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8 **BEFORE THE**
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **FOR THE BUREAU FOR PRIVATE POSTSECONDARY EDUCATION**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Statement of Issues
12 Against:

Case No. 1002246

13 **TEACHERS COLLEGE – GOODYEAR**
14 **AZ DBA TEACHERS COLLEGE**
15 **CALIFORNIA**

STATEMENT OF ISSUES

16 **Application for Approval to Operate for an**
17 **Institution Non-Accredited**

18 **Application Number 27035**
19 **School Code: Unapproved**

20 Respondent.

21 Complainant alleges:

22 **PARTIES**

23 1. Complainant Leeza Rifredi brings this Statement of Issues solely in her official
24 capacity as the Deputy Bureau Chief of the Bureau for Private Postsecondary Education (Bureau),
25 Department of Consumer Affairs.

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1 2. On January 29, 2014, the Bureau for Private Postsecondary Education received an
2 Application for Approval to Operate an Institution Non-Accredited from Teachers College –
3 Goodyear AZ DBA Teachers College California (Respondent). The application was assigned
4 application number 27035. The Bureau denied the application on November 8, 2016 and
5 Respondent timely appealed.

6 **JURISDICTION**

7 3. This Statement of Issues is brought before the Director of the Department of
8 Consumer Affairs for the Bureau under the authority of the following laws. All section
9 references are to the Education Code unless otherwise indicated.

10 4. Section 94875 authorizes the Bureau to regulate private postsecondary educational
11 institutions under the California Private Postsecondary Education Act of 2009, Education Code
12 sections 94800 through 94950.

13 **STATUTES AND REGULATIONS**

14 *Standards for Evaluating Applications to Operate and Their Renewal*

15 5. In pertinent part, section 94885 requires the Bureau to adopt certain minimum
16 operating standards for institutions:

17 (a) The bureau shall adopt by regulation minimum operating standards for
18 an institution that shall reasonably ensure that all of the following occur:

19 (1) The content of each educational program can achieve its stated
20 objective.

21 (2) The institution maintains specific written standards for student
22 admissions for each educational program and those standards are related to the
23 particular educational program.

24 (3) The facilities, instructional equipment, and materials are sufficient to
25 enable students to achieve the educational program's goals.

26 ...

27 (9) The institution is maintained and operated in compliance with this
28 chapter and all other applicable ordinances and laws.

6. Section 94887 dictates when the Bureau may grant an application to operate:

An approval to operate shall be granted only after an applicant has
presented sufficient evidence to the bureau, and the bureau has independently verified
the information provided by the applicant through site visits or other methods deemed
appropriate by the bureau, that the applicant has the capacity to satisfy the minimum
operating standards. The bureau shall deny an application for an approval to operate if

1 the application does not satisfy those standards.

2 Statutes and Regulations Governing Institutions' Instruction and Degrees Offered

3 7. Section 94899 states:

4 If an institution offers an educational program in a profession,
5 occupation, trade, or career field that requires licensure in this state, the institution
6 shall have an educational program approval from the appropriate state licensing
7 agency to conduct that educational program in order that a student who completes the
8 educational program, except as provided in Section 94905, is eligible to sit for any
9 required licensure examination.

8 Statutes and Regulations Governing Institutions' Description of Educational Programs

9 8. Section 94909 states:

10 (a) Except as provided in subdivision (d), prior to enrollment, an
11 institution shall provide a prospective student, either in writing or electronically, with
12 a school catalog containing, at a minimum, all of the following:

12 ...

13 (5) A description of the programs offered and a description of the
14 instruction provided in each of the courses offered by the institution, the requirements
15 for completion of each program, including required courses, any final tests or
16 examinations, any required internships or externships, and the total number of credit
17 hours, clock hours, or other increments required for completion.

16 9. California Code of Regulations Title 5 (CCR), section 70000 states in pertinent part:

17 (y) "Semester" means at least 15 weeks of instruction or its equivalent as
18 described in subdivision (z)(2) of this section.

18 (z) "Semester unit" means either of the following:

19 (1) At least fifteen (15) hours of college or university level instruction
20 during a semester plus a reasonable period of time outside of instruction which an
21 institution requires a student to devote to preparation for planned learning
22 experiences, such as preparation for instruction, study of course material, or
23 completion of educational projects; or

22 (2) Planned learning experiences equivalent to the learning and
23 preparation described in paragraph (1) as determined by duly qualified faculty
24 responsible for evaluating learning outcomes for the award of unit credits.

24 10. CCR section 71710 states in pertinent part:

25 In order to meet its mission and objectives; the educational program
26 defined in section 94837 of the Code shall be comprised of a curriculum that
27 includes:

27 ...

28 (b) subject areas and courses or modules that are presented in a logically
organized manner or sequence to students;

1 (c) course or module materials that are designed or organized by duly
qualified faculty. For each course or module, each student shall be provided with a
2 syllabus or course outline that contains:

3 (1) a short, descriptive title of the educational program;

4 (2) a statement of educational objectives;

5 ...

6 (6) sequential and detailed outline of subject matter to be addressed or a
list of skills to be learned and how those skills are to be measured;

7 ...

8 (e) specific learning outcomes tied to the sequence of the presentation of
the material to measure the students' learning of the material;

9 11. CCR section 71715 states in pertinent part:

10 (b) The institution shall document that the instruction offered leads to the
achievement of the learning objectives of each course.

11 Statutes and Regulations Governing Institutions' Facilities and Equipment

12 12. CCR section 71260 states in pertinent part:

13 (a) For each program offered, the Form Application 94886 shall contain a
description of the facilities and the equipment which is available for use by students
14 at the main, branch, and satellite locations of the institution.

15 ...

16 (d) The description shall include specifications of significant equipment
that demonstrate that the equipment meets the standards prescribed by the Code and
this chapter and is sufficient to enable students to achieve the educational objectives
17 of each education program.

18 13. CCR section 71735 states in pertinent part:

19 (a) An institution shall have sufficient facilities and necessary equipment
to support the achievement of the educational objectives of all of the courses and
20 educational programs in which students are enrolled. If an institution represents that
the educational service will fit or prepare a student for employment in a particular
21 occupation or as described in particular job titles, either of the following conditions
shall be met: ...

22 Statutes and Regulations Governing Institutions' School Catalogs

23 14. Section 94898 states in pertinent part:

24 (b) After a student has enrolled in an educational program, the institution
shall not do either of the following:

25 (1) Make any unscheduled suspension of any class unless caused by
26 circumstances beyond the institution's control.

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1 15. Section 94909 sets minimum standards for institutions' school catalogs:

2 "(a) Except as provided in subdivision (d), prior to enrollment, an
3 institution shall provide a prospective student, either in writing or electronically, with
4 a school catalog containing, at a minimum, all of the following:

5 ...

6 (5) A description of the programs offered and a description of the
7 instruction provided in each of the courses offered by the institution, the requirements
8 for completion of each program, including required courses, any final tests or
9 examinations, any required internships or externships, and the total number of credit
10 hours, clock hours, or other increments required for completion.

11 (6) If the educational program is designed to lead to positions in a
12 profession, occupation, trade, or career field requiring licensure in this state, a notice
13 to that effect and a list of the requirements for eligibility for licensure.

14 ...

15 (8) A detailed description of institutional policies in the following areas:

16 (A) Admissions policies, including the institution's policies regarding the
17 acceptance of credits earned at other institutions or through challenge examinations
18 and achievement tests, admissions requirements for ability-to-benefit students, and a
19 list describing any transfer or articulation agreements between the institution and any
20 other college or university that provides for the transfer of credits earned in the
21 program of instruction. If the institution has not entered into an articulation or transfer
22 agreement with any other college or university, the institution shall disclose that fact.

23 ...

24 (D) Attendance policies.

25 16. Section 94920 states in pertinent part:

26 An institution that does not participate in the federal student financial aid
27 programs shall do all of the following:

28 ...

(b) Institutions shall refund 100 percent of the amount paid for
institutional charges, less a reasonable deposit or application fee not to exceed two
hundred fifty dollars (\$250), if notice of cancellation is made through attendance at
the first class session, or the seventh day after enrollment, whichever is later.

17. CCR section 71750 states in pertinent part:

(a) Every institution shall make refunds that are no less than the refunds
required under the Act and this Division.

...

(c) A pro rata refund pursuant to section 94919(c) or 94920(d) or 94927
of the Code shall be no less than the total amount owed by the student for the portion
of the educational program provided subtracted from the amount paid by the student,
calculated as follows:

...

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1 (3) Except as provided herein, all amounts that the student has paid shall
2 be subject to refund unless the enrollment agreement and the refund policy outlined in
3 the catalog specify amounts paid for an application fee or deposit not more than
4 \$250.00, books, supplies, or equipment, and specify whether and under what
5 circumstances those amounts are non-refundable. Except when an institution provides
6 a 100% refund pursuant to section 94919(d) or section 94920(b) of the Code, any
7 assessment paid pursuant to section 94923 of the Code is non-refundable.

8 18. CCR section 71810 sets additional requirements for catalogs:

9 (a) Each institution shall provide a catalog pursuant to section 94909 of
10 the Code, which shall be updated annually. Annual updates may be made by the use
11 of supplements or inserts accompanying the catalog. If changes in educational
12 programs, educational services, procedures, or policies required to be included in the
13 catalog by statute or regulation are implemented before the issuance of the annually
14 updated catalog, those changes shall be reflected at the time they are made in
15 supplements or inserts accompanying the catalog.

16 (b) The catalog shall contain the information prescribed by Section 94909
17 of the Code and all of the following:

18 ...

19 (12) A description of all student services;

20 BACKGROUND

21 19. On January 29, 2014, the Bureau received Respondent's Application for Approval to
22 Operate an Institution Non-Accredited. The Bureau assigned it Application Number 27035.

23 20. Following numerous subsequent responsive submittals of documents from
24 Respondent, the Bureau received Respondent's final draft catalog on September 8, 2016. The
25 final draft catalog included syllabi for all proposed courses. The Bureau denied Respondent's
26 application on November 8, 2016.

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1 *Cause for Denial Related to Instruction and Degrees Offered*

2 **FIRST CAUSE FOR DENIAL OF APPLICATION**

3 **(Offering Unapproved Program)**

4 21. Respondent's application for approval to operate is subject to denial pursuant to
5 section 94887 for failure to demonstrate its capacity to meet minimum operating standards and
6 section 94899 for planning to offer educational programs without approval from the appropriate
7 state licensing agency and would therefore not lead to required licensure. Specifically, both
8 Respondent's Certificate program and Master's Degree program have their outcomes tied to the
9 institution becoming regionally accredited by the Western Association of Schools and Colleges
10 (WASC) and approved by the Commission on Teacher Credentialing (CTC). Respondent's plan
11 indicates that graduates will return to the college to be issued credentials after WASC
12 accreditation is achieved. However, only students enrolling in an already accredited institution
13 are eligible to be credentialed by the CTC.

14 *Causes for Denial Relating to Description of Educational Programs*

15 **SECOND CAUSE FOR DENIAL OF APPLICATION**

16 **(Inconsistently Applied Formula for Calculating College Units)**

17 22. Respondent's application for approval to operate is subject to denial pursuant to
18 section 94887 for failure to demonstrate its capacity to meet minimum operating standards, and
19 CCR section 71710, subdivisions (c)(3) and (c)(4), for failure to consistently apply a formula for
20 calculating college semester units. Specifically, Respondent's policy and catalog indicate that
21 "15 hours equal one semester unit." However, Respondent's syllabi, embedded in the final draft
22 catalog, do not consistently apply that formula throughout the proposed courses and no
23 explanation of the persistent inconsistencies was provided.

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1 **THIRD CAUSE FOR DENIAL OF APPLICATION**

2 **(Syllabi Material Not Presented in Logically Organized Manner)**

3 23. Respondent's application for approval to operate is subject to denial pursuant to
4 section 94887 for failure to demonstrate its capacity to meet minimum operating standards and
5 CCR sections 71710, subdivision (b), 71710, subdivision (c)(6), and 71715, subdivision (b), for
6 failure to present syllabi material in a logically organized manner. Specifically, the following
7 explanations of the courses and modules contained therein are not easily understood and/or not
8 presented in a logically organized manner or sequence:

9 a. Page 115 of Respondent's final catalog states: "Teachers hopefuls will write in an
10 administrative notebooks will be required in each class in students will be asked to select from
11 their Notebooks and from other sources materials that demonstrate and document leadership skills
12 and abilities."

13 b. Page 132 of Respondent's final catalog states: "The Teacher Hopeful will learn
14 'Techniques' for become a better classroom teachers. Wise Wednesday shall guide Teachers
15 Hopefuls to new levels of success as a new or veteran teacher. This course will gives practical
16 advice, useful tools, types of thinking, classroom leadership, emotional intelligence, and cohesive
17 and flexible approach toward teacher education and development. All entities/stakeholders will
18 embrace an academic focused demeanor with the presence of mind that is indigenous too,
19 complements and set's a president for educational profession in the classroom."

20 c. The learning outcomes for EDU 503 and EDU 504, on pages 54 and 63 of
21 Respondent's final catalog, respectively, are identical. This duplication of objectives indicates
22 that these courses are not presented in a logically organized manner or sequence.

23 d. "Understand the changing nature of the Internet and information literacy as applicable
24 in today's scholarly and practice-oriented environments; expand concept of 'mobile learning'" is
25 identified as an objective for three courses: EDU 501: The Learner: A Methods Course; EDU
26 502: Educational Technology Methods Course; and EDU 505: Design and Improvement of
27 Curriculum and Instruction. This objective appears on pages 25, 41, and 70 of Respondent's final
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1 catalog, respectively. Repetition of specific objectives indicates subject areas are not presented in
2 a logically organized manner or sequence.

3 e. "Understand the major concepts of educational program development and delivery" is
4 identified as an objective for two courses: EDU 501: The Learner: A Methods Course; and EDU
5 505: Design and Improvement of Curriculum and Instruction. This objective appears on pages 25
6 and 70, respectively. Repetition of specific objectives indicates subject areas are not presented in
7 a logically organized manner or sequence.

8 f. "Define andragogy its use and value as a model of instruction and approach to
9 learning" is identified as an objective for three courses: EDU 501: The Learner: A Methods
10 Course; EDU 502: Educational Technology Methods Course; and EDU 505: Design and
11 Improvement of Curriculum and Instruction. This objective appears on pages 25, 41, and 70 of
12 Respondent's final catalog, respectively. Repetition of specific objectives indicates subject areas
13 are not presented in a logically organized manner or sequence.

14 g. "Understand the basic principles of curriculum design" is identified as an objective
15 for two courses: EDU 501: The Learner: A Methods Course; and EDU 505: Design and
16 Improvement of Curriculum and Instruction. This objective appears on pages 25 and 70 of
17 Respondent's final draft catalog, respectively. Repetition of specific objectives indicates subject
18 areas are not presented in a logically organized manner or sequence.

19 h. "Understand the difference between simple presentation and comprehensive learning
20 facilitation as instructional tools" is identified as an objective for two courses: EDU 501: The
21 Learner: A Methods Course; and EDU 505: Design and Improvement of Curriculum and
22 Instruction. This objective appears on pages 25 and 70 of Respondent's final catalog,
23 respectively. Repetition of specific objectives indicates subject areas are not presented in a
24 logically organized manner or sequence.

25 i. "Apply the concept of 'a learning organization' to your leadership style and
26 organizational career" is identified as an objective for two courses: EDU 501: The Learner: A
27 Methods Course; and EDU 502: Educational Technology Methods Course. This objective
28 appears on pages 25 and 42 of Respondent's final draft catalog, respectively. Repetition of

1 specific objectives indicates subject areas are not presented in a logically organized manner or
2 sequence.

3 j. The syllabus for EDU 530, found on page 148 of Respondent's final catalog,
4 indicates that a central purpose for the course is to "prepare a research based report outline for the
5 Master's thesis" and "prepare students with knowledge on designing a master level academic
6 research study." This course description and corresponding objective do not fit into the
7 Certificate program's purpose and program outline. Only Master's degree candidates need to
8 prepare for a thesis as only this program incorporates a thesis. Thesis-related objectives do not
9 logically apply to the Certificate program.

10 FOURTH CAUSE FOR DENIAL OF APPLICATION

11 (Inadequate Description in Syllabus of How Skills Will be Measured)

12 24. Respondent's application for approval to operate is subject to denial pursuant to
13 section 94887 for failure to demonstrate its capacity to meet minimum operating standards and
14 CCR section 71710, subdivision (c)(6), for failure to adequately describe how skills will be
15 measured.

16 a. The syllabus for EDU 513, found on page 134 of Respondent's final catalog, has a
17 heading which reads "SCONDARY ASSESSMENTS:"[sic]. These assessments total only 10%
18 (5% + 5%) of the student's grade. The other 90% of the student's grade is not accounted for.
19 Moreover, the explanation of the third of three categories of assessment is not adequately
20 comprehensible. It states: "TCC staff want's their students work they do must matter, not only
21 because it draws on their experience, but also because that work makes it possible for students to
22 better understand, and therefore change, their lives." The primary purpose of assessments is to
23 verify the achievement of learning outcomes, but the vagueness of this description prevents the
24 student from having a solid knowledge of how his or her skills will be measured.

25 b. The syllabi for EDU 500 and EDU 503, found on pages 18 and 55 of Respondent's
26 final catalog, respectively, show assessments totaling 115% which is inconsistent with the
27 grading scale provided on the same syllabi which shows a maximum of 100%.

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1 **FIFTH CAUSE FOR DENIAL OF APPLICATION**

2 **(Failure to Include Course Description in Syllabus)**

3 25. Respondent's application for approval to operate is subject to denial pursuant to
4 section 94887 for failure to demonstrate its capacity to meet minimum operating standards and
5 CCR section 71710, subdivision (c)(1), for failure to provide a course description in the syllabus.
6 Specifically, the syllabus for EDU 505 has no course description. Such a description should have
7 been found on page 69 of Respondent's final catalog.

8 **SIXTH CAUSE FOR DENIAL OF APPLICATION**

9 **(Unclear and Inconsistent Description of Requirements for Completion of Educational**
10 **Programs)**

11 26. Respondent's application for approval to operate is subject to denial pursuant to
12 section 94887 for failure to demonstrate its capacity to meet minimum operating standards and
13 section 94909, subdivision (a)(5), for failing to provide clear and consistent descriptions of the
14 requirements for completion of educational programs in its school catalog. Specifically, in its
15 final deficiency response, Respondent indicated that EDU 508: An Introduction to School Law,
16 was a two (2) unit course. However, the syllabus submitted as part of that same deficiency
17 response indicates it is a three (3) unit course. The final catalog also indicates this course is three
18 (3) units except for when it mistakenly refers to EDU 508 as Methods of Educational
19 Accountability (a course elsewhere identified as EDU 509, a two (2) unit course). Consequently,
20 the requirements for completion of these educational programs are not clear or consistent.

21 **SEVENTH CAUSE FOR DENIAL OF APPLICATION**

22 **(Class Objectives Not Clearly Related to Learning Outcomes)**

23 27. Respondent's application for approval to operate is subject to denial pursuant to
24 section 94887 for failure to demonstrate its capacity to meet minimum operating standards and
25 CCR section 71710, subdivision (e), for failure to clearly relate EDU 504 objectives to learning
26 outcomes, making it impossible to effectively measure the students' learning of the material.

27 28. Complainant hereby incorporates paragraph 23(c), above, as though set forth fully.

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1 **EIGHTH CAUSE FOR DENIAL OF APPLICATION**

2 **(Failure to Document that the Instruction Offered Will Lead to Achievement of Learning**
3 **Objectives)**

4 29. Respondent's application for approval to operate is subject to denial pursuant to
5 section 94887 for failure to demonstrate its capacity to meet minimum operating standards and
6 CCR section 71715, subdivision (b), for failure to document that the instruction offered for
7 various courses will lead to the achievement of the learning objectives of each of those courses.

8 30. Complainant hereby incorporates paragraph 23(d)-(j), above, as though set forth fully.

9 **NINTH CAUSE FOR DENIAL OF APPLICATION**

10 **(Content of Educational Program Can Not Achieve Its Stated Objective)**

11 31. Respondent's application for approval to operate is subject to denial pursuant to
12 section 94887 for failure to demonstrate its capacity to meet minimum operating standards and
13 section 94885, subdivision (a)(1), and CC section 71710, in that the content of EDU 530 in
14 Respondent's syllabus, can not achieve its stated objective.

15 32. Complainant hereby incorporates paragraph 23(j), above, as though set forth fully.

16 **TENTH CAUSE FOR DENIAL OF APPLICATION**

17 **(Failure to State Educational Objectives)**

18 33. Respondent's application for approval to operate is subject to denial pursuant to
19 section 94887 for failure to demonstrate its capacity to meet minimum operating standards and
20 CCR section 71710, subdivisions (c)(2) and (e), for failure to include a statement of educational
21 objectives as follows:

22 a. The syllabus for EDU 509, found on pages 96-97 of Respondent's final catalog, has a
23 subheading for "Course Objectives," however, no course objectives are identified.

24 b. The syllabus for EDU 510, found on page 107 of Respondent's final catalog, does not
25 have true (measurable) objectives. It simply articulates a secondary description of the course.

26 c. The syllabus for EDU 513, found on page 132 of Respondent's final catalog, does not
27 have true (measurable) objectives. It simply articulates a secondary description of the course.

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1 d. The syllabus for EDU 540, found on page 157 of Respondent's final catalog, does not
2 have true (measurable) objectives. It simply lists subjects that will be discussed in the course.

3 *Causes for Denial Related to Facilities and Equipment*

4 **ELEVENTH CAUSE FOR DENIAL OF APPLICATION**

5 **(Insufficient Equipment to Support Achievement of Educational Objectives)**

6 34. Respondent's application for approval to operate is subject to denial pursuant to
7 section 94887 for failure to demonstrate its capacity to meet minimum operating standards, and
8 CCR sections 71260, subdivision (d), 71735, subdivision (a), and 71740, subdivision (b), for
9 failure to provide sufficient equipment to support the achievement of the educational objectives of
10 all of the courses and educational programs in which students are enrolled. Specifically, in the
11 syllabus for EDU 506: Introduction to Special Education Methods, found on page 88 of
12 Respondent's final catalog, one of the course objectives is "Students will go online and learn to
13 access the CSUS library online law-related resources, particularly LexisNexis and practice using
14 them." However, California State University, Sacramento (CSUS) does not grant free public
15 access to their library databases and Respondent has not provided an agreement indicating
16 students will be able to remotely access CSUS's library databases. Additionally, Respondent has
17 not indicated or provided any documentation for a subscription to the Lexis Nexis database. This
18 course objective, therefore, is not achievable.

19 **TWELFTH CAUSE FOR DENIAL OF APPLICATION**

20 **(Insufficient Equipment to Support Achievement of Educational Objectives)**

21 35. Respondent's application for approval to operate is subject to denial pursuant to
22 section 94887 for failure to demonstrate its capacity to meet minimum operating standards, and
23 CCR section 71735, subdivision (a), for failure to provide sufficient facilities to enable students
24 to achieve the educational program's goals. Specifically, Respondent's final submitted schedule
25 of classes explains that both classroom 1 and 2 may be double booked, as a partition can be used
26 to split the classrooms in two. However, the schedule shows four classes scheduled to run in
27 classroom 1 on Tuesday afternoons: EDU 512; EDU 514; EDU 511; and EDU 550. Even using
28 partitions, only two of these four classes could be accommodated at this time in this location.

1 Additionally, the schedule shows three classes scheduled to run in classroom 1 on Thursday
2 afternoons: EDU 500; EDU 505; and EDU 530. Again, even using partitions, only two of these
3 three classes could be accommodated at this time in this location.

4 *Causes for Denial Related to Respondent's Catalog*

5 **THIRTEENTH CAUSE FOR DENIAL OF APPLICATION**

6 **(Excessive Non-Refundable Registration Fee)**

7 36. Respondent's application for approval to operate is subject to denial pursuant to
8 section 94887 for failure to demonstrate its capacity to meet minimum operating standards, and
9 CCR section 71750, subdivision (c)(3), and section 94920, subdivision (b), for including in its
10 syllabus an excessive non-refundable registration fee. Specifically, Respondent's final catalog
11 indicates on page 182 that the registration fee, which is non-refundable, will be \$350. This
12 exceeds the total allowable non-refundable registration fee of \$250.

13 **FOURTEENTH CAUSE FOR DENIAL OF APPLICATION**

14 **(Allowing for Unscheduled Suspension of Class Without Circumstances Beyond
15 Institution's Control)**

16 37. Respondent's application for approval to operate is subject to denial pursuant to
17 section 94887 for failure to demonstrate its capacity to meet minimum operating standards, and
18 section 94898, subdivision (b)(1), for allowing for unscheduled suspension of classes not caused
19 by circumstances beyond the institution's control. Specifically, page 185 of Respondent's final
20 catalog references a class size minimum which implies classes will not be offered as scheduled if
21 the minimum is not achieved. Low enrollment does not qualify as a circumstance beyond the
22 institution's control.

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1 **FIFTEENTH CAUSE FOR DENIAL OF APPLICATION**

2 **(Inconsistent Attendance Policy)**

3 38. Respondent's application for approval to operate is subject to denial pursuant to
4 section 94887 for failure to demonstrate its capacity to meet minimum operating standards, and
5 section 94909, subdivision (a)(8)(D), for failure to include a consistent attendance policy in the
6 institution's catalog. Specifically, Respondent's final catalog states on page 186 that students
7 must attend 10 out of 12 class sessions. However, this is inconsistent with the 16 week semester
8 system the institution purports to employ.

9 **SIXTEENTH CAUSE FOR DENIAL OF APPLICATION**

10 **(Inaccurate Representation of Services Offered to Students)**

11 39. Respondent's application for approval to operate is subject to denial pursuant to
12 section 94887 for failure to demonstrate its capacity to meet minimum operating standards, and
13 CCR section 71810, subdivision (b)(12), for inaccurately representing the services offered to
14 students. Specifically, page 6 of Respondent's final catalog indicates that "on site security during
15 campus hours (armed and un-armed)" will be on hand. Page 193 of the same catalog
16 contradictorily states that there are no contracted security guards on the institution's campus.
17 Likewise, page 6 of the catalog states there are "a well-appointed and staffed college Library and
18 bookstore," but page 193 indicates there is no bookstore on campus.

19 **SEVENTEENTH CAUSE FOR DENIAL OF APPLICATION**

20 **(Inconsistent Representation of Requirements for Completion of Program)**

21 40. Respondent's application for approval to operate is subject to denial pursuant to
22 section 94887 for failure to demonstrate its capacity to meet minimum operating standards, and
23 section 94909, subdivision (a)(5), for inconsistently representing the requirements for completion
24 of programs as follows:

25 a. The Master's program description on page 7 of Respondent's final catalog begins by
26 stating the program is 47 semester credit hours, but later states it is 42 semester credit hours. The
27 Bureau can not, therefore, identify the requirements for completion of this program as they are
28 inconsistently represented.

1 b. The Certificate program description on page 9 of Respondent's final draft catalog
2 begins by stating the program is 41 semester credit hours, but later states it is 36 semester credit
3 hours. The Bureau can not, therefore, identify the requirements for completion of this program as
4 they are inconsistently represented.

5 **EIGHTEENTH CAUSE FOR DENIAL OF APPLICATION**

6 **(Failure to List Requirements for Eligibility for Licensure)**

7 41. Respondent's application for approval to operate is subject to denial pursuant to
8 section 94887 for failure to demonstrate its capacity to meet minimum operating standards, and
9 sections 94909, subdivision (a)(6), and 94899, for failing to list requirements for eligibility for
10 licensure as follows:

11 a. The purpose and associated career outcome of the Master's program is unclear in that
12 on page 7 of Respondent's final catalog, it states: "The program is designed to ensure new teacher
13 and experience in the TCC program design and plan instruction that develop students ability to
14 meet California's academic standards and college's entrance assessment plan." This explanation
15 does not establish the program's definitive relationship to the California requirement of obtaining
16 a teaching credential in order to become a tenured instructor in K-12 public school classrooms.

17 b. Page 9 of Respondent's final catalog states: "When approved by CTC course work
18 can apply towards Clear California Teaching Credential." However, were the institution to
19 become approved by the CTC, the approval is not retroactive. Therefore, students enrolled prior
20 to the institution receiving CTC approval would not become credentialed as a result of the
21 program. Therefore, the purpose and associated career outcome of the Certificate program is
22 unachievable.

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1 **NINETEENTH CAUSE FOR DENIAL OF APPLICATION**

2 **(Failure to Articulate All Requirements for Admissions)**

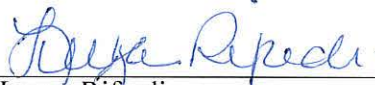
3 42. Respondent's application for approval to operate is subject to denial pursuant to
4 section 94887 for failure to demonstrate its capacity to meet minimum operating standards, and
5 sections 94909, subdivision (a)(8)(A), and 94885, subdivision (a)(2), for failure to clearly
6 articulate all requirements for admission in the required detailed description of the institution's
7 admissions policies. Specifically, the course description for EDU 502, found on page 11 of
8 Respondent's final catalog, ends with the following disclosure: "Pre-requisite: Any computer
9 classes completed with a C or better." However, the Admission Policies and Procedures on pages
10 4-5 of the catalog do not indicate that there are any general education or computer class pre-
11 requisites to admission.

12 **PRAYER**

13 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
14 and that following the hearing, the Director of the Department of Consumer Affairs issue a
15 decision:

- 16 1. Denying the application of Teachers College – Goodyear AZ dba Teachers College
17 California for an Approval to Operate an Institution Non-Accredited; and
18 2. Taking such other and further action as deemed necessary and proper.

19
20 DATED: 9/27/2017



21 Leeza Riffredi
22 Deputy Bureau Chief
23 Bureau for Private Postsecondary Education
24 Department of Consumer Affairs
25 State of California
26 *Complainant*

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