



CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT

To: University of Philosophical Research, Owner
 University of Philosophical Research
 3910 Los Feliz Blvd
 Los Angeles, CA 90027-2399

INSTITUTION CODE: 1939971
CITATION NUMBER: 1819176
CITATION ISSUANCE/SERVICE DATE: April 18, 2019
DUE DATE: May 18, 2019
FINE AMOUNT: \$ 7,000.00
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 University of Philosophical Research, Owner, of University of Philosophical Research (Institution) located at 3910 Los Feliz Boulevard, Los Angeles, CA 90027-2399, pursuant to Business and Professions Code section 125.9; California Education Code (CEC) sections 94936 and 94932; and Title 5 of the California Code of Regulations (5, CCR) section 75020 for the violations described below.

BACKGROUND

On September 19, 2017, an announced Compliance Inspection was conducted at the Institution, material violations were identified, and an Enforcement Referral was issued for further review. The Enforcement Referral alleges material violations of 5, CCR section 71930 (e), 5, CCR section 74112(m)(2)(3)(4)(6)(7)(9), 5, CCR section 71720(a)(1), CEC section 94902(b)(1), CEC section 94912, and CEC section 94900.5. (b).

VIOLATION

#	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>Violation:</p> <p>5, CCR Section 71930 (e) -Maintenance of Records</p> <p><i>(e) All records that the institution is required to maintain by the Act or this chapter shall be made immediately available by the institution for inspection and copying during normal business hours by</i></p>

the Bureau and any entity authorized to conduct investigations.

5, CCR Section 74112(m)(2)(3)(4)(6)(7)(9). Uniform Data - Annual Report, Performance Fact Sheet.

(m) Documentation supporting all data reported shall be maintained electronically by the institution for at least five years from the last time the data was included in either an Annual Report or a Performance Fact Sheet, and shall be provided to the Bureau upon request; and the data for each program shall include at a minimum:

(2) student name(s), address, phone number, email address, program completed, program start date, scheduled completion date, and actual completion dates;

(3) graduate's place of employment and position, date employment began, date employment ended, if applicable, actual salary, hours per week, and the date employment was verified;

(4) for each employer from which employment or salary information was obtained, the employer name(s) address and general phone number, the contact person at the employer and the contact's phone number and email address, and all written communication with employer verifying student's employment or salary;

(6) a description of all attempts to contact each student or employer;

(7) any and all documentation used to provide data regarding license examinations and examination results;

(9) the name, email address, phone number, and position or title of the institution's representative who was primarily responsible for obtaining the students' completion, placement, licensing, and salary and wage data, the date that the information was gathered, and copies of notes, letters or emails through which the information was requested and gathered.

The Institution was unable to provide the supporting documentation to substantiate the data on the 2014/2015 School Performance Fact Sheet (SPFS) to Bureau staff upon request.

Order of Abatement:

The Bureau orders the Institution to submit an established policy and procedure on how all the required supporting documentation for future SPFS will be maintained and be made readily available to the Bureau upon request during normal business hours.

Assessment of Fine:

The fine for this violation is: \$ 5,000.00

2. **Violation:**

CEC Section 94902(b)(1). General Enrollment Requirements

(b) An enrollment agreement is not enforceable unless all of the following requirements are met:

(1) The student has received the institution's catalog and School Performance Fact Sheet prior to signing the enrollment agreement.

CEC Section 94912. Signature, Initials Required

Prior to the execution of an enrollment agreement, the information required to be disclosed pursuant to subdivisions (a) to (d), inclusive, of Section 94910 shall be signed and dated by the institution and the student. Each of these items shall also be initialed and dated by the student.

The Institution failed to provide students with a SPFS prior to signing an Enrollment Agreement.

	<p><u>Order of Abatement:</u> The Bureau orders the Institution to submit an established policy and procedure of how the Institution will provide students with a copy of the SPFS prior to signing the Enrollment Agreement.</p> <p><u>Assessment of Fine:</u> The fine for this violation is \$500.00</p>
3.	<p><u>Violation:</u> CEC Section 94900.5. (b) Required Institutional Records <i>An institution shall maintain, for a period of not less than five years, at its principal place of business in this state, complete and accurate records of all of the following information:</i> <i>(b) The names and addresses of the members of the institution's faculty and records of the educational qualifications of each member of the faculty.</i></p> <p>5, CCR Section 71720(a)(1). Faculty. <i>(a) An Educational Program Leading to a Degree.</i> <i>(9) The institution shall maintain records documenting that each faculty member is duly qualified and was qualified to perform the duties to which the faculty member was assigned, including providing instruction, evaluating learning outcomes, evaluating graduate dissertations, theses, and student projects, and participating on doctoral committees.</i></p> <p>The Institution failed to provide three of the six requested faculty files. One of the three faculty files reviewed was missing transcripts.</p> <p><u>Order of Abatement:</u> The Bureau orders the Institution to submit an established policy and procedure on how all of the required documentation for faculty files will be maintained.</p> <p><u>Assessment of Fine:</u> The fine for this violation is \$1,500.00</p>
<p>TOTAL ADMINISTRATIVE FINE DUE: \$7,000.00</p>	

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 **\$7,000.00** 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(s) 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 **May 18, 2019**, 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 **April 18, 2019**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **May 18, 2019**. Your payment of the administrative fine shall not constitute an admission of the violation(s) charged.

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/or written request for appeal must be mailed to:

Gurinder Sandhu/ Cheryl Lardizabal, Discipline Citation Program
Bureau for Private Postsecondary Education
2535 Capitol Oaks Drive, Suite 400
Sacramento, CA 95833

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 Gurinder Sandhu, Citation Analyst, at 916-431-6940 or Gurinder.Sandhu@dca.ca.gov or Cheryl Lardizabal, Citation Analyst at (916) 621-2591 or Cheryl.Lardizabal@dca.ca.gov



Christina Villanueva
Discipline Manager

Enclosures

4/18/19
Date

- 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