



## **CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT**

To: Oikos University, Owner  
Oikos University  
7901 Oakport St., Suite 3000  
Oakland, CA 94621

**INSTITUTION CODE: 93159648**

**CITATION NUMBER: 1819135**

**CITATION ISSUANCE/SERVICE DATE: March 5, 2019**

**DUE DATE: April 4, 2019**

**FINE AMOUNT: \$ 3,051.00**

**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 Oikos University, Owner of Oikos University (Institution) located at 7901 Oakport St., Suite 3000, Oakland, CA 94621 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 July 24, 2014, the Bureau received a complaint alleging that the Institution, during the enrollment process, the Institution did not inform a student that the Institution was not approved by the Bureau. The Institution advised the student that they complied with the Bureau's guidelines to maintain operation during the sunset period and the Bureau validated the information and provided it to the Department of Consumer Affairs Acupuncture Board. However, the student was not allowed to sit for the Acupuncture Licensing Exam as the Bureau was in a sunset period.

On September 8, 2015, the Institution agreed to offer a full refund to the student but requested the student sign a release stating no other complaints would be filed against the Institution regarding this situation.

On September 9, 2015, the student signed a release of liability stating they would not file, pursue, or submit any complaints against the Institution.

On January 7, 2016, the student requested the complaint be closed as the student received their full refund from the Institution.

On August 8, 2016, Bureau staff conducted an announced compliance inspection at the Institution which was previously located at 7850 Edgewater Drive, Oakland, CA 94621, and an Enforcement Referral was issued. The Enforcement Referral alleges material violations of CEC Section 94902(a)(b)(3). General Enrollment Requirements and CEC Section 94912. Signature, Initials Required.

VIOLATION

#	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><b><u>Violation:</u></b>  <b>CEC Section 94897(m) – Prohibited Business Practices</b>            “An institution shall not do any of the following:            (m) Direct any individual to perform an act that violates this chapter, to refrain from reporting unlawful conduct to the bureau or another government agency, or to engage in any unfair act to persuade a student not to complain to the bureau or another government agency.”</p> <p>On September 8, 2015, the Institution emailed the student that requested the refund, stating that the Institution agreed to provide a full refund. The Institution requested the student sign a release to prevent any further complaints against the Institution regarding the same issue.</p> <p>On September 9, 2015, the student sent the Institution an email stating they would not file, pursue, or submit any complaints against the Institution with the Bureau, or any other Governmental Agency.</p> <p><b><u>Order of Abatement:</u></b>            The Bureau orders the Institution to submit a policy and procedure on how they will maintain compliance with CEC section 94897(m).</p> <p><b><u>Assessment of Fine</u></b>            The fine for this violation is <u>\$501.00</u></p>
2.	<p><b><u>Violation:</u></b>  <b>CEC Section 94902(a)(b)(3). General Enrollment Requirements</b>            (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.</p> <p>On August 8, 2016, during an announced inspection, Bureau staff conducted a review of student files. The student files were missing the signed copies of Enrollment Agreements and Student Performance Fact Sheets (SPFS). The Institution failed to maintain signed and dated copies of Enrollment Agreement, as well as signed, initialed and dated SPFS’ signed by both the Institution and the student.</p>



	<p><b><u>Order of Abatement:</u></b> The Bureau orders the Institution ensure that all students, and an authorized employee of the Institution, sign and date the required documents. The Institution shall submit to the Bureau written evidence of compliance with CEC section 94902 (a)(b)(3), and CEC section 94912.</p> <p><b><u>Assessment of Fine</u></b> The fine for this violation is <u>\$2,500.00</u></p>
3.	<p><b><u>Violation:</u></b> <b>CEC Section 94912. Signature, Initials Required</b> 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.</p> <p>On August 8, 2016, during an announced inspection, Bureau staff conducted a review of student files. The student files were missing the signed, initialed and dated SPFS signed by both the Institution and the student.</p> <p><b><u>Order of Abatement:</u></b> The Bureau orders that the Institution ensure that all students, and the Institution, sign, initial and date the required documents. The Bureau orders that the Institution provide detailed information on how they will maintain compliance with CEC section 94912.</p> <p><b><u>Assessment of Fine</u></b> The fine for this violation is <u>\$50.00</u></p>
<p><b>TOTAL ADMINISTRATIVE FINE DUE: \$3,051.00</b></p>	

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 **\$3,051.00** 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 **April 4, 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 **March 5, 2019**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **April 4, 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:**

Gurinder Sandhu, 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 Gurinder Sandhu, Citation Analyst, at 916-431-6940 or [Gurinder.Sandhu@dca.ca.gov](mailto:Gurinder.Sandhu@dca.ca.gov).



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**Christina Villanueva**  
**Discipline Manager**



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**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