



## MODIFIED CITATION ORDER

<b>Citation Issued To:</b> College of English Language 233 A Street, Suite 400 San Diego, CA 92101  <b>Institution Code:</b> 3703801	<b>Citation Number:</b> 2324113
	<b>Total Fine Amount:</b> <b>\$10,503.00</b>
	<b>Order of Abatement Included:</b> Yes

Elizabeth Elias issues this modified citation in her official capacity as Enforcement Chief of the Bureau for Private Postsecondary Education, California Department of Consumer Affairs (hereinafter referred to as the "Bureau").

### LICENSING HISTORY

- On or about February 14, 2020, the Bureau renewed an Approval to Operate a Private Postsecondary Institution to College of English Language (hereinafter referred to as the "Institution"). This Approval to Operate will expire on or about August 1, 2027, unless renewed.

### DISCIPLINE HISTORY

- The Institution has the following discipline history:
  - [Modified Citation No. 1516085 issued June 20, 2016](#)
    - Evidence of compliance; citation satisfied June 27, 2016

### CITATION JURISDICTION

- This administrative citation is issued to the Institution pursuant to California Education Code (CEC) section 94936; and Title 5 of the California Code of Regulations (5 CCR) section 75020 et seq. for the violation(s) described below.

### CITATION HISTORY

- On or about November 15, 2023, the Bureau issued Citation No. 2324113. On or about December 1, 2023, the Bureau received an appeal with a request for an informal conference. The informal conference was held on

December 8, 2023. New substantive facts were presented during the informal conference; therefore, the Bureau modifies the citation as follows:

**CAUSE FOR CITATION &  
MODIFIED ASSESMENT OF FINE AND/OR ORDER OF ABATEMENT**

5. The Institution is in violation of the following Bureau laws and regulations:

<b>Violation #1:</b>
<b>5 CCR section 74110 – Annual Report in conjunction with CEC section 94934 – Annual Report</b>
<b>Cause for Citation:</b> A review of the Bureau's records confirm the Institution failed to submit all components of the 2021 Annual Report which was due to the Bureau by December 1, 2022. A reminder notice was sent to the Institution on or about the following dates: June 28, 2022, and July 14, 2022, and July 26, 2022.
<b>Administrative Fine:</b> Pursuant to 5 CCR section 75030, the Bureau has determined this to be a "Class A" violation. The Institution is issued a fine of \$5,000.00.
<b>Administrative Fine: Modified. The Institution is issued a fine of \$2,501.00. The violation remains as a Class A violation.</b>
<b>Order of Abatement:</b> Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:  The Bureau orders the Institution to submit the 2021 Annual Report pursuant to 5 CCR section 74110 and CEC section 94934.
<b>Order of Abatement: Affirmed. The Order of Abatement has been satisfied.</b>

<b>Violation #2:</b>
<b>5 CCR section 74112 (a) – Uniform Data – Annual Report, Performance Fact Sheet and 5 CCR section 71930 (e) – Maintenance Records</b>
<b>Cause for Citation:</b> On or about October 18, 2022, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5 (a). Bureau staff requested a copy of the substantiating data for the 2020-2021 School Performance Fact Sheet (SPFS) for review. Prior to the conclusion of the onsite

inspection, Bureau staff noted that the Institution's SPFS did not fully represent the Institution's approved programs. Additionally, the Institution combined program data from multiple approved programs into single SPFS and did not create individual SPFS for each program approved by the Bureau.

**Administrative Fine:** Pursuant to 5 CCR section 75030, the Bureau has determined this to be a "Class A" violation. The Institution is issued a fine of \$5,000.00.

**Administrative Fine: Affirmed.**

**Order of Abatement:** Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to correct the violation and submit a copy of the substantiating data for the 2021-2022 SPFS that includes all the required data pursuant to 5 CCR section 74112. In addition, the Institution must submit a statement of attestation they have corrected the violation and will ensure that the substantiating data for SPFS is maintained and immediately available during an inspection. The statement of attestation must be dated and signed by an authorized representative of the Institution.

**Order of Abatement: Affirmed.**

**Violation #3:**

**5 CCR section 71745 (a)(6) – Financial Resources, in conjunction with CEC section 94885 (a)(6)(9) – Minimum Operating Standards**

**Cause for Citation:** On or about October 18, 2022, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5 (a). During the inspection, Bureau staff requested a copy of the Institution's current financial statements for review; the Institution failed to meet the required ratio.

**Administrative Fine:** Pursuant to 5 CCR section 75030, the Bureau has determined this to be a "A" violation. The Institution is issued a fine of \$2,501.00.

**Administrative Fine: Affirmed.**

**Order of Abatement:** Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to submit the following:

1. Current financial statements for year-end 2022 which demonstrates compliance with 5 CCR section 71745 (a)(c).
2. In an electronic format, a roster of all currently enrolled students that includes the student: (1) names, (2) addresses, (3) telephone numbers, (4) email addresses, (5) program in which they are enrolled, (6) date of enrollment, (7) total cost of the program and (8) the total amount the student has paid.

**Order of Abatement: Affirmed.**

**Violation #4:**

**5 CCR section 71660 – Notifications of Non-Substantive Changes**

**Cause for Citation:** On or about October 18, 2022, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5 (a). During the inspection, Bureau staff identified an additional satellite location in Pacific Beach, California. Bureau records indicate that the Bureau has not approved this location, nor has the Bureau received a notification of a non-substantive change for the Pacific Beach satellite location. Further, Bureau staff found that the Institution's accreditor listed the Pacific Beach location in the accreditor's approval status.

**Administrative Fine:** Pursuant to 5 CCR section 75030, the Bureau has determined this to be a "Class C" violation. The Institution is issued a fine of \$501.00.

**Administrative Fine: Affirmed.**

**Order of Abatement:** Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to submit a written notice of the non-substantive change. Additionally, the written notice should contain documentation of the approval for the satellite location from the Institution's accreditor.

The Institution shall also submit a statement of attestation they have submitted the written notice of non-substantive change to the Bureau. The statement of

attestation shall be dated and signed by an authorized representative of the Institution.

**Order of Abatement: Affirmed.**

**Violation #5:**

**5 CCR section 74006 (a), (b) – Annual Fee in conjunction with CEC section 94931(b) – Late Payment**

**Cause for Citation:** The Institution failed to pay its annual fee and 90-day late payment penalty fee for the 2020 calendar year.

**Administrative Fine:** Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class C” violation. The Institution is issued a fine of \$501.00.

**Administrative Fine: Dismissed.**

**Order of Abatement:** Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to pay its annual fee and 90-day late payment penalty fee for the 2020 calendar year.

**Order of Abatement: Dismissed.**

**Violation #6:**

**5 CCR section 74006 (a), (b) – Annual Fee in conjunction with CEC section 94931(b) – Late Payment**

**Cause for Citation:** The Institution failed to pay its annual fee and 90-day late payment penalty fee for the 2021 calendar year.

**Administrative Fine:** Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class C” violation. The Institution is issued a fine of \$501.00.

**Administrative Fine: Dismissed.**

**Order of Abatement:** Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to pay its annual fee and 90-day late payment penalty fee for the 2021 calendar year.

**Order of Abatement: Dismissed.**

**Violation #7:**

**5 CCR section 74006 (a), (b) – Annual Fee in conjunction with CEC section 94931(b) – Late Payment**

**Cause for Citation:** The Institution failed to pay its annual fee and 90-day late payment penalty fee for the 2022 calendar year.

**Administrative Fine:** Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class C” violation. The Institution is issued a fine of \$501.00.

**Administrative Fine: Dismissed.**

**Order of Abatement:** Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to pay its annual fee and 90-day late payment penalty fee for the 2022 calendar year.

**Order of Abatement: Dismissed.**

**Violation #8:**

**5 CCR section 74006 (a), (b) – Annual Fee in conjunction with CEC section 94931(b) – Late Payment**

**Cause for Citation:** The Institution failed to pay its annual fee and 90-day late payment penalty fee for the 2023 calendar year.

**Administrative Fine:** Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class C” violation. The Institution is issued a fine of \$501.00.

**Administrative Fine: Dismissed.**

**Order of Abatement:** Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to pay its annual fee and 90-day late payment penalty fee for the 2023 calendar year.

**Order of Abatement: Dismissed.**

### COMPLIANCE WITH ORDER OF ABATEMENT

6. In accordance with the provisions of CEC section 94936 and 5 CCR sections 75020 and 75040, the Bureau issues the order(s) of abatement described above. Evidence of compliance with the order of abatement must be submitted to the Bureau within 30 days from the date of issuance of this modified citation. Evidence of compliance with the order of abatement may be sent by mail or email to:
- Mail: Bureau for Private Postsecondary Education  
Attn: Discipline Unit – Tessa Barron  
1747 North Market, Blvd., Suite 225  
Sacramento, CA 95834
  - Email: [bppe.discipline@dca.ca.gov](mailto:bppe.discipline@dca.ca.gov)
    - In the subject line, please include the Institution name and citation number.

### COMPLIANCE WITH ASSESSMENT OF FINE

7. In accordance with the provisions of CEC section 94936, and 5 CCR section 75020 et seq., the Bureau hereby orders this assessment of fines in the total amount of \$10,503.00 for the violations described above. Payment of the fines must be made to the Bureau within 30 days from the date of service of this modified citation. To assist the Bureau in processing the payment of fines, please submit the enclosed *Payment of Fine – Waiver of Appeal* form.

Payment must be sent to the Bureau by mail at:

Citation Number: 2324113  
Institution: College of English Language  
Institution Code: 3703801

- Bureau for Private Postsecondary Education  
Attn: Discipline Unit – Tessa Barron  
1747 North Market, Blvd., Suite 225  
Sacramento, CA 95834

### **NOTICE OF APPEAL RIGHTS**

8. Pursuant to 5 CCR section 75040(d), the modified decision is considered final, unless a request for a hearing was filed timely.

If the Institution requested a hearing and no longer chooses to proceed with the hearing, the Institution may request to withdraw the request for a hearing.

### **COMPLIANCE WITH FINE AND/OR ORDER OR ABATEMENT DISCLOSURE**

9. Pursuant to 5 CCR section 75050, payment of the fine and/or compliance with any order of abatement does not constitute an admission of the violation charged and shall be represented as satisfactory resolution of the matter for the purposes of public disclosure.

Pursuant to 5 CCR section 75050, failure to comply with this citation order, its order of abatement, and/or administrative fine by the required due date is grounds for denial or discipline of an approval to operate. Where a citation is not contested and fine is not paid, the full amount of the assessed fine shall be added to the fee for renewal of the approval to operate. An approval to operate shall not be renewed without payment of the renewal fee and fine. The Bureau may also enforce the administrative fine as if it were a money judgment pursuant to CEC section 94936.

### **BUREAU CONTACT INFORMATION**

10. If you have any questions regarding this Citation, please contact Tessa Barron, Citation Analyst by email at [Tessa.Barron@dca.ca.gov](mailto:Tessa.Barron@dca.ca.gov) or by phone at (916) 574-7791.

Citation Number: 2324113  
Institution: College of English Language  
Institution Code: 3703801

“Original Signature on File”

1/18/2024

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Elizabeth Elias  
Enforcement Chief

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Citation Date of Issuance

Enclosures:

- Payment of Fine
- Withdrawal of Request for Administration Hearing
- Declaration of Service by Certified and First-Class Mail