



CITATION ORDER

<p>Citation Issued To: International Academy of English / San Diego (formerly known as San Diego International Academy of English) 1729 5th Avenue 3rd floor San Diego, CA 92110</p> <p>Institution Code: 3711341</p>	<p>Citation Number: 24250156</p>
	<p>Total Fine Amount: \$11,003.00</p>
	<p>Order of Abatement Included: Yes</p>

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

LICENSING HISTORY

1. On or about January 16, 2020, the Bureau renewed an Approval to Operate an Accredited Private Postsecondary Institution, Institution Code 3711341, to International Academy of English / San Diego (formerly known as San Diego International Academy of English) hereinafter referred to as the "Institution". This Approval to Operate will expire on or about August 31, 2028, unless renewed.

DISCIPLINE HISTORY

2. The Institution has the following discipline history:
 - [Affirmed Citation No. 2021034, issued on October 15, 2020](#)

CITATION JURISDICTION

3. 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.

CAUSE FOR CITATION & ASSESSMENT OF FINE AND/OR ORDER OF ABATEMENT

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

Citation Number: 24250156

Institution: International Academy of English / San Diego

Institution Code: 3711341

Violation #1:

5 CCR section 74112(m)(2-9) Uniform Data – Annual Report, Performance Fact Sheet and 5 CCR section 71930(e) – Maintenance of Records

Cause for Citation: On or about December 18, 2023, the Bureau conducted an unannounced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff requested documentation supporting data reported on the Institutions 2020/2021 School Performance Fact Sheet (SPFS). Upon review of the SPFS, Bureau staff found that the Institution's documentation for 2020/2021 failed to include all the required data points; specifically, the following data points as identified in 5 CCR section 74112 (m)(2-9).

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 \$2,501.00.

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 by providing an electronic copy of the template used by the Institution to document supporting data for SPFS, for the Bureau to verify the Institution is collecting the required data points pursuant to 5 CCR section 74112 and 71930.

In addition, the Institution must submit a statement of attestation they have corrected the violation and will ensure that the supporting 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.

Violation #2:

5 CCR section 71720(b)(2) – Faculty, 5 CCR section 71930(e) – Maintenance of Records and CEC 94900.5(b) – Required Institutional Records

Citation Number: 24250156

Institution: International Academy of English / San Diego

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Cause for Citation: On or about December 18, 2023, the Bureau conducted an unannounced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff reviewed three faculty records and determined that the Institution did not maintain faculty records regarding continuing education (CE) courses in the subject area, classroom management or other courses related to teaching.

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 \$1,000.00.

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

The Bureau orders the Institution to ensure all faculty records follow the law pursuant to 5 CCR sections 71720, 71930 and CEC section 94900.5. The Institution must submit a statement of attestation they have corrected the violation and ensured that all faculty records are in compliance with the law. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Violation #3:

CEC section 94900 – Required Student Records, 5 CCR section 71920 Student Records and 5 CCR section 71930(e) – Maintenance of Records

Cause for Citation On or about December 18, 2023, the Bureau conducted an unannounced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff requested student records for current, graduated, and withdrawn students. It was found the Institution did not maintain files in a way which identified students as graduated or withdrawn, therefore; the inspector was unable to review graduated and withdrawn student files.

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 \$2,501.00.

Citation Number: 24250156

Institution: International Academy of English / San Diego

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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 statement of attestation they will maintain required student records pursuant to CEC section 94900 and 5 CCR sections 71920 and 71930. The statement of attestation must be signed and dated by an authorized representative of the Institution.

Violation #4:

5 CCR section 71750(f) – Withdrawals and Refunds

Cause for Citation: On or about December 18, 2023, the Bureau conducted an unannounced compliance inspection pursuant to CEC section 94932.5(a). During the inspection, it was determined that the Institution did not maintain a cancellation and withdrawal log.

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 \$2,501.00.

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 statement of attestation confirming the Institution will maintain a cancellation and withdrawal log in compliance with 5 CCR section 71750(f). The statement of attestation must be dated and signed by an authorized representative of the Institution.

Violation #5:

CEC section 94935(b) and (h) – Notice to Comply and 5 CCR 75010(h) - Notice to Comply; Informal Appeal Process.

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Cause for Citation: On or about December 18, 2023, the Bureau conducted an unannounced compliance inspection pursuant to CEC section 94932.5(a). At the conclusion of the inspection, Bureau staff issued a Notice to Comply (NTC) pursuant to CEC section 94935 and 5 CCR section 75010.

The Institution failed remedy the following noncompliance as noted in the Notice to Comply within 30 days:

- CEC section 94920(b) - Mandatory Cancellation, Withdrawal, and Refund Policies
- 5 CCR section 71810(b)(4)(A) – Catalog
- 5 CCR section 76120(a) - Amount of STRF Assessment
- 5 CCR section 71750(c)(1) - Withdrawals and Refunds

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class B” violation. The Institution is issued a fine of \$2,500.00.

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 violations identified in the Notice to Comply and submit proof of compliance pursuant to CEC section 94935 and 5 CCR section 75010.

COMPLIANCE WITH ORDER OF ABATEMENT

5. In accordance with the provisions of CEC section 94936 and 5 CCR section 75020, 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 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 – Nicole Pedersen
1747 North Market, Blvd., Suite 225
Sacramento, CA 95834
- Email: bppe.discipline@dca.ca.gov

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- In the subject line, please include the Institution name and citation number.

COMPLIANCE WITH ASSESSMENT OF FINE

6. In accordance with the provisions of CEC section 94936, and 5 CCR sections 75020 and 75030, the Bureau hereby orders this assessment of fines in the total amount of \$11,003.00 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 citation unless an informal conference or hearing is requested. 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:

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

NOTICE OF APPEAL RIGHTS

7. You have the right to contest this citation through an informal conference with the Bureau pursuant to 5 CCR section 75020 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 may submit a written request to the Bureau or submit the enclosed *Notice of Appeal of Citation – Request for Informal Conference and/or Administrative Hearing* form within 30 days from the date of issuance of this citation.

Failure to submit a written request for an informal conference and/or administrative hearing within 30 days from the date of issuance of this citation will forfeit your ability to appeal the citation.

If a hearing is requested, you are not required to comply with this citation until a final order is entered against you.

COMPLIANCE WITH FINE AND/OR ORDER OR ABATEMENT DISCLOSURE

8. Pursuant to BPC section 125.9 and 5 CCR section 75050, payment of 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.

BUREAU CONTACT INFORMATION

9. If you have any questions regarding this Citation, please contact Nicole Pedersen, Citation Analyst by email at Nicole.Pedersen@dca.ca.gov or by phone at (916) 232-0510.

“Original Signature on File”

12/4/2024

Elizabeth Elias
Deputy Bureau Chief of Enforcement

Citation Date of Issuance

Enclosures:

- 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