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

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

Case No. 1004622

14 **LOS ANGELES INSTITUTE AND**
15 **SOCIETY FOR PSYCHOANALYTIC**
16 **STUDIES**

STATEMENT OF ISSUES

17 **Verification of Exempt Status Applicant**

18 Respondent.

19
20 Complainant alleges:

21 **PARTIES**

22 1. Dr. Michael Marion, Jr. (Complainant) brings this Statement of Issues solely in his
23 official capacity as the Chief of the Bureau for Private Postsecondary Education, Department of
24 Consumer Affairs.

25 2. On or about January 7, 2019, the Bureau for Private Postsecondary Education
26 received an application for a Verification of Exempt Status from Los Angeles Institute and
27 Society for Psychoanalytic Studies (Respondent or LAISPS). On or about December 19, 2018,
28 Lanning Melville, President, certified under penalty of perjury to the truthfulness of all

1 statements, answers, and representations in the application. The Bureau denied the application on
2 June 3, 2019.

3 **JURISDICTION**

4 3. This Statement of Issues is brought before the Director of the Department of
5 Consumer Affairs (Director) for the Bureau for Private Postsecondary Education, under the
6 authority of the following laws. All section references are to the Education Code (Code) unless
7 otherwise indicated.

8 **STATUTORY PROVISIONS**

9 4. Section 94827 states, “‘Continuing education’ means instruction in subjects that
10 licensees are required to take solely for the purpose of continued licensure, or to enhance their
11 skills and knowledge within their particular profession, occupation, trade, or career field.”

12 5. Section 94874 provides, in pertinent part:

13 “Except as provided in Sections 94874.2, 94874.7, and 94927.5, the following are exempt
14 from this chapter:

15 (a) An institution that offers solely avocational or recreational educational programs.

16 (b) (1) An institution offering educational programs sponsored by a bona fide trade,
17 business, professional, or fraternal organization, solely for that organization’s membership.

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19 (d) An institution offering either of the following:

20 (1) Test preparation for examinations required for admission to a postsecondary educational
21 institution.

22 (2) Continuing education or license examination preparation, if the institution or the
23 program is approved, certified, or sponsored by any of the following:

24 (A) A government agency, other than the bureau, that licenses persons in a particular
25 profession, occupation, trade, or career field.

26 (B) A state-recognized professional licensing body, such as the State Bar of California, that
27 licenses persons in a particular profession, occupation, trade, or career field.

28 (C) A bona fide trade, business, or professional organization.

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PRAYER

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

1. Denying the Los Angeles Institute and Society for Psychoanalytic Studies' application for a Verification of Exempt Status;
2. Taking such other and further action as deemed necessary and proper.

DATED: _____

DR. MICHAEL MARION, JR.
Bureau Chief
Bureau for Private Postsecondary
Education
Department of Consumer Affairs
State of California
Complainant

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