



APPEAL OF CITATION INFORMAL CONFERENCE
DECISION: CITATION MODIFIED

March 25, 2019

Feldenkrais Institute of San Diego, LLC., Owner
 Feldenkrais Institute of San Diego
 3680 6th Avenue
 San Diego, CA, 92103

Date of Issuance	Citation Number	Institution Code
March 25, 2019	1819118	Unapproved

On March 6, 2019, an informal telephone conference was held in the matter of Citation: Assessment of Fine No. 1819118 (Citation) against Feldenkrais Institute of San Diego, LLC., Owner of Feldenkrais Institute of San Diego. In attendance were Leeza Rifredi, Deputy Bureau Chief; and Elizabeth Beringer, Owner.

Pursuant to Business and Professions Code, section 148; California Education Code (CEC), section 94944; and Title 5 of California Code of Regulations (5, CCR), section 75020 and section 75040, the Bureau for Private Postsecondary Education (Bureau) renders the following decision relative to your appeal of the Citation No. 1819118.

It is the decision of the Deputy Bureau Chief that on March 6, 2019, Citation No. 1819118 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>MODIFIED</p> <p><u>Violation:</u></p> <p>CEC Section 94886. Approval to Operate Required <i>"Except as exempted in Article 4 (commencing with Section 94874) or in compliance with the transition provisions in Article 2 (commencing with Section 94802), a person shall not open, conduct, or do business as a private postsecondary educational institution in this state without obtaining an approval to operate under this chapter."</i></p> <p>CEC Section 94817.5. Approved to Operate or Approved <i>"Approved to operate" or "approved" means that an institution has received authorization pursuant to this chapter to offer to the public and to provide postsecondary educational programs."</i></p> <p>CEC Section 94868. To Offer to the Public <i>"To offer to the public" means to advertise, publicize, solicit, or recruit."</i></p>

CEC Section 94869. To Operate

"To operate" means to establish, keep, or maintain any facility or location in this state where, or from which, or through which, postsecondary educational programs are provided."

On September 17, 2012, the Institution submitted an Application for an Approval to Operate an Institution (Non-Accredited) to the Bureau. On September 18, 2012, Bureau staff sent an acknowledgement letter to the Institution advising receipt of the application. The letter also informed the school that per section 94886, "... a person shall not open, conduct, or do business as a private postsecondary educational institution in this state without obtaining an approval to operate under this chapter."

According to a statement on the Institution's application document, the school "currently has twenty-two (22) students enrolled in the fourth year of an ongoing training".

On June 23, 2016, Bureau staff accessed the Institution's website at www.feldenkraisresources.com and located the following documents:

- Feldenkrais Institute of San Diego Tuition and Price List;
- San Diego Professional Feldenkrais Method Training Program Student Application;
- The San Diego Feldenkrais Professional Training Program Catalog, undated.

The tuition was listed at a price of \$4,500.00 per year, with a total cost of \$18,000.00 for a four-year program. The Institution does not qualify as an exempt institution as defined by CEC 94874. Categories of Exempt Institutions.

On February 26, 2018, Bureau staff conducted a field visit to the Institution's location at 3680 6th Avenue, San Diego, CA, 92261., and collected an Institution business card and captured photographs of the Institution's exterior business sign, advertisement flyer, and student sign-in sheet and attendance records.

On April 19, 2018, the Institution obtained an Approval to Operate an Institution Non-Accredited.

Reason for modification: New substantive facts were presented at the conference.

The administrative fine for this violation has been modified from \$50,000.00 to \$00.00.

TOTAL MODIFIED ADMINISTRATIVE FINE DUE: \$00.00

APPEAL OF CITATION

You *do not* have the right to request another Informal Conference to appeal this modified Citation. You *do*, however, have the right to appeal this modified Citation through an Administrative Hearing, *only if* you initially requested one within 30 days from the issuance date of the original citation. A hearing before an Administrative Law Judge will be scheduled and you will be notified of the hearing date. The hearing will be held pursuant to Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. 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.

If you do not wish to appeal this modified Citation you must withdraw your initial request for an Administrative Hearing, if one was made. Please complete and mail the enclosed Withdrawal - Request for Administrative Hearing within **30 Days** of the date of this decision.

EFFECTIVE DATE OF CITATION AND FINE ASSESSMENT

This modified Citation is effective on **March 25, 2019**.

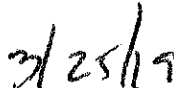
Failure to abate the violation or to pay the administrative fine within the time allowed is grounds for denial of an application for an approval to operate or discipline. The Bureau will promptly take all appropriate action to enforce the Modified Citation and recover the civil penalties prescribed therein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

CONTACT INFORMATION

If 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

- Withdrawal- Request for Administrative Hearing
- Declaration of Service by Certified and First-Class Mail