



Bureau for Private Postsecondary Education
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APPEAL OF CITATION INFORMAL CONFERENCE
DECISION: CITATION MODIFIED

November 17, 2014

Dale Kietzman, Owner
 Dale Kietzman University
 1350 Altadena Dr. Suite D
 Pasadena, CA 91107

Date of Issuance	Citation Number	Institution Code
August 27, 2014	1314015	Unapproved

On October 9, 2014 an informal telephone conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. 1314015 (Citation) against Dale Kietzman, Owner of Dale Kietzman University. In attendance were Joanne Wenzel, Bureau Chief; Kurt Heppler, DCA Legal; Ileana Butu, DCA Legal; Keith Zakarin, Attorney for Respondent; and Andre Talla, President/CEO.

Pursuant to Business and Professions Code, §148; California Education Code (CEC), §94944; and Title 5 of California Code of Regulations (5 CCR), §75020 and §75040, the Bureau for Private Postsecondary Education (Bureau) renders the following decision relative to your appeal of the Citation No. 1314015.

It is the decision of the Bureau Chief that on November 17, 2014 Citation No. 1314015 is modified and makes the following change(s):

VIOLATION CODE SECTIONS

#	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>MODIFIED</p> <p><u>Violation:</u> CEC 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,</i></p>

or do business as a private postsecondary educational institution in this state without obtaining an approval to operate under this chapter."

Dale Kietzman University is operating in Pasadena California without Bureau approval.

Order of Abatement:

The Bureau orders the institution to clearly identify that Dale Kietzman University is not approved by the Bureau for Private Postsecondary Education to operate in the state of California. Dale Kietzman University shall not open, conduct, or do business as a private postsecondary education institution in California prior to Bureau approval.

Reason for Modification: Based upon the evidence provided, it appears there are no students currently enrolled in Dale Kietzman University (Pasadena). However; the institution has conducted business through its Pasadena location in violation of the Act.

The fine for this violation is \$2,500.00

TOTAL MODIFIED ADMINISTRATIVE FINE DUE: \$2,500.00

ORDER OF ABATEMENT

The Bureau orders that you comply with the orders described in the 'Violation Code Sections' of this document and submit evidence of compliance within 30 days from the date of this decision.

PENALTY – ASSESSMENT OF A FINE

Payment of the administrative fine is due within 30 days from the date of this decision. Please complete the Payment of Fine form. Payment must be made to the Bureau by check, or money order. Please include the citation number on the payment of the fine assessment. Payment of the administrative fine shall not constitute an admission of the violation(s) charged and shall be represented as satisfactory resolution of the matter for purposes of public disclosure. Payments may be mailed to:

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

APPEAL OF CITATION

You *do not* have the right to request another Informal Conference to appeal this modified Citation. You *do*, however, have the right to appeal this modified Citation through an Administrative Hearing, *only if* you initially requested one within **30 days** from the issuance date of the original citation. A hearing before an Administrative Law Judge will be scheduled and you will be notified of the hearing date. The hearing will be held pursuant to Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. If you did not initially request an Administrative Hearing within 30 days from when the original citation was issued, you can no longer request one.

If you do not wish to appeal this modified Citation you must withdraw your initial request for an Administrative Hearing, if one was made. Please complete and mail the enclosed Withdrawal – Request for Administrative Hearing within **30 Days** of the date of this decision.

EFFECTIVE DATE OF CITATION AND FINE ASSESSMENT

This modified Citation is effective on November 17, 2014. The order of abatement and payment are due by **December 17, 2014**.

Failure to abate the violation or to pay the administrative fine within the time allowed is grounds for denial of an application for an approval to operate or discipline action. The Bureau will promptly take all appropriate action to enforce the Affirmed 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 decision or desire further information, please contact Renee Campos, Enforcement Analyst, at (916) 576-2398 or at Renee.Campos@dca.ca.gov.



JOANNE WENZEL
BUREAU CHIEF

November 17, 2014

Date

Enclosures

- Payment of Fine – Waiver of Appeal Rights
- Statement of Rights
- Copy of Citation Order Number 1314015