



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

To: Thomas Gionis, Operator
Aristotle University
61 Sparrowhawk Drive
Irvine, CA 92604

INSTITUTION CODE: None - Unapproved
CITATION NUMBER: 1314002
ISSUANCE/SERVICE DATE: 8/20/13
AMENDED CITATION ISSUANCE/SERVICE DATE: 01/28/15
DUE DATE: 9/19/13
FINE AMOUNT: \$ 50,000.00
ORDER OF ABATEMENT INCLUDED: YES

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

CITATION

A Citation is hereby issued to Thomas Gionis, Operator of Aristotle University (Institution) located at 6185 Paseo Del Norte #200, Carlsbad, California 92011; 701 Palomar Airport Road #240, Carlsbad, California 92011; and at all other Aristotle University locations pursuant to Business and Professions Code Section 148; California Education Code (CEC) Section 94944; and Title 5 of the California Code of Regulations (5 CCR) Section 75020 for the violation(s) described below.

VIOLATION

#	The California Education Code (CEC) and the California Code of Regulations (CCR). Below you will find the section(s) you are charged with violating.
1.	<p>Violation: CEC Section 94886 – Approval to Operate Required. <i>“Except as exempted in Article 4 (commencing with Section 94874) or in compliance with the transition provisions in Article 2 (commencing with Section 94802), a person shall not open, conduct, or do business as a private postsecondary educational institution in this state without obtaining an approval to operate under this chapter.”</i></p> <p>The Bureau finds that Aristotle University, a private postsecondary institution, has been operating, providing instruction for a Master’s Degree in Public Health, and collecting tuition from enrollees since 2011 without obtaining an approval to operate, in violation of CEC Section 94886 as specified</p>

above. The Bureau further finds that Thomas Gionis operates Aristotle University.

Order of Abatement:

1. Aristotle University, through Thomas Gionis, shall cease operation as a private postsecondary educational institution at all locations throughout the State of California.
2. Aristotle University, through Thomas Gionis, shall discontinue recruiting or enrolling students and cease all instructional services and advertising in any form or type of media (including Internet sites), until such time as approval from the Bureau to operate is obtained.
3. Aristotle University, through Thomas Gionis, shall refund all monies, (tuition and fees) to all students that were enrolled at Aristotle University after January 1, 2010.
4. Aristotle University, through Thomas Gionis shall provide a complete list of all students who have been enrolled at Aristotle University after January 1, 2010 until present. The list shall include the names of the students, the student contact information, amount of tuition paid by the student, and the amount refunded to the student. The list shall include evidence of refunds provided to each student

The fine for this violation is \$50,000.00

TOTAL ADMINISTRATIVE FINE DUE: \$50,000.00

ASSESSMENT OF FINE

In accordance with CEC Section 94944; and 5 CCR Section 75020(b) the Bureau hereby issues this assessment of fine in the amount of \$50,000.00 for the violation(s) 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 5 CCR Section 75020 the Bureau hereby issues the order(s) of abatement described above. Evidence of compliance with the order(s) of abatement must be submitted, to the Bureau, within 30 days from the date of service of the Citation

BACKGROUND

The Bureau previously issued a Citation: Assessment of Fine and Order of Abatement No. 1213016 to the Institution, Xanthi Gionis and Thomas Gionis on May 2, 2013, which was withdrawn without prejudice on June 21, 2013.

The Bureau's records indicate that Aristotle University does not have an approval to operate and Aristotle University is not approved to offer a Master's Degree in Public Health. On February 22, 2013, the Bureau issued an Order of Abatement ordering Aristotle University to cease operating as a Private Postsecondary Educational Institution.

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 enclosed 'Notice of Appeal of Citation - Request for Informal Conference and/or Administrative Hearing' form (enclosed) within 30 days from the date service of the Citation. *If you do not request an informal conference and/or an administrative hearing within 30 days from the date 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 **September 19, 2013**, 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 **August 20, 2013**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **September 19, 2013**. Your payment of the administrative fine shall not constitute an admission of the violation(s) charged.

If a hearing is requested, you will not be required to comply with this Citation until 30 days after a final order is entered against you.


Payment of the administrative fine and/or written request for appeal must be mailed to:

Jody Wright, Discipline Citation Program
Bureau for Private Postsecondary Education
2535 Capitol Oaks Drive, Suite 400
Sacramento, CA 95833

Failure for an applicant or institution to abate the violation(s) listed above or to pay the administrative fine within the time allowed may result in denial of an application for an approval or renewal to operate; disciplinary action, and/or collection action. The Bureau will promptly take all appropriate action to enforce this Citation and recover the civil penalties prescribed therein or found to be due after a hearing.

CONTACT INFORMATION

If you have any questions regarding this Citation, or desire further information, please contact Jody Wright, Enforcement Analyst, at (916) 431-6940 or jody.wright@dca.ca.gov.



Yvette Johnson
Enforcement Chief

1-28-15

Date

Enclosures

- Applicable Laws
- Statement of Rights: Appeal Process Information Sheet
- Notice of Appeal of Citation: Request for Informal Conference and/or Administrative Hearing
- Payment of fine - Wavier of Appeal