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

In the Matter of the Accusation Against: OLVET UNIVERSITY (MAIN) 36401 TRIPP FLATS ROAD ANZA, CA 92539

OLIVET UNIVERSITY (BRANCH) 1329 S. HOPE STREET LOS ANGELES, CA 90015

OLIVET UNIVERSITY (SAN FRANCISCO CAMPUS) 201 SEMINARY DRIVE, MILL VALLEY, CA 94941

Approval to Operate Institution Code Number 88680286

Respondent.

Case No. BPPE 22-592

OLIVET UNIVERSITY) ACCUSATION
PARTIES

1. Deborah Cochrane (Complainant) brings this Accusation solely in her official capacity as the Chief of the Bureau for Private Postsecondary Education (Bureau), Department of Consumer Affairs.

2. On or about December 13, 2004, the Bureau issued a Temporary Approval to Operate Institution Code Number 88680286. On November 9, 2006, the Bureau issued Approval to Operate Institution Code Number 88680286 to Olivet University, owned by Olivet University, Board of Directors (Respondent). The Approval to Operate expired on November 1, 2014 and has not been renewed. On or about December 1, 2011, the Bureau granted Approval to Operate by means of accreditation to Respondent. The Accredited Approval to Operate was in full force and effect at all relevant times herein and will expire February 29, 2024 unless renewed.

3. Respondent is approved to operate programs in Chinese, English, Korean, and Spanish for the conferral of Bachelor, Master, and Doctorate programs.

JURISDICTION

4. This Accusation is brought before the Director of the Department of Consumer Affairs (Director) for the Bureau for Private Postsecondary Education, under the authority of the following laws. All section references are to the Education Code (Code) unless otherwise indicated.

5. Business and Professions Code, section 118, subdivision (b), provides that the suspension, expiration, surrender or cancellation of a license shall not deprive the Bureau of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

6. Section 94875 provides that the Bureau shall regulate private postsecondary educational institutions.

7. Section 94877 provides, in relevant part, that:

(a) The bureau shall adopt and shall enforce regulations to implement this chapter pursuant to the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

. . . .
8. Section 477 of the Business and Professions Code states:

As used in this division:

(a) “Board” includes “bureau,” “commission,” “committee,” “department,” “division,” “examining committee,” “program,” and “agency.”

(b) “License” includes certificate, registration or other means to engage in a business or profession regulated by this code.

STATUTORY PROVISIONS

9. Section 94898 of the Code states:

(a) An institution shall not merge classes unless all of the students have received the same amount of instruction. This subdivision does not prevent the placement of students, who are enrolled in different educational programs, in the same class if that class is part of each of the educational programs and the placement in a merged class will not impair the students’ learning of the subject matter of the class.

. . .

10. Section 94900.5 of the Code states:

An institution shall maintain, for a period of not less than five years, at its principal place of business in this state, complete and accurate records of all of the following information:

(a) The educational programs offered by the institution and the curriculum for each.

(b) The names and addresses of the members of the institution's faculty and records of the educational qualifications of each member of the faculty.

(c) Any other records required to be maintained by this chapter, including, but not limited to, records maintained pursuant to Article 16 (commencing with Section 94928).

11. Section 94909 of the Code states:

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

. . .

(7) Information regarding the faculty and their qualifications.

. . .
12. Section 94929.5 of the Code states:

   An institution shall annually report to the bureau, as part of the annual report, and shall publish in its School Performance Fact Sheet, all of the following:

   (a) The job placement rate, calculated by dividing the number of graduates employed in the field by the number of graduates available for employment for each program that is either (1) designed, or advertised, to lead to a particular career, or (2) advertised or promoted with any claim regarding job placement.

   (b) The license examination passage rates for the immediately preceding two years for programs leading to employment for which passage of a state licensing examination is required, calculated by dividing the number of graduates who pass the examination by the number of graduates who take the licensing examination the first time that the examination is available after completion of the educational program. The institution shall use state agency licensing data to calculate license examination passage rates. If those data are unavailable, the institution shall calculate the license examination passage rate in a manner consistent with regulations adopted by the bureau.

   (c) Salary and wage information, consisting of the total number of graduates employed in the field and the annual wages or salaries of those graduates stated in increments of five thousand dollars ($5,000).

13. Section 94937 of the Code states:

   (a) As a consequence of an investigation, which may incorporate any materials obtained or produced in connection with a compliance inspection, and upon a finding that an institution has committed a violation, the bureau may place an institution on probation or may suspend or revoke an institution's approval to operate for:

       . . .

   (2) A material violation or repeated violations of this chapter or regulations adopted pursuant to this chapter that have resulted, or may result, in harm to students. For purposes of this paragraph, “material violation” includes, but is not limited to, misrepresentation, fraud in the inducement of a contract, and false or misleading claims or advertising, upon which a student reasonably relied in executing an enrollment agreement and that resulted, or may result, in harm to the student.

   (b) The bureau shall adopt regulations, within one year of the enactment of this chapter, governing probation and suspension of an approval to operate.

   (c) The bureau may seek reimbursement pursuant to Section 125.3 of the Business and Professions Code.

       . . .

REGULATORY PROVISIONS

14. California Code of Regulations, title 5, section 71700 (Regulation 71700) states:

   The Bureau may request that an institution document compliance with the standards set forth in the Act and this Division to obtain and maintain an approval to operate.
15. California Code of Regulations, title 5, section 71710 (Regulation 71710) states:

(a) 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:

(1) Those subject areas that are necessary for a student to achieve the educational objectives of the educational program in which the student is enrolled;

(2) Subject areas and courses or modules that are presented in a logically organized manner or sequence to students;

(3) 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:

(A) A short, descriptive title of the educational program;

(B) A statement of educational objectives;

(C) Length of the educational program;

(D) Sequence and frequency of lessons or class sessions;

(E) Complete citations of textbooks and other required written materials;

(F) 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;

(G) Instructional mode or methods.

(4) If degree granting, require research of an appropriate degree that utilizes a library and other learning resources;

(5) Specific learning outcomes tied to the sequence of the presentation of the material to measure the students' learning of the material; and

(6) Evaluation by duly qualified faculty of those learning outcomes.

(b) An educational program of 32 hours or less as described in Section 94837 of the Code shall be presumed to be “designed to lead to employment” if any of the following apply:

(1) It is on the Eligible Training Provider List the Employment Development Department published on its website at www.edd.ca.gov pursuant to the Workforce Innovation and Opportunity Act (Public Law 113-128) section 122 (29 U.S. Code section 3152) and Code of Federal Regulations, Title 20, section 680.500;

(2) The institution represents that the course or module, either separately or as part of a set of related courses or modules, leads to employment or a career, either as stated by the institution to the Bureau on any application submitted to the Bureau for approval of any institution or educational program, including sections 71100, 71105, 71210, 71220, and 71390, or in any other written correspondence provided to the Bureau, or in any advertising or publication used to solicit or recruit prospective students. “Advertising” shall have the meaning set forth in section 74140;
(3) The institution represents in its course or module materials, syllabus, or course outline that the educational objectives of the course or module includes preparing or fitting students with the skills and knowledge necessary to satisfy the qualifications for licensure in a specified career, occupation, vocation, job, or job title.

16. California Code of Regulations, title 5, section 71715 (Regulation 71715), states:

(a) Instruction shall be the central focus of the resources and services of the institution.

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

(c) Direct instruction requires the physical presence of one or more students and one or more faculty members at the same location. Direct instruction includes instruction presented in a classroom, seminar, workshop, lecture, colloquium, laboratory, tutorial, or other physical learning settings consistent with the mission, purposes, and objectives of the institution.

(d) Distance education as defined in section 94834 of the Code, does not require the physical presence of students and faculty at the same location but provides for interaction between students and faculty by such means as telecommunication, correspondence, electronic and computer augmented educational services, postal service, and facsimile transmission. In addition to the other requirements of this chapter and the Act, an institution offering distance education shall:

(1) ensure that the educational program offered through distance education is appropriate for delivery through distance education methods;

(2) assess each student, prior to admission, in order to determine whether each student has the skills and competencies to succeed in a distance education environment;

(3) ensure that the materials and programs are current, well organized, designed by faculty competent in distance education techniques and delivered using readily available, reliable technology;

(4) provide for meaningful interaction with faculty who are qualified to teach using distance education methods;

(5) maintain clear standards for satisfactory academic progress;

(6) timely complete student evaluations of learning outcomes by duly qualified faculty, which are appropriate for use with the distance education methods used, and evaluated by duly qualified faculty.

(7) employ a sufficient number of faculty to assure that (A) the institution's response to, or evaluation of, each student lesson is returned to the student within 10 days after the lesson is received by the institution; and (B) the institution's response to, or evaluation of, each student project or dissertation is returned to the student within the time disclosed in the catalog; and

(8) shall maintain a record of the dates on which lessons, projects, and dissertations were received and responses were returned to each student.
17. California Code of Regulations, title 5, section 71720 (Regulation 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;

   . . .

(5) The institution's faculty as a whole shall possess a diverse educational background which shall be demonstrated in part by earned degrees from a variety of colleges and universities or by credentials generally recognized in the field of instruction;

   . . .

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

   . . .

18. California Code of Regulations, title 5, section 71730 (Regulation 71730), states:

   . . .

(d) The administrative staffing at each branch location shall reflect the purposes, size, and educational operations at that location and at any satellite location for which the branch has administrative responsibilities.

   . . .

19. California Code of Regulations, title 5, section 71745 (Regulation 71745), states:

(a) The institution shall document that it has at all times sufficient assets and financial resources to do all of the following:

(1) Provide all of the educational programs that the institution represented it would provide.

(2) Ensure that all students admitted to its educational programs have a reasonable opportunity to complete the programs and obtain their degrees or diplomas.

   . . .

(6) Maintain a ratio of current assets to current liabilities of 1.25 to 1.00 or greater at the end of the most recent fiscal year when using generally accepted accounting principles, or for an institution participating in Title IV of the federal
Higher Education Act of 1965, meet the composite score requirements of the U.S.
Department of Education. For the purposes of this section, current assets does not
include: intangible assets, including goodwill, going concern value, organization
expense, startup costs, long-term prepayment of deferred charges, and non-returnable
deposits, or state or federal grant or loan funds that are not the property of the
institution but are held for future disbursement for the benefit of students. Unearned
tuition shall be accounted for in accordance with general accepted accounting
principles.

20. California Code of Regulations, title 5, section 71760 (Regulation 71760), states:

Each institution shall develop and maintain adequate procedures used by the
institution to assure that it is maintained and operated in compliance with the Act and
this Division.

21. California Code of Regulations, title 5, section 71810 (Regulation 71810), states:

(b) The catalog shall contain the information prescribed by Section 94909 of
the Code and all of the following:

(6) The institution's policies and practices regarding any form of financial aid,
including all consumer information which the institution is required to disclose to the
student under any state or federal financial aid program;

22. California Code of Regulations, title 5, section 71850 (Regulation 71850), states:

Graduation requirements for an undergraduate degree program shall meet
minimum credit requirements and shall include provisions for general education
appropriate to the level and type of degree. The institution shall specify the
distribution of general education credit requirements by subject area for each
undergraduate degree program.

(a) A Bachelor's degree may be awarded to a student whom the institution can
document has achieved sequential learning equivalent in general education and
equivalent in depth of achievement in a designated major field to that acquired in four
years of study beyond high school, as measured by a minimum of 120 semester
credits or its equivalent. At least 25 percent of the credit requirements for a Bachelor's
degree shall be in general education.

(b) An Associate degree may be awarded only to a student whom the institution
can document has achieved sequential learning equivalent to that acquired in two
years of study beyond high school, as measured by a minimum of 60 semester credits
or its equivalent. Except as provided in subdivision (c) of this section, at least 25
percent of the credit requirements for an Associate degree shall be in general
education.

(c) The Specialized Associate degree (Occupational) or the Associate of
Applied Science degree may be awarded only to a student who completes at least the learning outcomes equivalent to a minimum of 60 semester credits or the equivalent. A minimum of seventy-five percent of the credits shall be in the occupational area for which training is offered. The general education offered as part of a Specialized Associate degree (Occupational) or an Associate of Applied Science degree program shall be such as is necessary for a student to achieve the educational objectives of the program in which the student is enrolled. General education shall be at the same level of quality as that taught in approved Bachelor's or Associate degree programs.

23. California Code of Regulations, title 5, section 71865 (Regulation 71865), states:

   (a) A Master's degree may only be awarded to a student who demonstrates at least the achievement of learning in a designated major field that is equivalent in depth to that normally acquired in a minimum of 30 semester credits or its equivalent or one year of study beyond the Bachelor's degree.

   ... 

   (c)(1) A Doctor of Philosophy degree (Ph.D.) is a research-oriented degree requiring a minimum of three years of full-time graduate education or the equivalent in part-time study. Such a doctoral program shall include substantial instruction in both theory and research at an advanced level in a designated field and specialty, and may only be awarded to a student who has completed a program of study that includes research methodology and demonstrated learning achievement through original research directly attributable to the student. Each educational program leading to a Doctor of Philosophy degree shall involve preparation for scholarship and systematic inquiry.

   (2)(A) Each Doctor of Philosophy program shall include a minimum of two formal evaluations of the student by a doctoral committee. The doctoral committee shall be composed of at least three members of the institution's own faculty who meet the qualifications in subdivision (c)(3).

   (B) The first evaluation shall consider the student's qualifications, including the student's knowledge, skills, and conceptual framework, for undertaking rigorous inquiry into the student's designated field.

   (C) The second evaluation shall consider the design procedures and products of a formal original inquiry proposed and completed by the student.

   (3) The faculty members who serve on each student's doctoral examining committee shall meet the following qualifications:

   (A) Each member shall have earned a Doctoral degree from: an institution that is 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).

   (B) The chair and the majority of the committee shall have earned degrees related to the student's field of investigation.

(OLIVET UNIVERSITY) ACCUSATION
(C) A minimum of 50% of the faculty on the committee shall have degrees conferred by an institution accredited by an accrediting association recognized by the United States Department of Education or the American Bar Association, unless the accreditation does not exist.

(D) All of the faculty shall have three or more years of field or research experience related to their degrees obtained after they obtained their degrees.

(E) All of the faculty shall have been active in their field of scholarship or profession during the five year period preceding their participation on the committee.

(4) The formal evaluation procedures shall provide the committee as a whole with the opportunity to jointly examine the candidate.

(5) If the candidate is not physically present and the evaluation must take place by telephone or other means of electronic communication, one of the following shall apply:

(A) One faculty member on the student's doctoral committee from the main location (i.e., the state in which the program is licensed or otherwise officially approved) must be present at the location where the doctoral student is examined.

(B) A proctor, selected and approved by the doctoral committee, shall sit as an observer with the student at the distant location and verify, under penalty of perjury under the laws of the State of California, the identity of the student and the facts that the student received no prompting by anyone and did not have access to unallowed materials during the evaluation process.

(6) If a project includes more than one student, the individual student's role and contributions shall be clearly identified and documented.

(7) The institution shall maintain a written record of the evaluations. This record shall include the names and signatures of all committee members who participated in the evaluations.

24. California Code of Regulations, title 5, section 71920 (Regulation 71920), states:

(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:

(3) Copies of all documents signed by the student, including contracts, instruments of indebtedness, and documents relating to financial aid;

(4) Records of the dates of enrollment and, if applicable, withdrawal from the institution, leaves of absence, and graduation; and
25. California Code of Regulations, title 5, section 74112, states:

(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 and all titles and column headings shall be in bold 14 pt. type, which shall also identify the program for which the Performance Fact Sheet pertains. The Performance Fact Sheet shall contain all and only the information required or specifically permitted by sections 94910 and 94929.5 of the Code or this chapter. A separate Performance Fact Sheet shall be prepared for each program.

(b) An institution offering educational programs that are too new to provide the required two years of data shall include the date the program began as well as the statement required by section 94910(e) of the Code. The Performance Fact Sheet shall also disclose the estimated date of availability for two full years of data for those programs.

(c) Institutions approved under section 94874.8 of the Code, which do not include all required information per section 94874.8(a)(4), shall include on the Performance Fact Sheet the date of approval to operate and when the required data will be available.

(d) In addition to the definitions contained in section 94928 of the Code:

1. “Number of Students Who Began the Program” means the number of students who began a program who were scheduled to complete the program within 100% of the published program length within the reporting calendar year, and excludes all students who cancelled during the cancellation period.

2. “Number of On-time Graduates” means the number of students who completed the program within 100% of the published program length within the reporting calendar year.

3. “Gainfully Employed” means:

   (A) (i) The graduate is employed in a job classification under the United States Department of Labor’s Standard Occupational Classification codes, using the Detailed Occupation (six-digit) level, for which the institution has identified in its catalog and in its employment positions list required by section 94910(f)(2) of the Code that the program prepares its graduates; and

   (ii) The graduate is employed in a single position or concurrent aggregated positions totaling at least 30 hours per week for 5 weeks (35 calendar days), or totaling at least 20 hours per week for 5 weeks (35 calendar days) with a statement signed by the graduate stating that he or she chose to seek part-time employment rather than fulltime employment after graduation; or

   (B) The graduate is employed by the same employer that employed the graduate before enrollment, and any of the following conditions are met:

   (i) the graduate is employed in an occupation with a different Detailed Occupation (six-digit) level Standard Occupational Classification code than applies to the position in which the graduate was employed before enrollment; or

   (ii) the employer or the graduate provides a statement to the effect that the employment after graduation was the result of a promotion with increased pay, due at
least in part to graduation from the program; or

    (iii) the employer or the graduate provides a statement to the effect that the
degree or the completed program was required as a condition of continued
employment; or

    (C) The graduate is self-employed or working freelance as reasonably
evidenced by, but not limited to, a business license, fictitious business name
statement, advertising (other than business cards), website, or business receipts or
other evidence of income from business; or an attestation signed by the graduate of
self-employment or freelance work and dated after graduation.

    (e) Reporting periods:

    (1) An Annual Report shall include data for all educational programs as defined
in section 94837 of the Code for the previous one calendar year.

    (2) A Performance Fact Sheet shall be current and available not later than
December 1st, and shall report data for the previous two calendar years based upon
the “number of students who began the program,” as defined in subdivision (d)(1) of
this section and were scheduled to graduate in the reported year(s).

    (f) Total Charges. The institution's Annual Report and Performance Fact Sheet
shall include the total charges for a student to complete the program within 100% of
the program length. The institution must include the disclosure that there may be
additional charges if the program is not completed on-time.

    Total charges shall be disclosed in the Performance Fact Sheet in a format
substantially similar to the format listed below (dates and numbers are for example
only):

Cost of Educational Program:

Total Charges for the program for students completing on-time in 20XX: $50,000.

Total Charges may be higher for students that do not complete on-time.

Student's Initials: __________ Date: __________

Initial only after you have had sufficient time to read and understand the information.

    (g) Student Loan/Debt Information.

    (1) If the institution participates in federal financial aid programs, the institution
shall include loan information in the institution's Annual Report and on the
Performance Fact Sheet. The loan information shall include:

    (A) The most recent three year cohort default rate, as reported by the United
States Department of Education;

    (B) The percentage of enrolled students receiving federal student loans;

    (C) The average amount of federal student loan debt of those graduates who
have federal student loan debt in the reporting year; and

    (D) The percentage of graduates with federal student loans, as calculated by the
institution.

Loan information shall be included in the Performance Fact Sheet in a format substantially similar to the format listed below (dates and numbers are for example only):

Federal Student Loan Debt at (Name of Institution)

Percentage of students who defaulted on their federal student loans at this school:

Percentage of students enrolled in 20XX who took out federal student loans to pay for this program:

Percentage of graduates in 20XX who took out federal student loans to pay for this program:

Average federal student loan debt of 20XX graduates who took out federal student loans at this institution:

1 The percentage of students who defaulted on their federal student loans is called the Cohort Default Rate (CDR). It shows the percentage of this school's students who were more than 270 days (about 9 months) behind on their federal student loans within three years of when the first payment was due. This is the most recent CDR reported by the U.S. Department of Education.

Student's Initials: Date: 
Initial only after you have had sufficient time to read and understand the information.

(2) Institutions that do not participate in federal financial aid programs shall include one of two statements in the Performance Fact Sheet in a format substantially similar to the following:

Students at (name of institution) are not eligible for federal student loans. The U.S. Department of Education has determined that this institution does not meet the criteria that would allow its students to participate in federal student aid programs.

or

(Name of Institution) is eligible, but chooses not to participate in federal student aid programs. So students here do not have federal student loans.

Student's Initials: Date: 
Initial only after you have had sufficient time to read and understand the information.

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(h) Completion Rates. Reporting of completion rates for an institution's Annual Report and Performance Fact Sheet shall include, for each educational program, the number of students who began the program as defined in subdivision (d)(1) of this section, the number of students available for graduation, number of on-time graduates, and completion rate(s). An optional table may be added to include completion rate data for students completing within 150% of the published program length. For an institution reporting completion data pursuant to section 94929(b) of the Code, completion data shall be separately reported for each program and the Performance Fact Sheet shall disclose, if true, that the completion data is being reported for students completing within 150% of the published program length, and that data is not being separately reported for students completing the program within 100% of the published program length. Programs that are more than one year in length which are reporting 150% Completion Rate will provide four calendar years of data.

Completion rates shall be included in the Performance Fact Sheet in a format substantially similar to the chart below (dates, numbers, and other data shown are for example only):

### On-time Completion Rates (Graduation Rates) (includes data for the two calendar years prior to reporting)

<table>
<thead>
<tr>
<th>Name of Educational Program (Program Length)</th>
<th>Number of Students Who Began the Program</th>
<th>Students Available for Graduation</th>
<th>Number of On-time Graduates</th>
<th>On-time Completion Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>20XX</td>
<td>100</td>
<td>98</td>
<td>70</td>
<td>71%</td>
</tr>
<tr>
<td>20XY</td>
<td>80</td>
<td>80</td>
<td>55</td>
<td>69%</td>
</tr>
</tbody>
</table>

#### Students Completing Within 150% of the Published Program Length

<table>
<thead>
<tr>
<th>Name of Educational Program (Program Length)</th>
<th>Number of Students Who Began the Program</th>
<th>Students Available for Graduation</th>
<th>150% Graduates</th>
<th>150% Completion Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>20XX</td>
<td>100</td>
<td>98</td>
<td>95</td>
<td>97%</td>
</tr>
<tr>
<td>20XY</td>
<td>80</td>
<td>80</td>
<td>78</td>
<td>98%</td>
</tr>
<tr>
<td>*20XZ</td>
<td>90</td>
<td>90</td>
<td>87</td>
<td>97%</td>
</tr>
<tr>
<td>*20YA</td>
<td>87</td>
<td>85</td>
<td>74</td>
<td>87%</td>
</tr>
</tbody>
</table>

*Included only if program is more than one year in length

Student's Initials: ___________ Date: ___________

Initial only after you have had sufficient time to read and understand the information.
(i) Job Placement Rates.

(1) Any placement data required by sections 94910(b) and 94929.5(a) of the Code shall be reported for the number of students who began the program as defined in subdivision (d)(1) of this section for each reported calendar year.

(2) Placement is measured six months from the graduation date of each student. For programs that require passage of a licensing examination, placement shall be measured six months after the announcement of the examination results for the first examination available after a student completes an applicable educational program. Reporting of placement rates shall include for each educational program: the number of students who began the program, the number of graduates as defined in section 94842 of the Code, the graduates available for employment, graduates employed in the field and job placement rate(s).

(3) If the institution makes any claim related to preparing students for a job or regarding job placement, the list required by section 94910(f)(2) of the Code shall identify the employment positions by using the Detailed Occupation or six-digit level of the Standard Occupational Classification codes.

(4) Placement rate shall be calculated as follows: the number of graduates employed in the field as defined in section 94928(e)(1) of the Code in conjunction with section 74112(d)(3) divided by the number of graduates available for employment as defined in section 94928(d) of the Code.

Job Placement rates and related disclosures shall be included in the Performance Fact Sheet in a format substantially similar to the charts below, (dates, numbers, and other data shown are for example only):

**Job Placement Rates** (includes data for the two calendar years prior to reporting)

<table>
<thead>
<tr>
<th>Calendar Year</th>
<th>Number of Students Who Began the Program</th>
<th>Number of Graduates</th>
<th>Graduates Available for Employment</th>
<th>Graduates Employed in the Field</th>
<th>Placement Rate %</th>
</tr>
</thead>
<tbody>
<tr>
<td>20XX</td>
<td>100</td>
<td>70</td>
<td>70</td>
<td>55</td>
<td>79%</td>
</tr>
<tr>
<td>20XY</td>
<td>80</td>
<td>55</td>
<td>55</td>
<td>20</td>
<td>36%</td>
</tr>
</tbody>
</table>

**Gainful Employment Categories** (includes data for the two calendar years prior to reporting)

<table>
<thead>
<tr>
<th>Name of Educational Program (Program Length)</th>
<th>Graduates Employed in the field 20 to 29 hours per week</th>
<th>Graduates Employed in the field at least 30 hours per week</th>
<th>Total Graduates Employed in the Field</th>
</tr>
</thead>
<tbody>
<tr>
<td>20XX</td>
<td>15</td>
<td>40</td>
<td>55</td>
</tr>
<tr>
<td>20XY</td>
<td>5</td>
<td>15</td>
<td>20</td>
</tr>
</tbody>
</table>

(OLIVET UNIVERSITY) ACCUSATION
### Single Position vs. Concurrent Aggregated Positions

<table>
<thead>
<tr>
<th>Field</th>
<th>Graduates Employed in the field in a single position</th>
<th>Graduates Employed in the field in concurrent aggregated positions</th>
<th>Total Graduates Employed in the Field</th>
</tr>
</thead>
<tbody>
<tr>
<td>20XX</td>
<td>52</td>
<td>3</td>
<td>55</td>
</tr>
<tr>
<td>20XY</td>
<td>19</td>
<td>1</td>
<td>20</td>
</tr>
</tbody>
</table>

### Self-Employed/Freelance Positions

<table>
<thead>
<tr>
<th>Total Graduates Employed in the Field</th>
<th>Graduates Employed who are self-employed or working freelance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>20XX 3</td>
</tr>
<tr>
<td></td>
<td>20XY 5</td>
</tr>
</tbody>
</table>

### Institutional Employment

<table>
<thead>
<tr>
<th>Total Graduates Employed in the Field</th>
<th>Graduates Employed in the field who are employed by the institution, an employer owned by the institution, or an employer who shares ownership with the institution</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>20XX 15</td>
</tr>
<tr>
<td></td>
<td>20XY 5</td>
</tr>
</tbody>
</table>

Student's Initials: ___________ Date: ____________

Initial only after you have had sufficient time to read and understand the information.

(5) The following self-employment/freelance worker disclosure shall be initialed by students entering any programs in which the majority of graduates who obtain jobs obtain in this type of work:

- This program may result in freelance or self-employment.
- The work available to graduates of this program is usually for freelance or self-employment.
- This type of work may not be consistent.
- The period of employment can range from one day to weeks to several months.
• Hours worked in a day or week may be more or less than the traditional 8 hour work day or 40 hour work week.

• You can expect to spend unpaid time expanding your networks, advertising, promoting your services, or honing your skills.

• Once graduates begin to work freelance or are self-employed, they will be asked to provide documentation that they are employed as such so that they may be counted as placed for our job placement records.

• Students initialing this disclosure understand that either a majority or all of this school’s graduates are employed in this manner and understand what comprises this work style.

Student's Initials: ___________ Date: ___________

Only initial after you have had sufficient time to read and understand the information.

(j) License Examination Passage Rates. If license examination passage rates are not available from the appropriate state agency, an institution shall collect the information directly from its graduates. If an institution demonstrates that, after reasonable efforts, it is unable to obtain the examination passage information from its graduates, the institution shall report the number of students it could not contact and note in a font the same size as the majority of the data on the Performance Fact Sheet, “License examination passage data is not available from the state agency administering the examination. We were unable to collect data from [enter the number] graduates.”

Reporting of license examination passage rates for the Annual Report and the Performance Fact Sheet shall include, for each educational program: the number of graduates in the reported year, the number of documented graduates who passed the first available examination, number of documented graduates who failed the first available examination, the number of graduates for whom data is not available. An optional column may be added to separately report licensing examination data for graduates who take and pass the exam after failing initially. The Annual Report shall also include a description of the processes for attempting to contact those students.

For licensing examinations that are not continuously administered, license examination passage rates shall be included in the Performance Fact Sheet in a format substantially similar to the chart below, (dates, numbers, and other data shown are for example only):

**License Examination Passage Rates** (includes data for the two calendar years prior to reporting)

**Name of Educational Program (Program Length)**

<table>
<thead>
<tr>
<th>First Available Exam Date</th>
<th>Date Exam Results Announced</th>
<th>Number of Graduates in Calendar Year</th>
<th>Number of Graduates Taking Exam</th>
<th>Number Who Passed Exam</th>
<th>Number Who Failed Exam</th>
<th>Passage Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/1/20XX</td>
<td>3/15/20XX</td>
<td>277</td>
<td>80</td>
<td>40</td>
<td>40</td>
<td>50%</td>
</tr>
</tbody>
</table>

(OLIVET UNIVERSITY) ACCUSATION
License examination passage data is not available from the state agency administering the examination. We were unable to collect data from 32 graduates.

Student's Initials: __________ Date: __________

Initial only after you have had sufficient time to read and understand the information.

For licensing examinations that are continuously administered, license examination passage rates shall be included in the Performance Fact Sheet in a format substantially similar to the chart below (dates, numbers, and other data shown are for example only):

**License Examination Passage Rates** (includes data for the two calendar years prior to reporting)

| Name of Educational Program (Program Length) | | | | |
| Calendar Year | Number of Graduates in Calendar Year | Number of Graduates Taking Exam | Number Who Passed First Available Exam | Number Who Failed First Available Exam | Passage Rate |
| 20XX | 95 | 80 | 40 | 40 | 50% |
| 20XY | 109 | 100 | 75 | 25 | 75% |

License examination passage data is not available from the state agency administering the examination. We were unable to collect data from 10 graduates.

Student's Initials: __________ Date: __________

Initial only after you have had sufficient time to read and understand the information.

(k) Salary and Wage Information.

All Salary and Wage Information shall be reported to the Bureau pursuant to sections 94910(d) and 94929.5(a)(3) of the Code and shall be included in the Performance Fact Sheet, for each educational program, in a format substantially similar to the chart below (dates, numbers, salaries, and other data shown are for example only).

**Salary and Wage Information** (includes data for the two calendar years prior to reporting)
Name of Educational Program (Program Length)

| Annual Salary and Wages Reported for Graduates Employed in the Field |
|---|---|---|---|---|---|
| Calendar Year | Graduates Available for Employment | Graduates Employed in the Field | $15,000 - $20,000 | $20,001 - $25,000 | $25,001 - $30,000 | $30,001 - $35,000 | No Salary Information Reported |
| 20XX | 100 | 70 | 5 | 40 | 6 | 3 | 16 |
| 20XY | 80 | 55 | 5 | 7 | 3 | 5 | 35 |

A list of sources used to substantiate salary disclosures is available from the school. (Insert how student can obtain this information.)

Student's Initials: ___________ Date: ___________

Initial only after you have had sufficient time to read and understand the information.

1. Definitions. Definitions for all terms contained on the Performance Fact Sheet shall be included as part of the Performance Fact Sheet, in the same format as required in subdivision (a).

The following are the definitions for the Performance Fact Sheet:

“Number of Students Who Began the Program” means the number of students who began a program who were scheduled to complete the program within 100% of the published program length within the reporting calendar year and excludes all students who cancelled during the cancellation period.

“Students Available for Graduation” is the number of students who began the program minus the number of students who have died, been incarcerated, or been called to active military duty.

“Number of On-time Graduates” is the number of students who completed the program within 100% of the published program length within the reporting calendar year.

“On-time Completion Rate” is the number of on-time graduates divided by the number of students available for graduation.

“150% Graduates” is the number of students who completed the program within 150% of the program length (includes on-time graduates).

“150% Completion Rate” is the number of students who completed the program in the reported calendar year within 150% of the published program length, including on-time graduates, divided by the number of students available for graduation.

“Graduates Available for Employment” means the number of graduates minus the number of graduates unavailable for employment.

“Graduates Unavailable for Employment” means the graduates who, after graduation, die, become incarcerated, are called to active military duty, are international students that leave the United States or do not have a visa allowing employment in the United States, or are continuing their education in an accredited or bureau-approved postsecondary institution.
“Graduates Employed in the Field” means graduates who beginning within six months after a student completes the applicable educational program are gainfully employed, whose employment has been reported, and for whom the institution has documented verification of employment.

For occupations for which the state requires passing an examination, the six month period begins after the announcement of the examination results for the first examination available after a student completes an applicable educational program.

“Placement Rate Employed in the Field” is calculated by dividing the number of graduates gainfully employed in the field by the number of graduates available for employment.

“Number of Graduates Taking Exam” is the number of graduates who took the first available exam in the reported calendar year.

“First Available Exam Date” is the date for the first available exam after a student completed a program.

“Passage Rate” is calculated by dividing the number of graduates who passed the exam by the number of graduates who took the reported licensing exam.

“Number Who Passed First Available Exam” is the number of graduates who took and passed the first available licensing exam after completing the program.

“Salary” is as reported by graduate or graduate's employer.

“No Salary Information Reported” is the number of graduates for whom, after making reasonable attempts, the school was not able to obtain salary information.

(m) Documentation supporting all data reported shall be maintained electronically by the institution for at least five years from the last time the data was included in either an Annual Report or a Performance Fact Sheet and shall be provided to the Bureau upon request; the data for each program shall include at a minimum:

(1) the list of job classifications determined to be considered gainful employment for the educational program;

(2) student name(s), address, phone number, email address, program completed, program start date, scheduled completion date, and actual completion date;

(3) graduate's place of employment and position, date employment began, date employment ended, if applicable, actual salary, hours per week, and the date employment was verified;

(4) for each employer from which employment or salary information was obtained, the employer name(s) address and general phone number, the contact person at the employer and the contact's phone number and email address, and all written communication with employer verifying student's employment or salary;

(5) for students who become self-employed, all documentation necessary to demonstrate self-employment;

(6) a description of all attempts to contact each student or employer;
(7) any and all documentation used to provide data regarding license examinations and examination results;

(8) for each student determined to be unavailable for graduation or unavailable for employment, the identity of the student, the type of unavailability, the dates of unavailability, and the documentation of the unavailability; and

(9) the name, email address, phone number, and position or title of the institution's representative who was 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.

(n) The institution shall provide on a separate document along with the Performance Fact Sheet the same cancellation disclosure as that which is required to be included with the enrollment agreement by Section 94911(e)(1) of the Code. The separate document shall be substantially the same size as the Performance Fact Sheet and shall be captioned “STUDENT'S RIGHT TO CANCEL” using bold 14 pt. type.

26. California Code of Regulations, title 5, section 75100 states:

(a) The Bureau may suspend, revoke or place on probation with terms and conditions an approval to operate.

(b) “Material violation” as used in section 94937 of the Code includes committing any act that would be grounds for denial under section 480 of the Business and Professions Code.

(c) The proceedings under this section shall be conducted in accordance with Article 10 (commencing with Section 11445.10) of Chapter 4.5 or Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, as requested by the institution.

COST RECOVERY

27. Section 125.3 of the Business and Profession Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licensee to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

FACTUAL ALLEGATIONS

28. On or around November 15, 2022, Bureau Senior Education Specialist DS, Senior Education Specialist JM, Enforcement Analyst DC, and Special Investigator RD arrived at Respondent’s main campus located in Anza, California to conduct an unannounced site visit. That same day, Special Investigator AC and Enforcement Analyst BE conducted an unannounced
onsite visit at the San Francisco Campus location, and Special Investigator AP conducted an onsite visit at the Branch location in Los Angeles, California.

**Anza Visit Conducted November 15, 2022**

29. Upon arrival, Bureau staff could not enter the campus location as the campus was secured by a security gate. Bureau staff attempted to contact the number for the campus via the security guard office. The call was not answered. RD called four telephone numbers provided byRespondent to the Bureau. RD was ultimately able to contact an answering service. The answering service transferred the call to Respondent’s direct contact telephone number. Respondent did not answer the telephone call. Bureau staff were able to gain access to the campus by following a car who accessed the gate. No staff was present in the Administration office. Bureau staff were eventually met by University President MG. JM requested copies of current student files but MG indicated the files were contained in a “File Dump” and requested extra time to restore and organize student files. MG provided the student files on November 15, 2022. JM requested a copy of the syllabus for “Bible 520” but did not receive it during the course and review of the Anza campus visit.

30. As part of the visit, RD and AC observed the Microeconomics class instruction identified as “ECON 310” in the course catalogue and the Microeconomic Analysis class identified as “ECON 610” in the course catalogue. Students were present in the classroom but the instructor conducted the course from a live stream platform.

**Mill Valley Visit Conducted January 31, 2023**

31. On January 31, 2023, RB, DS, JM, and FR conducted an unannounced site visit. They met with Institution Professor KT, Campus Director/Professor of Theology, Dr. JL, and Director, Doctor of Ministry Program, Dr. TC. JM requested copies of the Faculty List, Campus Map, Course Offerings Winter 2023, Current Mill Valley Enrolled Student List, Course Offerings January 31, 2023, and the Faculty Handbook. After reviewing the Course Offerings Winter 2023, JM and FR elected to observe the “Old Testament 1” and “Statistical Computing with R” courses. RD requested Dr. JL provide the 2020 and 2021 SPFS Backup Data. Dr. JL consulted with administrative staff and advised the information was stored at the Anza location. Dr. JL
contacted MG by telephone and informed RD that MG would forward the information by
February 3, 2023.

32. On February 8, 2023, RD again requested Respondent’s back-up data for its 2020 and
2021 Student Performance Fact Sheets (SPFS) by email. Respondent did not provide the data
until February 9, 2023.

**Deficiencies Identified in Documents Produced by Respondent**

33. The Bureau received Respondent’s Annual Report for the 2020-2021 school year.
The Annual Report also included SPFS and Graduate Data. Bureau Lead Annual Report Analyst
JJ reviewed the document and determined that the data reported was inconsistent with graduate
data and employment data reported in the SPFS. The Graduate Identification data failed to report
the Occupation Description for each graduate.

34. The Financial Statement for the 2020-2021 school year also revealed that Respondent
had not maintained a ratio of current assets to current liabilities of 1.25 to 1.00, or greater, by the
end of the 2021 fiscal year. Respondent’s ratio of current assets to current liabilities was 1.16 to
1.00.

35. A review of the SPFS Backup data for the 2020-2021 school year found the following
missing information and violations:

<table>
<thead>
<tr>
<th>Student Name</th>
<th>Missing Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>XP</td>
<td>Actual Salary, Hour per Week</td>
</tr>
<tr>
<td></td>
<td>Description of attempt to contact student</td>
</tr>
<tr>
<td></td>
<td>Institution Representative Information</td>
</tr>
<tr>
<td>YC</td>
<td>Actual Salary, Hour per Week</td>
</tr>
<tr>
<td></td>
<td>Description of attempt to contact student</td>
</tr>
<tr>
<td></td>
<td>Institution Representative Information</td>
</tr>
<tr>
<td>LM</td>
<td>Actual Salary, Verification Date</td>
</tr>
<tr>
<td></td>
<td>Description of attempt to contact student</td>
</tr>
<tr>
<td></td>
<td>Institution Representative Information</td>
</tr>
</tbody>
</table>
36. DS and JM reviewed the following documents obtained during the November 15, 2022 onsite visit of the Anza and San Francisco campus: Olivet Undergraduate Academic Catalog (2022-23), Olivet Graduate Academic Catalog (2022-23), Olivet Zinzendorf School of Doctoral Studies Academic Catalog (2022-23), current student enrolled rosters (campus-based students), sample active students files, Fall 2022 Anza Campus Class schedule, syllabi, Mill Valley Campus Map, Bachelor’s in Information Technology and Master’s in Information Technology program outlines, current quarter course schedule, Undergraduate catalog excerpts, class schedule for the Week of October 14-19, 2022, class schedule for the week of November 14-19, 2022, revised schedule for the week of November 14-19, Tuesday class schedule, Tuesday class roster, faculty course assignment schedule, Faculty list with contact information, September 1 through November 15, 2022 Calendar Schedule, and Student Rosters 2021-2022.

37. DS and JM reviewed the following documents obtained during the January 31, 2022 San Francisco campus onsite visit: Faculty list, Campus map, Course Offerings Winter 2023,
current Mill Valley enrolled student list, course offerings January 31, 2023, and Faculty Handbook.

38. DS determined the following institutional operating standards violations:
   a.) A review of faculty member files indicate that Respondent did not have NACES evaluations for foreign degrees obtained by faculty members for three faculty members.
   b.) Approximately twelve faculty members obtained their degree or terminal degree from Respondent with a majority having a degree in the Doctor of Ministry.
   c.) Faculty records provided contained expired contracts or did not document which course(s) the faculty member was to instruct.
   d.) The institution does not have sufficient faculty members to support the number of programs offered by the institution.
   e.) Respondent does not have sufficient faculty members contracted to offer the general education courses to satisfy the requirement for the awarding of an undergraduate degree program. The Faculty Handbook states, “Each fulltime and part-time faculty member teaching credit courses leading toward the baccalaureate degree must have completed at least 18 graduate hours in the teaching discipline.” The provided faculty transcripts do not demonstrate compliance with this requirement. Respondent also fails to demonstrate it has sufficient faculty members to offer graduate degrees. The Faculty Handbook states, “Each full-time and part-time teaching courses at the graduate degree-level must hold a terminal degree, usually the earned doctorate, in the teaching discipline or related discipline.” The provided faculty transcripts do not demonstrate compliance with this requirement.
   f.) Respondent provided a list of faculty, however the list did not match the faculty identified in the Institution’s catalog.

39. DS determined the following administrative violations:
   a.) During the unannounced onsite visits, Respondent did not have adequate staff to produce documents requested in a timely fashion.
   b.) Respondent’s staffing is inconsistent at both campus locations when compared to positions identified in the organizational chart.
c.) Respondent failed to provide documentation of student withdrawal requests or proof of a refund of tuition and fees for students listed on the withdrawn student list.

40. DS determined that Respondent failed to meet self-monitoring procedures in that a review of faculty personnel files indicated that approximately sixteen of the faculty members’ personnel records had expired contracts, approximately four faculty members did not have contract dates, approximately thirteen faculty members did not have faculty course assignments as a part of their contract, and faculty files did not contain the faculty member’s academic transcripts.

41. DS determined the following record violations:
   a.) Bureau staff were not given access to all of the requested records in a timely fashion.
   b.) The institution offers its educational program through three different methods of delivery: direct instruction, distance education, and “hybrid.” The curriculum did not clearly and consistently differentiate the method of delivery in the syllabi.
   c.) Respondent’s faculty member list did not match that in the catalog.
   d.) Student files did not include Enrollment Agreements.

42. JM determined the following minimum operating violations:
   a.) Respondent did not offer adequate courses to support the students who have enrolled in Chinese or Korean language programs on site.
   b.) Respondent did not offer adequate courses to support the enrolled student population on site. Specifically, the following programs are found to be offering no more than a single 4-unit class on campus in the Winter 2023 quarter: Information Technology and Music for the Bachelor of Arts programs and Music, Graphic Arts and Information Technology in the Master of Arts program.
   c.) The schedule of classes provided by the institution for the Anza and San Francisco campus Fall 2022 quarter included inappropriately merged classes. Courses for students enrolled in Bachelor of Arts programs were combined with Master of Arts programs. Courses using introductory text books were combined with intermediate level courses suppressing the
level of merged courses in a way that will impair student learning of the appropriate subject matter.

d.) During the Anza onsite visit, JM observed that two of the three class sessions consisted of livestreamed professors accessing the Zoom platform from another location to students in a classroom unattended by faculty. Respondent’s catalogs describe “hybrid” classes as “sure to have a regular onsite component where attendance is tracked and face-to-face instruction/discussion is provided.” With the faculty of record livestreaming from a remote location, no duly qualified faculty are providing the necessary “face-to-face instruction/discussion.”

e.) During the Mill Valley visit, Campus Director Dr. JL informed JM that teaching or faculty assistants are at times stationed in the classrooms in lieu of duly qualified faculty.

f.) The syllabi did not accurately present the curriculum in a logical or organized manner and had ambiguities regarding the assessment of learning outcomes by duly qualified faculty. Syllabi were not provided as requested for some courses.

g.) The term “scholarship” referenced in Respondent’s catalogs is not clearly defined and the requirements for scholarships are not set forth in the catalog or Respondent’s policies and procedures.

**FIRST CAUSE FOR DISCIPLINE**

(Insufficient Course Offerings)

43. Respondent has subjected its approval to operate to disciplinary action under Regulations 71710, subdivision (a), 71715, subdivision (b) and 71745, subdivision (a)(1)(2), for failing to provide all the educational courses represented in its Approval to Operate, and failing to ensure that students admitted to the educational programs will complete the programs and obtain degrees and diplomas as more fully set forth in paragraph 42 above and incorporated herein by reference.
SECOND CAUSE FOR DISCIPLINE
(Merging of Classes)

44. Respondent has subjected its approval to operate to disciplinary action under Code section 94898, subdivision (a), by merging courses in a manner that could result in learning impairment as more fully set forth in paragraph 42 above and incorporated herein by reference.

THIRD CAUSE FOR DISCIPLINE
(Misrepresentation of Method of Instruction)

45. Respondent has subjected its approval to operate to disciplinary action under Regulations 71710, subdivision (b), and 71715, subdivision (d) by failing to include a component of face-to-face instruction by duly qualified faculty and by failing to present courses in a logically organized manner as more fully set forth in paragraphs 30 and 42 above and incorporated herein by reference.

FOURTH CAUSE FOR DISCIPLINE
(Curriculum)

46. Respondent has subjected its approval to operate to disciplinary action under Regulations 71700, 71710, subdivisions (b), (e), and (f), and 71715, subdivision (d)(3)(5) by failing to present curriculum in a logical manner and for failing to address the assessment of learning outcome by duly qualified faculty in course syllabi as more fully set forth in paragraph 42 above and incorporated herein by reference.

FIFTH CAUSE FOR DISCIPLINE
(Scholarship and Instrument of Indebtedness)

47. Respondent has subjected its approval to operate to disciplinary action under Regulations 71810, subdivision (b)(6), by failing to address the financial arrangements or eligibility requirements for scholarships in the Institution’s policies and procedures as more fully set forth in paragraph 43 above and incorporated herein by reference.

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SIXTH CAUSE FOR DISCIPLINE  
(Faculty: Minimum Educational Requirements)  
48. Respondent has subjected its approval to operate to disciplinary action under Regulations 71720, subdivision (a) (1), (5), and (9), and 71850 by failing to have required NACES evaluations for faculty, failing to employ faculty that have degrees or terminal degrees in the fields of study offered by Respondent, and by failing to maintain faculty personnel files as more fully set forth in paragraphs 38 and 41 above and incorporated herein by reference.

SEVENTH CAUSE FOR DISCIPLINE  
(Failure to Demonstrate Possession of Sufficient Financial Resources)  
49. Respondent has subjected its approval to operate to disciplinary action under Regulation 71745, subdivision (a)(6), for failing to demonstrate that its Institution meets the requirements for financial resources as required by Regulation 71745, subdivision (a)(6) as set forth in paragraph 34 above and incorporated herein by reference.

EIGHTH CAUSE FOR DISCIPLINE  
(Minimum Operating Standards: Administration)  
50. Respondent has subjected its approval to operate to disciplinary action under Regulation 71730, subdivision (d), in that staff listed in the Institution’s organizational chart are inconsistent with staff that identified at the Main location and San Francisco campus and there was inadequate staffing present to provide assistance required by the Bureau at the onsite visits as more fully set forth in paragraphs 38, 39, and 41 above and incorporated herein by reference.

NINTH CAUSE FOR DISCIPLINE  
(Self-Monitoring Procedures)  
51. Respondent has subjected its approval to operate to disciplinary action under Regulation 71760 by failing to audit the faculty personnel files and ensure the files contained current information as more fully set forth in paragraph 40 above and incorporated herein by reference.

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TENTH CAUSE FOR DISCIPLINE
(Identification of Faculty in Course Catalog)
52. Respondent has subjected its approval to operate to disciplinary action under Code section 94909, subdivision (a)(7) by failing to identify all faculty in the Institution’s catalog and faculty member list provided to the Bureau as more fully set forth in paragraph 38 and 41 above and incorporated herein by reference.

ELEVENTH CAUSE FOR DISCIPLINE
(Student Records)
53. Respondent has subjected its approval to operate to disciplinary action under Regulation 71920 by failing to have Enrollment Agreements in student records as more fully set forth in paragraph 41 above and incorporated herein by reference.

TWELFTH CAUSE FOR DISCIPLINE
(Maintenance of Records)
54. Respondent has subjected its approval to operate to disciplinary action under Code section 94900.5 and Regulation 71930, subdivision (a), by failing to give Bureau staff immediate access to Institution records during the onsite visits, failing to properly maintain faculty records, and failing to clearly differentiate the method of course deliver in the syllabi as more fully set forth in paragraphs 30 through 31, and paragraphs 29, 38 and 41 above and incorporated herein by reference.

THIRTEENTH CAUSE FOR DISCIPLINE
(Minimum Requirements for SPFS)
55. Respondent has subjected its approval to operate to disciplinary action under Code section 94929.5 and Regulation 74112 by failing to maintain SPFS data in its entirety as more fully set forth in paragraph 35 above and incorporated herein by reference.

FOURTEENTH CAUSE FOR DISCIPLINE
(Withdraws and Refunds)
56. Respondent has subjected its approval to operate to disciplinary action under Regulation 71920, subdivision (b)(3)(4) by failing to provide documentation of student
withdrawal requests or proof of a refund of tuition and fees for students listed on the withdrawn student list.

**DISCIPLINE CONSIDERATIONS**

57. To determine the degree of discipline, if any, to be imposed on Respondent, Complainant alleges that on or about January 28, 2020, in a prior action, the Bureau for Private Postsecondary Education issued Citation Number 1920070 and ordered Respondent to provide a written policy of how future compliance will be maintained pursuant to California Code of Regulations, Title 5, sections 74112 and 71930 and assessed a $5,000.00 administrative fine. That Citation is now final.

**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. Revoking or suspending Approval to Operate Number 88680286 to Olivet University, owned by Olivet University, Board of Directors
2. Ordering Olivet University to pay the Bureau for Private Postsecondary Education the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
3. Taking such other and further action as deemed necessary and proper.

DATED: 3/17/2023

DEBORAH COCHRANE
Chief
Bureau for Private Postsecondary Education
Department of Consumer Affairs
State of California
Complainant

"Original Signature on File"

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