 **JANUARY 10, 2017.** Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **FEBRUARY 9, 2017**. 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:

Ben Graber, 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 Ben Graber, Enforcement Analyst, at 916-576-2409 or Benjamin.graber@dca.ca.gov.

Elainea Shotwell
Enforcement Manager

1/10/17
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
- Regulations update Re: 74112