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9 **BEFORE THE**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
10 **FOR THE BUREAU FOR PRIVATE POSTSECONDARY EDUCATION**  
**STATE OF CALIFORNIA**  
11

12 In the Matter of the Statement of Issues  
Against:

Case No. 1002664

13 **THE ACADEMY OF RADIO & TV**  
14 **BROADCASTING**

**STATEMENT OF ISSUES**

15 **SCHOOL CODE: 3005451**

16 **Renewal of Approval to Operate an**  
17 **Accredited Institution Applicant**

18 Respondent.

19  
20 Complainant alleges:

21 **PARTIES**

22 1. Leeza Rifredi (Complainant) brings this Statement of Issues solely in her official  
23 capacity as the Deputy Bureau Chief of the Bureau for Private Postsecondary Education,  
24 Department of Consumer Affairs.

25 2. On or about October 4, 2016, the Bureau for Private Postsecondary Education  
26 (Bureau) received a Renewal Application for Approval to Operate an Accredited Institution  
27 (Application # 29624) from The Academy of Radio & TV Broadcasting (Respondent). On or  
28 about September 13, 2016, Thomas Gillenwater, President and 50% owner (Gillenwater), and

1 Linda Thurrell, Secretary and 50% owner, certified under penalty of perjury to the truthfulness of  
2 all statements, answers, and representations in the application. The Bureau denied the application  
3 on March 10, 2017.

#### 4 JURISDICTION

5 3. This Statement of Issues is brought before the Director of the Department of  
6 Consumer Affairs (Director) for the Bureau, under the authority of the following laws. All  
7 section references are to the Education Code unless otherwise indicated.

8 4. Section 94886 states:

9 Except as exempted in Article 4 (commencing with section 94874) or in  
10 compliance with the transition provisions in Article 2 (commencing with Section  
11 94802), a person shall not open, conduct, or do business as a private postsecondary  
12 educational institution in this state without obtaining an approval to operate under this  
13 chapter.

14 5. Section 94887 states:

15 An approval to operate shall be granted only after an applicant has presented  
16 sufficient evidence to the bureau, and the bureau has independently verified the  
17 information provided by the applicant through site visits or other methods deemed  
18 appropriate by the bureau, that the applicant has the capacity to satisfy the minimum  
19 operating standards. The bureau shall deny an application for an approval to operate if  
20 the application does not satisfy those standards.

#### 21 STATUTORY PROVISIONS

22 6. Section 94890 provides:

23 (a)(1) The bureau shall grant an institution that is accredited an approval to  
24 operate by means of its accreditation.

25 (2) The bureau shall adopt by regulation the process and procedures whereby an  
26 institution that is accredited may apply for and obtain an approval by means of that  
27 accreditation. The bureau shall establish application processing goals and timelines to  
28 ensure that an institution that has submitted a complete application for approval to  
operate by means of its accreditation has that application promptly reviewed for  
compliance within 30 days of the bureau's receipt of the application or within an  
appropriate timeline as determined by the bureau. The timelines shall ensure that an  
institution that has submitted a complete and compliant application receives approval  
within 30 days of the application being deemed compliant by the bureau, or within an  
appropriate timeline as determined by the bureau.

(b) The term of an approval to operate pursuant to this section shall be  
coterminous with the term of accreditation. Upon renewal of the institution's  
accreditation, the institution shall submit verification to the bureau, on a form  
provided by the bureau, that the institution's accreditation has been renewed.

1 (c) Institutions that are granted an approval to operate by means of the  
2 institution's accreditation shall comply with all other applicable requirements in this  
chapter.

3 7. Section 94891, subdivision (b) provides that "[t]o be granted a renewal of an approval  
4 to operate, the institution shall demonstrate its continued capacity to meet the minimum operating  
5 standards."

6 8. Section 94897 provides:

7 An institution shall not do any of the following:

8 ...

9 (I) Use the terms "approval," "approved," "approval to operate," or "approved  
10 to operate" without stating clearly and conspicuously that approval to operate means  
11 compliance with state standards as set forth in this chapter. If the bureau has granted  
an institution approval to operate, the institution may indicate that the institution is  
"licensed" or "licensed to operate," but may not state or imply either of the following:

12 (1) The institution or its educational programs are endorsed or recommended by  
the state or by the bureau.

13 (2) The approval to operate indicates that the institution exceeds minimum state  
14 standards as set forth in this chapter.

15 ...

16 9. Section 94909 provides:

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

19 ...

20 (4) The address or addresses where class sessions will be held.

21 (5) A description of the programs offered and a description of the instruction  
22 provided in each of the courses offered by the institution, the requirements for  
23 completion of each program, including required courses, any final tests or  
examinations, any required internships or externships, and the total number of credit  
hours, clock hours, or other increments required for completion.

24 ...

25 (8) A detailed description of institutional policies in the following areas:

26 (A) Admissions policies, including the institution's policies regarding the  
27 acceptance of credits earned at other institutions or through challenge examinations  
and achievement tests, admissions requirements for ability-to-benefit students, and a  
28 list describing any transfer or articulation agreements between the institution and any

1 other college or university that provides for the transfer of credits earned in the  
2 program of instruction. If the institution has not entered into an articulation or transfer  
3 agreement with any other college or university, the institution shall disclose that fact.

4 ...  
5 (C) Probation and dismissal policies.

6 (D) Attendance policies.  
7 ...

8 (9) The schedule of total charges for a period of attendance and an estimated  
9 schedule of total charges for the entire educational program.

10 (10) A statement reporting whether the institution participates in federal and  
11 state financial aid programs, and if so, all consumer information that is required to be  
12 disclosed to the student pursuant to the applicable federal and state financial aid  
13 programs.

14 (11) A statement specifying that, if a student obtains a loan to pay for an  
15 educational program, the student will have the responsibility to repay the full amount  
16 of the loan plus interest, less the amount of any refund, and that, if the student has  
17 received federal student financial aid funds, the student is entitled to a refund of the  
18 moneys not paid from federal student financial aid program funds.

19 (12) A statement specifying whether the institution has a pending petition in  
20 bankruptcy, is operating as a debtor in possession, has filed a petition within the  
21 preceding five years, or has had a petition in bankruptcy filed against it within the  
22 preceding five years that resulted in reorganization under Chapter 11 of the United  
23 States Bankruptcy Code (11 U.S.C. Sec. 1101 et seq.).

24 ...  
25 (14) A description of the student's rights and responsibilities with respect to the  
26 Student Tuition Recovery Fund. This statement shall specify that it is a state  
27 requirement that a student who pays his or her tuition is required to pay a state-  
28 imposed assessment for the Student Tuition Recovery Fund. This statement shall also  
describe the purpose and operation of the Student Tuition Recovery Fund and the  
requirements for filing a claim against the Student Tuition Recovery Fund.

29 ...  
30 10. Section 94913 states:

31 (a) An institution that maintains an Internet Web site shall provide on that  
32 Internet Web site all of the following:

33 (1) The school catalog.

34 (2) A School Performance Fact Sheet for each educational program offered by  
35 the institution.

36 ...  
37 (4) A link to the bureau's Internet Web site.  
38

1 (5) The institution's most recent annual report submitted to the bureau.

2 (b) An institution shall include information concerning where students may

3 access the bureau's Internet Web site anywhere the institution identifies itself as being  
4 approved by the bureau.

5 11. Section 94928 provides:

6 As used in this article, the following terms have the following meanings:

7 (a) "Cohort population" means the number of students that began a program on  
8 a cohort start date.

9 ...

10 (c) "On-time graduates" means the number of students who complete a program  
11 within 100 percent of the published program length. An institution may separately  
12 state completion information for students completing the program within 150 percent  
13 of the original contracted time, but that information may not replace completion  
14 information for students completing within the original scheduled time. Completion  
15 information shall be separately stated for each campus or branch of the institution.

16 ...

17 (g) "Students available for graduation" means the cohort population minus the  
18 number of students unavailable for graduation.

19 (h) "Students unavailable for graduation" means students who have died, been  
20 incarcerated, or called to active military duty.

21 12. Section 94929 provides:

22 (a) An institution shall annually report to the bureau, as part of the annual  
23 report, and publish in its School Performance Fact Sheet, the completion rate for each  
24 program. Except as provided in subdivision (b), the completion rate shall be  
25 calculated by dividing the number of on-time graduates by the number of students  
26 available for graduation.

27 (b) In lieu of calculating graduation data pursuant to subdivision (a), an  
28 institution may report graduation data reported to, and calculated by, the Integrated  
Postsecondary Education Data System of the United States Department of Education.

### REGULATORY PROVISIONS

13. California Code of Regulations, title 5, section 71770 (Regulation 71770) provides:

(a) The institution shall establish specific written standards for student admissions for each educational program. These standards shall be related to the particular educational program. An institution shall not admit any student who is obviously unqualified or who does not appear to have a reasonable prospect of completing the program. In addition to any specific standards for an educational program, the admissions standards must specify as applicable that:

1 (1) Each student admitted to an undergraduate degree program, or a diploma  
2 program, shall possess a high school diploma or its equivalent, or otherwise  
3 successfully take and pass the relevant examination as required by section 94904 of  
4 the Code.

5 (2) Each student admitted into a post-baccalaureate degree program shall  
6 possess a bachelor's degree or its equivalent. If a graduate program leads to a  
7 profession or an occupation requiring state licensure and the licensing agency does  
8 not require that a member of the profession or occupation possess a Bachelor's degree  
9 or its equivalent, this subdivision does not apply.

10 (b) The institution shall specify the maximum credit it will transfer from  
11 another institution for each educational program, and the basis upon which the  
12 transferred credit will be awarded.

13 (1) Except as limited by subdivision (c) of this section, a maximum of 75  
14 percent of the units or credit that may be applied toward the award of a bachelor's  
15 degree may be derived from a combination of any or both of the following:

16 (A) Units earned at institutions approved by the Bureau, public or private  
17 institutions of higher learning accredited by an accrediting association recognized by  
18 the U. S. Department of Education, or any institution of higher learning, including  
19 foreign institutions, if the institution offering the undergraduate program documents  
20 that the institution of higher learning at which the units were earned offers degree  
21 programs equivalent to degree programs approved by the Bureau or accredited by an  
22 accrediting association recognized by the U.S. Department of Education;

23 (B) Challenge examinations and standardized tests such as the College Level  
24 Placement Tests (CLEP) for specific academic disciplines.

25 (2) No more than 20% of graduate semester units or the equivalent in other  
26 units awarded by another institution may be transferred for credit toward a Master's  
27 degree. An institution may accept transfer credits only from the institutions of higher  
28 learning described in subsection (1)(A).

(3) No more than 30 graduate semester credits or its equivalent awarded by  
another institution may be credited toward a doctoral degree. This subdivision does  
not apply to graduate programs that lead to a profession or an occupation requiring  
state licensure where the licensing agency has a regulation permitting a different  
standard.

(c) If credit for prior experiential learning is to be granted, the policy for  
granting such credit shall be included in the institution's catalog.

(1) An institution may grant credit to a student for prior experiential learning  
only if:

(A) The prior learning is equivalent to a college or university level of learning;

(B) The learning experience demonstrates a balance between theory and  
practice and;

(C) The credit awarded for the prior learning experience directly relates to the  
student's degree program and is applied in satisfaction of some of the degree  
requirements.

1 (2) Each college or university level learning experience for which credit is  
sought shall be documented by the student in writing.

2 (3) Each college or university level learning experience shall be evaluated by  
3 faculty qualified in that specific subject area who shall ascertain (1) to what college or  
4 university level learning the student's prior experience is equivalent and (2) how  
many credits toward a degree may be granted for that experience.

5 (4) The faculty evaluating the prior learning shall prepare a written report  
indicating all of the following:

6 (A) The documents in the student's record on which the faculty member relied  
7 in determining the nature of the student's prior experience;

8 (B) The bases for determining that the prior experience (i) is equivalent to  
9 college or university level learning and (ii) demonstrates a balance between theory  
and practice; and

10 (C) The bases for determining (i) to what college or university level the  
11 experience is equivalent and (ii) the proper number of credits to be awarded toward  
the degree for that experience.

12 (5)(A) The institution shall designate at least one administrator to be  
13 responsible for the review of faculty determinations regarding the award of credit for  
prior experiential learning.

14 (B) The administrator shall document the institution's periodic review of faculty  
15 evaluations to assure that the faculty written evaluations and awards of credit comply  
with this section and the institution's policies and are consistent.

16 (6) The amount of credit awarded for prior experiential learning shall not be  
related to the amount charged the student for the assessment process.

17 (7)(A) Of the first 60 semester credits awarded a student in an undergraduate  
18 program, no more than 15 semester credits may be awarded for prior experiential  
learning.

19 (B) Of the second 60 semester units (i.e., credits 61 to 120) awarded a student  
20 in an undergraduate program, no more than 15 semester credits may be awarded for  
prior experiential learning.

21 (C) Of the first 30 semester credits awarded a student in a graduate program, no  
22 more than 6 semester credits may be awarded for prior experiential learning.

23 (D) Of the second 30 semester credits (i.e., credits 31 to 60) awarded a student  
24 in a graduate program, no more than 3 semester credits may be awarded for prior  
experiential learning.

25 (E) No credit for experiential learning may be awarded after a student has  
obtained 60 semester credits in a graduate program.

26 14. California Code of Regulations, title 5, section 71745 (Regulation 71745) provides:

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

1                   ...

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

13                   ...

14                   15. California Code of Regulations, title 5, section 71810 (Regulation 71810) states in  
15 pertinent part:

16                   (a) Each institution shall provide a catalog pursuant to section 94909 of the  
17 Code, which shall be updated annually. Annual updates may be made by the use of  
18 supplements or inserts accompanying the catalog. If changes in educational programs,  
19 educational services, procedures, or policies required to be included in the catalog by  
20 statute or regulation are implemented before the issuance of the annually updated  
21 catalog, those changes shall be reflected at the time they are made in supplements or  
22 inserts accompanying the catalog.

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

25                   ...

26                   (3) If the institution admits students from other countries, whether visa services  
27 are provided or whether the institution will vouch for student status, and any  
28 associated charges;

29                   ...

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

33                   ...

34                   (8) The institution's standards for student achievement;

35                   (9) A description of the facilities and of the types of equipment and materials  
36 that will be used for instruction;

37                   (10) A description of library and other learning resources and the procedures for  
38 student access to those resources;

                  (11) If the institution offers distance education, the approximate number of days



1 that will elapse between the institution's receipt of student lessons, projects, or  
2 dissertations and the institution's mailing of its response or evaluation.

3 ...

4 16. California Code of Regulations, title 5, section 74112 (Regulation 74112) states in  
5 pertinent part:

6 (a) Format. The format for the Performance Fact Sheet shall be in at least 12 pt.  
7 type, in an easily readable font, with 1.15 line spacing and all titles and column  
8 headings shall be in bold 14 pt. type, which shall also identify the program for which  
9 the Performance Fact Sheet pertains. The Performance Fact Sheet shall contain all  
10 and only the information required or specifically permitted by sections 94910 and  
11 94929.5 of the Code or this chapter. A separate Performance Fact Sheet shall be  
12 prepared for each program.

13 ...

14 17. California Code of Regulations, title 5, section 74117 (Regulation 74117) provides:

15 In addition to the requirement in Section 94913(b) of the Code, an institution  
16 that maintains a website shall provide on the homepage of that website clear  
17 and conspicuous links to all the items required in Section 94913(a) of the Code.

18 18. California Code of Regulations, title 5, section 76215 (Regulation 76215) states:

19 (a) A qualifying institution shall include the following statement on both its  
20 enrollment agreement for an educational program and its current schedule of student  
21 charges:

22 "You must pay the state-imposed assessment for the Student Tuition Recovery  
23 Fund (STRF) if all of the following applies to you:

24 1. You are a student in an educational program, who is a California resident, or  
25 are enrolled in a residency program, and prepay all or part of your tuition either by  
26 cash, guaranteed student loans, or personal loans, and

27 2. Your total charges are not paid by any third-party payer such as an employer,  
28 government program or other payer unless you have a separate agreement to repay  
the third party.

You are not eligible for protection from the STRF and you are not required to  
pay the STRF assessment, if either of the following applies:

1. You are not a California resident, or are not enrolled in a residency program,  
or

2. Your total charges are paid by a third party, such as an employer,  
government program or other payer, and you have no separate agreement to repay the

third party."

(b) In addition to the statement described under subdivision (a) of this section, a  
qualifying institution shall include the following statement on its current schedule of

1 student charges:

2 "The State of California created the Student Tuition Recovery Fund (STRF) to  
3 relieve or mitigate economic losses suffered by students in educational programs who  
4 are California residents, or are enrolled in a residency programs attending certain  
5 schools regulated by the Bureau for Private Postsecondary and Vocational Education.

6 You may be eligible for STRF if you are a California resident or are enrolled in  
7 a residency program, prepaid tuition, paid the STRF assessment, and suffered an  
8 economic loss as a result of any of the following:

9 1. The school closed before the course of instruction was completed.

10 2. The school's failure to pay refunds or charges on behalf of a student to a third  
11 party for license fees or any other purpose, or to provide equipment or materials for  
12 which a charge was collected within 180 days before the closure of the school.

13 3. The school's failure to pay or reimburse loan proceeds under a federally  
14 guaranteed student loan program as required by law or to pay or reimburse proceeds  
15 received by the school prior to closure in excess of tuition and other costs.

16 4. There was a material failure to comply with the Act or this Division within  
17 30 days before the school closed or, if the material failure began earlier than 30 days  
18 prior to closure, the period determined by the Bureau.

19 5. An inability after diligent efforts to prosecute, prove, and collect on a  
20 judgment against the institution for a violation of the Act."

21 However, no claim can be paid to any student without a social security number  
22 or a taxpayer identification number.

23 **FACTUAL BACKGROUND**

24 19. On or about October 4, 2016, the Bureau received Application # 29624 from  
25 Respondent. The application included a check in the amount of \$500 for the application fee and a  
26 letter from Respondent's accrediting agency.

27 20. On or about October 6, 2016, the Bureau sent a deficiency letter to Gillenwater  
28 advising Respondent that the application was incomplete and requesting resubmission of the  
second page of the application to include original (wet) signature for each owner. The Bureau  
further informed Respondent that the following fees were outstanding:

- 2016 Annual/Delinquent Fee
- Student Tuition Recovery Fund Assessment Reporting Form/Fee – 4<sup>th</sup> Quarter 2011
- Renewal Application Late Fee for Application #29624 received on October 4, 2016

21. On or about November 16, 2016, Respondent provided a Renewal Application for  
Approval to Operate for an Accredited Institution with original (wet) signatures for each owner.

///  
///

1           22. On or about November 17, 2016, the Bureau's records reflected that Respondent paid  
2 the fees identified as outstanding in the Bureau's October 6, 2016 deficiency letter.

3           23. On or about December 12, 2016, the Bureau received written notification from the  
4 Accrediting Council for Continuing Education & Training (ACCET) that its Accrediting  
5 Commission was deferring consideration of Respondent's reaccreditation with good cause,  
6 extending Respondent's accredited status until April 2017, and continuing for good cause the  
7 institutional show cause originally issued on August 11, 2015. The institutional show cause was  
8 based on issues regarding Respondent's financial stability and eligibility for participation in Title  
9 IV Federal Student Aid programs.

10           24. On or about December 30, 2016, the Bureau received written notification from the  
11 U.S. Department of Education providing information related to Respondent's financial  
12 responsibility.

13           25. On or about March 10, 2017, the Bureau sent Respondent a Notice of Denial of  
14 Application for Renewal of Approval to Operate an Accredited Institution. The basis for denial  
15 of Respondent's application set forth in the notice was as follows:

16           (a) Financial Resources: Respondent did not meet the composite score  
17 requirements for an institution participating in Title IV of the Federal Higher Education Act of  
18 1965; and

19           (b) Institutional Website Requirements: Respondent's website did not provide a  
20 Catalog, School Performance Fact Sheet for each educational program, a link to the Bureau's  
21 website, the most recent annual report submitted to the Bureau, or information concerning where  
22 students may access the Bureau's website where the Respondent identified being approved by the  
23 Bureau.

24           26. After March 10, 2017, Respondent made certain additions and revisions to its  
25 website. For instance, Respondent added a Catalog, School Performance Fact Sheet, and a link to  
26 the Bureau's website. However, Respondent did not provide a separate School Performance Fact  
27 Sheet for each educational program, and the Completion Rate appears to have been calculated by  
28 dividing the number of on-time graduates by the number of students who began the program

1 (instead of by the number of students available for graduation).<sup>1</sup> Respondent added a link to the  
2 Bureau's website where it states that it is approved by the Bureau but does not define what  
3 "approval" means. In addition, the website does not contain Respondent's most recent annual  
4 report submitted to the Bureau.

5 **FIRST CAUSE FOR DENIAL OF APPLICATION**

6 **(Failure to Demonstrate Continued Capacity to Satisfy Minimum Operating Standards -**  
7 **Financial Resources)**

8 27. Respondent's application is subject to denial under Section 94891(b) and Regulation  
9 71745(a)(6) for failing to demonstrate its continued capacity to satisfy minimum operating  
10 standards relating to Respondent's financial resources. The circumstances are as follows:

11 28. In its letter dated December 30, 2016, the San Francisco/Seattle School Participation  
12 Division (SPD) of the U.S. Department of Education stated that it had completed its review of  
13 Respondent's Audited Financial Statements for Fiscal Year ended December 31, 2015.

14 29. According to SPD, Respondent's financial statements produced a composite score of  
15 -0.5 out of a possible 3.0. A minimum score of 1.5 is necessary to meet the financial  
16 responsibility standards for participation in a program under Title IV of the Federal Higher  
17 Education Act of 1965. (34 C.F.R. § 668.171.)

18 30. As a participant in Title IV of the Federal Higher Education Act of 1965, Respondent  
19 is required under Regulation 71745(a)(6) to meet the composite score requirements of the U.S.  
20 Department of Education. Accordingly, Respondent is in violation of Section 94891(b) and  
21 Regulation 71745(a)(6).

22 ///

23 ///

24 ///

25 <sup>1</sup> As defined in Section 94928, the students available for graduation should include all  
26 students who started the program except those who are unavailable (i.e. who have died, been  
27 incarcerated, or called to active military duty). According to the School Performance Fact Sheet,  
28 12 students were unavailable for graduation in 2015, and 17 students were unavailable in 2014.  
Thus, it also appears Respondent may not have been using the correct numbers in calculating its  
completion rates.



1 provided in each of the courses in the Radio Broadcasting-IDL program, and the requirements for  
2 completion of the Radio Broadcasting-IDL program, in violation of Section 94909(a)(5);

3 (c) The catalog does not contain Respondent's admission policies for international  
4 students, requirements for ability-to-benefits students, and a list describing any transfer or  
5 articulation agreements between Respondent and any other college or university that provides for  
6 the transfer of credits earned in the program instruction. If Respondent has not entered any  
7 transfer or articulation agreements with any other college or university, it must disclose that fact.  
8 These are violations of Section 94909(a)(8)(A) and Regulation 71770;

9 (d) The catalog does not contain any information regarding probation and does not  
10 describe the steps a student should take to appeal termination, in violation of Section  
11 94909(a)(8)(C);

12 (e) In its statement regarding attendance policies, the catalog does not specify that  
13 Formal Warnings are issued to students without an approved leave of absence or identify the  
14 consequences of receiving a Formal Warning. This is a violation of Section 94909(a)(8)(D);

15 (f) The catalog does not contain an estimated schedule of total charges for the  
16 entire educational program, in violation of Section 94909(a)(9);

17 (g) The catalog does not state whether Respondent participates in state financial aid  
18 programs and, if so, provide all consumer information that is required to be disclosed to the  
19 student pursuant to state financial aid programs.<sup>2</sup> This is a violation of Section 94909(a)(10);

20 (h) The catalog does not specify that the student will be responsible for repaying  
21 the full amount of any student loans **plus interest**, less the amount of any refund. This is a  
22 violation of Section 94909(a)(11);

23 (i) The catalog does not contain a statement specifying whether the institution has  
24 a pending petition in bankruptcy, is operating as a debtor in possession, has filed a petition within  
25 the preceding five years, or has had a petition in bankruptcy filed against it within the preceding

26 \_\_\_\_\_  
27 <sup>2</sup> If Respondent participates in state financial aid programs, it is also required under  
28 Regulation 71810(b)(6) to include the policies, practices, and disclosures for the state financial  
aid programs.

1 five years that resulted in reorganization under Chapter 11 of the United States Bankruptcy Code  
2 (United States Code, Title 11, Section 1101 et seq.), in violation of Section 94909(a)(12);

3 (j) The catalog does not contain the following statement: "You must pay the state-  
4 imposed assessment for the Student Tuition Recovery Fund (STRF) if all of the following applies  
5 to you." This is a violation of Section 94909(a)(14) and Regulation 76215;

6 (k) Respondent's website refers to visa services for international students, but the  
7 catalog does not specify whether visa services are provided or whether Respondent will vouch for  
8 student status, and any associated charges, in violation of Regulation 71810(b)(3)

9 (l) The catalog does not include Respondent's standards for student achievement  
10 for the Radio Broadcasting-IDL program, in violation of Regulation 71810(b)(8);

11 (m) The catalog does not contain a description of the types of equipment and  
12 materials that will be used for instruction, in violation of Regulation 71810(b)(9);

13 (n) The catalog does not include the procedures for student access to Respondent's  
14 learning resources, in violation of Regulation 71810(b)(10); and

15 (o) Respondent offers distance education, but the catalog does not contain the  
16 approximate number of days that will elapse between the institution's receipt of student lessons,  
17 projects, or dissertations and Respondent's mailing of its response or evaluation, in violation of  
18 Regulation 71810(b)(11).

19 **PRAYER**

20 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
21 and that following the hearing, the Director of the Department of Consumer Affairs issue a  
22 decision:

23 1. Denying the application of The Academy of Radio & TV Broadcasting for a Renewal  
24 of Approval to Operate an Accredited Institution; and

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2. Taking such other and further action as deemed necessary and proper.

DATED: 8/18/2017



LEEZA RFREDI  
Deputy Bureau Chief  
Bureau for Private Postsecondary Education  
Department of Consumer Affairs  
State of California  
*Complainant*

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