



APPEAL OF CITATION INFORMAL CONFERENCE
DECISION: CITATION MODIFIED

July 25, 2019

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

Date of Issuance	Citation Number	Institution Code
July 25, 2019	1819135	93159648

On April 3, 2019, an informal telephone conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. 1819135 (Citation) against Oikos University, Owner of Oikos University. In attendance were Beth Scott, Enforcement Chief; and Meewon Sul, Administrator.

Pursuant to Business and Professions Code, section 125.9; California Education Code, section 94936; and Title 5 of the California Code of Regulations, section 75020 and section 75040, the Bureau for Private Postsecondary Education (Bureau) renders the following decision relative to your appeal of the Citation No. 1819135.

It is the decision of the Enforcement Chief that on July 8, 2019, Citation No. 1819135 is modified and makes the following change(s):

VIOLATION CODE SECTIONS

#	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>CEC Section 94897(m) - Prohibited Business Practices</p> <p>"An institution shall not do any of the following:</p> <p>(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>

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.

Order of Abatement:

The Bureau orders the Institution to submit a policy and procedure on how they will maintain compliance with CEC section 94897(m).

Reason for modification: New Substantive facts presented at Informal Conference. Order of Abatement has been satisfied.

Assessment of Fine

The fine for this violation is \$501.00

The administrative fine for this violation has been modified from \$501.00 to \$250.00.

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.

Modified:

On March 23, 2017, 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.

Order of Abatement:

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.

Reason for modification: New Substantive facts presented at Informal Conference. Order of Abatement has been satisfied.

Assessment of Fine

The fine for this violation is \$2,500.00

The administrative fine for this violation has been modified from \$2,500.00 to \$1,000.00.

3. **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.

Modified:

On March 23, 2017, 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.

Order of Abatement:

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.

Reason for modification: New Substantive facts presented at Informal Conference. Order of Abatement has been satisfied.

Assessment of Fine

The fine for this violation is \$50.00

TOTAL MODIFIED ADMINISTRATIVE FINE DUE: \$1,300.00

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:

Ray Delaney, 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. 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.

EFFECTIVE DATE OF CITATION AND FINE ASSESSMENT

This modified Citation is effective on July 25, 2019. The payment is due by **August 24, 2019**.

Failure to pay the administrative fine within the time allowed is grounds for denial of an application for an approval to operate or discipline. The Bureau will promptly take all appropriate action to


enforce the modified Citation and recover the civil penalties prescribed therein or found to be due after a hearing.

CONTACT INFORMATION

Should you have any questions regarding this decision or desire further information, please contact Ray Delaney, Citation Analyst, at (916) 431-6946 or at Ray.Delaney@dca.ca.gov.



Christina Villanueva
Discipline Manager



Date

Enclosures

- Payment of Fine – Waiver of Appeal Rights
- Declaration of Service by Certified and First-Class Mail