



CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT

To: International Theological Seminary, Owner
 International Theological Seminary
 3215-3225 N. Tyler Avenue
 El Monte, CA 91731

INSTITUTION CODE: 1918921
CITATION NUMBER: 1920006
CITATION ISSUANCE/SERVICE DATE: July 18, 2019
DUE DATE: August 17, 2019
FINE AMOUNT: \$3,500.00
ORDER OF ABATEMENT INCLUDED: Yes

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

CITATION

A Citation is hereby issued to International Theological Seminary, Owner of International Theological Seminary (Institution) located at 3215-3225 N. Tyler Avenue, El Monte, CA 91731 pursuant to Business and Professions Code section 125.9; California Education Code (CEC) sections 94936 and 94932; and Title 5 of the California Code of Regulations (5, CCR) section 75020 for the violations described below.

BACKGROUND

On September 12, 2018, the Bureau conducted an unannounced compliance inspection at the Institution. A review of student and faculty files determined several material violations. During the inspection, Bureau staff collected evidence and information related to the material violations.

VIOLATIONS

#	Below you will find the California Education Code (CEC) and/or Title 5 of the California Code of Regulations (5, CCR code) section(s) of law you are charged with violating.
1.	<p>Violation: 5, CCR Section 71920(a)(b)(1)(A)- Student Records <i>"(a)The institution shall maintain a file for each student who enrolls in the institution whether or not the student completes the educational service.</i> <i>(b) In addition to the requirements of Section 94900, the file shall contain all of the following pertinent student records:</i></p>

(1) Written records and transcripts of any formal education or training, testing, or experience that are relevant to the student's qualifications for admission to the institution or the institution's award of credit or acceptance of transfer credits including the following:

(A) Verification of high school completion or equivalency or other documentation establishing the student's ability to do college level work, such as successful completion of an ability-to-benefit test"

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

Bureau staff reviewed student files that failed to include verification of high school completion or equivalency, or evidence of an ability-to-benefit test score.

Bureau staff reviewed student files that failed to include School Performance Fact Sheets or Enrollment Agreements.

Order of Abatement:

The Bureau orders the institution to submit a written policy of how future compliance with 5, CCR section 71920 will be maintained.

Assessment of Fine

The fine for this violation is \$1,000.00

2. CEC Section 94902(a)(b)(3) – General Enrollment Requirements

"(a) A student shall enroll solely by means of executing an enrollment agreement. The enrollment agreement shall be signed by the student and by an authorized employee of the institution.

(b) An enrollment agreement is not enforceable unless all of the following requirements are met:

(3) Prior to the execution of the enrollment agreement, the student and the institution have signed and dated the information required to be disclosed in the Student Performance Fact Sheet pursuant to subdivisions (a) to (d), inclusive, of Section 94910. Each of these items in the Student Performance Fact Sheet shall include a line for the student to initial and shall be initialed and dated by the student."

Bureau staff reviewed student files that contained School Performance Fact Sheets and Enrollment Agreements that were not signed by the student and/or authorized employee of the Institution.

CEC Section 94912. Signature, Initials Required

"Prior to the execution of an enrollment agreement, the information required to be disclosed pursuant to subdivisions (a) to (d), inclusive, of Section 94910 shall be signed and dated by the institution and the student. Each of these items shall also be initialed and dated by the student."

Bureau staff reviewed student files that contained Enrollment Agreements that were not signed by the student and/or authorized employee of the Institution.

Order of Abatement:

The Bureau orders the Institution to submit a policy or procedure that clearly states the procedure of how prospective students and administration staff will be provided the Student Performance Fact Sheet and Enrollment Agreement for signature as required by CEC section 94910 and CEC section 94912.

Assessment of Fine

The fine for this violation is \$1,500.00

3. 5, CCR Section 71800(c)(e)(1)(2)(5)(11) – Enrollment Agreement

"In addition to the requirements of section 94911 of the Code, an institution shall provide to each student an enrollment agreement that contains at the least the following information:

(c) Program start date and scheduled completion date.

(e) Itemization of all institutional charges and fees including, as applicable:

(1) Tuition;

(2) Registration fee (non-refundable);

(5) Textbooks, or other learning media;

(11) Student Tuition Recovery Fund fee (non-refundable);"

Bureau staff reviewed student Enrollment Agreements that failed to contain a scheduled start date, scheduled completion date, tuition amounts, registration fee amounts, textbooks or other learning media amounts, and Student Tuition Recovery Fund fee amounts.

CEC Section 94911(a) - Minimum Requirement for Enrollment Agreements

"An enrollment agreement shall include, at a minimum, all of the following:

(a) The name of the institution and the name of the educational program, including the total number of credit hours, clock hours, or other increment required to complete the educational program."

Bureau staff reviewed student Enrollment Agreements that failed to contain the total amount of units required for completion of the educational program.

Order of Abatement:

The Bureau orders the Institution to submit a policy and procedure of how an Enrollment Agreement that complies with CEC section 94911, and 5, CCR Section 71800 will be provided to students.

Assessment of Fine

The fine for this violation is \$1,000.00

TOTAL ADMINISTRATIVE FINE DUE: \$3,500.00

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 **\$3,500.00** for the violations described above.

Payment must be made, to the Bureau, within 30 days from the date of service of the Citation.

COMPLIANCE WITH 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 **August 17, 2019**, 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 **July 18, 2019**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **August 17, 2019**. 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:

Ray Delaney, 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 Ray Delaney, Citation Analyst, at (916) 431-6946 or Ray.Delaney@dca.ca.gov.

Signature on file _____

Christina Villanue
Discipline Manage

7/18/19
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