



**Bureau for Private Postsecondary Education**  
1747 N. Market Blvd. Ste 225 Sacramento, CA 95834  
P.O. Box 980818, West Sacramento, CA 95798-0818  
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**CITATION: ASSESMENT OF FINE AND ORDER OF ABATEMENT**

To: Kaplan, LTD UK, Owner  
Kaplan International  
660 6th Avenue 2nd Floor  
San Diego, CA 92101

**INSTITUTION CODE: 98908128**  
**CITATION NUMBER: 2122008**  
**CITATION ISSUANCE/SERVICE DATE: July 21, 2021**  
**DUE DATE: August 20, 2021**  
**FINE AMOUNT: \$ 1,000.00**  
**ORDER OF ABATEMENT INCLUDED: YES**

Christina Villanueva issues this Citation: Assessment of Fine and Order of Abatement (Citation) in her official capacity as Discipline Manager of the Bureau for Private Postsecondary Education (Bureau) of the California Department of Consumer Affairs.

CITATION

A Citation is hereby issued to Kaplan, LTD UK, Owner of Kaplan International (Institution) located at, 660 6th Avenue 2nd Floor, San Diego, CA 92101, pursuant to Business and Professions Code section 125.9; California Education Code (CEC) section 94936; and Title 5 of the California Code of Regulations (5, CCR) section 75020 for the violations described below.

BACKGROUND

On April 6, 2021, the Bureau received a complaint alleging that the Institution moved all their students to online in mid-March 2020 without obtaining Bureau approval to offer distance learning. Through the course of the investigation and evidence obtained Bureau staff found potential violations.

VIOLATION(S)

#	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><b>Violation:</b>  <b>5, CCR, Section 71600 – Application for Significant Change in Method of Instructional Delivery</b></p> <p><i>“(a) An institution seeking to make a significant change in its method of instructional delivery shall complete the “Significant Change in Method of Instructional Delivery” form (INS rev. 2/10) to obtain prior authorization. For the purposes of this section a “significant change in instructional delivery” is any change that alters the way students interact with faculty or access significant equipment. The form shall be submitted to the Bureau along with the appropriate fee as provided in Section 94930.5(c) of the Code. For an institution approved under section 94885 of the Code, it shall be signed and dated by the signatory(ies) required by section 71380, and for an institution approved under section 94890</i></p>

of the Code, it shall be signed and dated by the signatory(ies) required by section 71390, and each fact stated therein and each attachment thereto shall be declared to be true under penalty of perjury, in the following form:"

**CEC Section 94893 – Authorization Required for Substantive Change**

*"If an institution intends to make a substantive change to its approval to operate, the institution shall receive prior authorization from the bureau. Except as provided in subdivision (a) of Section 94896, if the institution makes the substantive change without prior bureau authorization, the institution's approval to operate may be suspended or revoked."*

**CEC Section 94894 – Substantive Change Defined**

*"The following changes to an approval to operate are considered substantive changes and require prior authorization:*

*(g) A significant change in the method of instructional delivery"*

**CEC Section 94896 - Substantive Change for Institutions Approved by Means of Accreditation**

*"(a) An institution that has been granted an approval to operate by means of accreditation shall only make a substantive change in accordance with the institution's accreditation standards.*

*(b) The institution shall notify the bureau of the substantive change on a form provided by the bureau."*

**The Institution failed to notify the Bureau of its intention to make a substantive change. The Institution began offering distance education in mid-March 2020, without receiving prior authorization from the Bureau.**

**Order of Abatement:**

The Bureau orders the Institution to submit an Application for a Change in Method of Instructional Delivery if they wish to offer distance learning education. The Institution shall not offer distance learning education and/or distance learning hours until approval from the Bureau is obtained. The Institution shall submit evidence of compliance to the Bureau.

**Assessment of Fine**

The fine for this violation is \$1,000.00

**TOTAL ADMINISTRATIVE FINE DUE: \$1,000.00**

ASSESSMENT OF A FINE

In accordance with CEC section 94936; and 5, CCR sections 75020 and 75030, the Bureau hereby orders this assessment of fine in the amount of **\$1,000.00** for the violations described above.

**Payment must be made, to the Bureau, within 30 days from the date of service of the Citation.**

COMPLIANCE WITH ORDER OF ABATEMENT

In accordance with the provisions of CEC section 94936 and 5, CCR section 75020 the Bureau hereby 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 service of the Citation.**

APPEAL OF CITATION

You have the right to contest this Citation through an informal conference with the Bureau; 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 must submit the 'Notice of Appeal of Citation – Request for Informal Conference **and/or** Administrative Hearing' form (enclosed) within 30 days from the date of service of the Citation. *If you do not request an informal conference **and/or** an administrative hearing within 30 days from the service of the Citation, you will not be able to request one at a later time.*

Unless a written request for an informal conference **and/or** an administrative hearing is signed by you and delivered to the Bureau by **August 20, 2021**, you will be deemed to have waived or forfeited your right to appeal this matter.

EFFECTIVE DATE OF CITATION

If you do not request an informal conference and/or an administrative hearing, this Citation shall become effective on **July 21, 2021**. Evidence of compliance with the order(s) of abatement shall be due by **August 20, 2021**.

If a hearing is requested, you will not be required to comply with this Citation until 30 days after a final order is entered against you.

**Payment of the administrative fine and/written request for appeal must be mailed to:**

Cheryl Lardizabal, Discipline Citation Program  
Bureau for Private Postsecondary Education  
1747 N. Market Blvd., Suite 225  
Sacramento, CA 95834

Failure for an applicant or institution to abate the violation(s) listed above or to pay the administrative fine within the time allowed may result in denial of an application for an approval or renewal to operate; disciplinary action, and/or collection action. The Bureau will promptly take all appropriate action to enforce this 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 Citation, or desire further information, please contact Cheryl Lardizabal, Citation Analyst, at (916) 574-8968 or Cheryl.Lardizabal@dca.ca.gov.

“Original signature on file”

“7/21/2021”

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**Christina Villanueva**  
**Discipline Manager**

\_\_\_\_\_  
**Date**

## Enclosures

- Applicable Laws Violated
- Statement of Rights: Appeal Process Information Sheet
- 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