



BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
 DEPARTMENT OF CONSUMER AFFAIRS • BUREAU FOR PRIVATE POSTSECONDARY EDUCATION
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APPEAL OF CITATION INFORMAL CONFERENCE
DECISION: CITATION MODIFIED

August 12, 2019

American Institute for Educational Exchange, LLC, Owner
 American English Institute
 5225 Canyon Crest Dr. #451
 Riverside, CA 92507

Date of Issuance	Citation Number	Institution Code
August 12, 2019	1819192	60351133

On June 20, 2019, an informal telephone conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. 1819192 (Citation) against American Institute for Educational Exchange, LLC, Owner of American English Institute (Institution). In attendance were Beth Scott, Enforcement Chief; and Sandra Adams, Owner.

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. 1819192.

It is the decision of the Enforcement Chief that on June 20, 2019, Citation No. 1819192 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>VIOLATION</p> <p>5, CCR Section 71770 (a)(1) Admissions Standards and Transferred Credits Policy</p> <p><i>(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:</i></p> <p><i>(1) Each student admitted to an undergraduate degree program, or a diploma program, shall possess a high school diploma or its equivalent, or otherwise successfully take and pass the relevant examination as required by section 94904 of the Code.</i></p> <p>CEC Section 94904 (c) Ability to Benefit Students</p>

(c) The bureau shall, on or before July 1, 2016, review the list of examinations prescribed by the United States Department of Education. If the bureau determines there is no examination on the list appropriate for ability-to-benefit students with limited English proficiency, the bureau shall approve an alternative examination for these students. When approving the alternative examination, the bureau may consider the Comprehensive Adult Student Assessment System examination.

The Institution failed to submit a request to the Bureau for an approval to use the alternate Ability to Benefit test that was being used to place students in the appropriate English language level class. On March 7, 2019, during the inspection, the Institution representative sent an email to the Bureau's Education Administrator requesting that the English language assessment test the Institution was using, be approved as an alternate ATB test.

On March 12, 2019, the Bureau approved the proposed ATB test.

Reason for modification: This violation has been corrected.

Assessment of Fine

The fine for this violation is \$50.00

The administrative fine for this violation has been modified from \$50.00 to \$00.00

2. **VIOLATION**

5, CCR Section 71920 (b)(1)(A)

(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:

(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;

The Institution failed to maintain verification of a high school completion, a GED, or an Ability to Benefit test in all of the student files reviewed by Bureau staff.

Order of Abatement:

The Bureau orders the Institution to submit an established policy and procedure of how the Institution will stay in compliance with 5, CCR section 71920 (b)(1)(A).

Reason for modification: New substantive facts were presented at the conference. The abatement for this violation has been satisfied.

Assessment of Fine

The fine for this violation is \$500.00

The administrative fine for this violation has been modified from \$500.00 to \$100.00

TOTAL MODIFIED ADMINISTRATIVE FINE DUE: \$100.00

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:

Cheryl Lardizabal, 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 August 12, 2019. The payment is due by **September 11, 2019**.

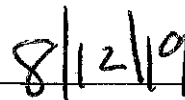
Failure to pay the administrative fine within the time allowed is grounds for denial of an application for an approval to operate or discipline. The Bureau will promptly take all appropriate action to enforce the modified Citation and recover the civil penalties prescribed therein or found to be due after a hearing.

CONTACT INFORMATION

Should you have any questions regarding this decision or desire further information, please contact Cheryl Lardizabal, Citation Analyst, at (916) 621-2591 or at Cheryl.Lardizabal@dca.ca.gov.



Christina Villanueva
Discipline Manager



Date

Enclosures

- Payment of Fine
- Declaration of Service by Certified and First-Class Mail