



ORDER SUSPENDING APPROVAL TO OPERATE DEGREE GRANTING PROGRAMS

To: Austin University, Owner
Austin University
2603 Camino Ramon, Ste. 200
San Ramon, CA 94583

INSTITUTION CODE: 92601579

ORDER NUMBER: BPPE22-714

ORDER MAILING DATE: October 17, 2022

ORDER EFFECTIVE DATE: October 22, 2022

DUE DATE TO REQUEST INFORMAL OFFICE CONFERENCE: November 21, 2022

Elizabeth Elias, as the designee of the Bureau Chief of the Bureau for Private Postsecondary Education (Bureau), hereby issues an Order Suspending Approval to Operate Degree Granting Programs (Order) of the above institution.

This Order is hereby issued to Austin University, Owner of Austin University (Institution) located at 2603 Camino Ramon, Ste. 200, San Ramon, CA 90650, pursuant to California Education Code (CEC) section 94885.5 and Title 5 of the California Code of Regulations (5, CCR) section 71410 for the violations described below.

Factual Basis

On July 12, 2017, the Bureau received the initial accreditation plan from the Institution that indicated they would seek accreditation with the Distance Education Accrediting Commission (DEAC).

The same day, the Institution, an unaccredited degree granting institution, received a provisional approval to operate one (1) degree program. The provisional approval was granted in accordance with CEC section 94885.5 (a).

On September 20, 2018, the Bureau mailed the Institution a follow-up letter requesting an update on accreditation progress.

On January 30, 2019, the Bureau mailed the Institution a follow-up letter requesting an update on accreditation progress.

On February 22, 2019, the Bureau received an updated Accreditation Benchmark Table from the Institution that indicated they switched accreditors to WASC Senior College and University Commission (WSCUC).

On April 29, 2019, the Bureau mailed the Institution a Visiting Committee empanelment letter to review the Institution's progress towards Accreditation.

On May 28, 2019, the Bureau received a certificate of accreditation from Accreditation Services for International Schools, Colleges, & Universities (ASIC) from the Institution; however, ASIC is not a U.S. Department of Education recognized accreditor.

On or about July 11, 2019, the Bureau determined the Institution has met the Bureau's definition of pre-accreditation/candidacy status. The institution submitted their Intent to Apply and Fee to WSCUC within the two-year time period.

On July 30, 2019, the Bureau mailed the Institution the Visiting Committee Report on the Assessment of Institution's Progress towards Accreditation.

On May 5, 2022, the Bureau mailed the Institution a follow-up letter regarding the accreditation progress and the procedures to follow if accreditation was no longer being pursued. The Bureau also informed the Institution of the opportunity to request an extension by July 5, 2022, in order to meet the accreditation requirements.

On July 1, 2022, the Bureau emailed the Institution requesting an update on accreditation progress, as the Bureau did not receive a response to the follow-up letter regarding the accreditation progress that was mailed on May 5, 2022.

On July 8, 2022, the Bureau emailed the Institution requesting an update on accreditation progress, as the Bureau did not receive a response to the follow-up email regarding the accreditation progress that was sent on July 1, 2022.

On July 12, 2022, the Bureau received an extension request from the Institution.

On July 26, 2022, the Bureau notified the Institution that their request for extension was denied, as the request did not demonstrate that the institution had made strong progress toward achieving accreditation.

The Institution failed to meet the deadline, prescribed by law, to achieve full accreditation with WSCUC as of July 12, 2022.

ORDER

In accordance with the provisions of CEC section 94885.5(d)(1) & (d)(2) and 5, CCR sections 71410 and 74250, the Bureau hereby orders the following:

The approval to operate, issued to Austin University is automatically suspended as to all of the institution's degree programs. The Bureau will not lift the suspension until the Institution complies with the requirements of CEC section 94885.5(d)(1) & (d)(2) by submitting evidence to the Bureau of having achieved accreditation.

1. You must immediately **cease enrolling new students** in all of your degree programs.

2. Within 30 days of the effective date of this Order, you must submit a **degree program closure plan** to the Bureau with all of the following:

- a. The date the institution stopped enrolling new students in the degree program(s).
- b. A list of contact information for all students currently enrolled in each degree program.
- c. A **teach-out plan** with information on the arrangements you have made for students to complete their educational programs at another institution. **The institution shall not teach-out its own students.** The teach-out plan must: (1) provide the name and location of the institution(s) providing the teach-out; (2) include a plan for the disposition of student records per CEC section 94927.5; (3) be compliant with the refund provisions of CEC section 94927; and (4) include a copy of the notification to be provided to students identified in item # 4 below.

3. The institution must notify, in writing, all currently enrolled students within five (5) business days of the effective date of this Order of the following:

- a. That the institution has received a notice of suspension from the Bureau and may no longer offer degree programs.
- b. The teach-out plan, which shall provide, at minimum, the following information: (1) the name and location of the institution(s) that is providing the teach-out, (2) the date upon which instruction at the teach-out institution(s) will begin, (3) how and when payments will be made to the new institution and any relevant financial information, and (4) a contact person at the new institution(s).
- c. That the student has a right to choose not to participate in the teach-out, and instead seek a refund for any classes the student is currently enrolled in or has not yet completed.
- d. The institution must submit a copy of the notification to students to the Bureau within ten (10) business days of the effective date of this Order.

4. Any student may seek a refund from the institution rather than participate in a proposed teach-out program. The school must provide refunds within 45 days of the request by a student.

5. Failure of any institution to comply with the requirements of this section will be considered a violation and subject to action by the Bureau.

APPEAL OF ORDER

You may request an appeal of this Order before the Director of the Department of Consumer Affairs, or his or her designee. (5 CCR section 71410.)

Because this suspension is automatic per CEC section 94885.5(c), the institution shall not operate its degree programs during any appeal.

If you wish to appeal this Order, you must do so within 30 days from the effective date of the Order. *Unless you sign a written request for an appeal and deliver it to the Bureau within 30 days from the effective date of the Order, you will be deemed to have waived your right to appeal this matter to the Department of Consumer Affairs.*

Upon timely receipt of your request for an appeal, an informal office conference will be arranged within 30 days, or as extended at your request or by the Bureau for good cause. Upon request and approval, the person approved to operate the institution or representative may participate in the office conference by telephone.

Please submit your request to:

Bureau for Private Postsecondary Education
Attn: Cheryl Lardizabal, Discipline Analyst
1747 N. Market Blvd., Ste. 225
Sacramento, CA 95834

Failure by an institution to comply with the Order above may result in further enforcement action.
The Bureau will promptly take all appropriate action to enforce this Order.

CONTACT INFORMATION

If you have any questions regarding this Order or can verify that you submitted evidence to the Bureau of accreditation candidacy or pre-accreditation, please contact Cheryl Lardizabal, Discipline Analyst, at (916) 574-7427 or Cheryl.Lardizabal@dca.ca.gov.

“Original Signature on File”

“10/17/2022”

Elizabeth Elias
Enforcement Chief

Date

Enclosures

- Declaration of Service by Certified and First-Class Mail