



**Bureau for Private Postsecondary Education**  
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**APPEAL OF CITATION INFORMAL CONFERENCE**  
**DECISION: CITATION AFFIRMED**

August 20, 2015

Sally Carter  
 Fellowship Bible Institute & College of Theology & Urban Studies  
 200 Plymouth Avenue  
 San Francisco, CA 94112

Date of Issuance	Citation Number	Institution Code
August 20, 2015	1415066	3803171

On August 7, 2015 an informal telephone conference was scheduled in the matter of Citation: Assessment of Fine and Order of Abatement No. 1415066 (Citation) against Rev. Gerald Mann, owner of Fellowship Bible Institute & College of Theology & Urban Studies. Alyson Cooney, Deputy Bureau Chief, Mina Hamilton, DCA Legal and Sally Carter, Administrator.

Pursuant to Business and Professions Code, §125.9; California Education Code, §94936; and Title 5 of the California Code of Regulations, §75020 and §75040, the Bureau for Private Postsecondary Education (Bureau) renders the following decision relative to your appeal of the Citation No. 1415066.

It is the decision of the Bureau Chief that on August 20, 2015 Citation No. 1415066 is affirmed for the following reason(s):

- Institution has failed to submit the 2013 Annual Report.
- Institution is stating that they are no longer operating as a school, however, they have not notified the Bureau of the school closure or surrendered their approval to operate.

**VIOLATION CODE SECTIONS**

#	The California Education Code (CEC) and the California Code of Regulations (CCR). Below you will find the section(s) you are charged with violating.
1.	<b><u>Violation:</u></b> 5, CCR 74110 (a-d) – Annual Report <i>“(a) The annual report required by section 94934 of the Code shall include the information required by</i>

section 94934 for all educational programs offered in the prior calendar year. (b) In addition to the information required by section 94934 provided under penalty of perjury, the institution shall have annual financial statements prepared for the institution's prior fiscal year and signed under penalty of perjury, and shall submit a hard copy under separate cover of such statements in conjunction with its annual report. The form, content and mode of preparation of financial statements shall comply with section 74115 of this Division. The Bureau may request that the institution immediately make available for inspection to a representative of the Bureau, these financial statements at the offices of the institution. (c) An institution shall file its annual report by September 1st. The Bureau may extend the period for filing if the institution demonstrates evidence of substantial need but in no case longer than 60 days. The institution shall not change the date of its filing its annual report because of a change in the fiscal year without the Bureau's approval. (d) The annual report shall be electronically filed by submitting the information required by section 94934 of the Code via the Bureau's website, electronically attaching, as directed, the School Performance Fact Sheet and the school catalog. An institution without the capability to submit the information electronically shall inform the Bureau not less than 45 days prior to the date the information is required by subdivision (c), and receive direction on alternative means of submission."

#### CEC 94934(a)(1-9) - Annual Report

"(a) As part of the compliance program, an institution shall submit an annual report to the bureau, under penalty of perjury, signed by a responsible corporate officer, by July 1 of each year, or another date designated by the bureau, and it shall include the following information for educational programs offered in the reporting period:

(1) The total number of students enrolled by level of degree or for a diploma.

(2) The number of degrees, by level, and diplomas awarded.

(3) The degree levels and diplomas offered.

(4) The Student Performance Fact Sheet, as required pursuant to Section 94910.

(5) The school catalog, as required pursuant to Section 94909.

(6) The total charges for each educational program by period of attendance. (7) A statement indicating whether the institution is, or is not, current in remitting Student Tuition Recovery Fund assessments.

(8) A statement indicating whether an accrediting agency has taken any final disciplinary action against the institution.

(9) Additional information deemed by the bureau to be reasonably required to ascertain compliance with this chapter."

On 4/7/14, the Bureau mailed a letter to the institution stating that the 2013 Annual Report must be submitted beginning 7/1/14 and no later than 9/1/14. On 11/4/14, the Bureau mailed a second letter to the institution stating that the Bureau had not received the required 2013 Annual Report by the 9/1/14 deadline. To date, the institution has failed to file its 2013 Annual Report.

#### **Order of Abatement:**

The Bureau orders the institution to submit its annual report in accordance with 5, CCR 74110 (a-d) and CEC 94934. The option to submit the annual report via the Bureau website has expired. Please submit a CD or flash drive\* containing the annual report with the required information.

#### **Assessment of Fine**

The fine for this violation is \$5,000.00

