



CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT

To: Horizons Education, LLC., Owner
Horizons School of Technology
450 9th Street, 1st floor
San Francisco, CA 94103

INSTITUTION CODE: Unapproved
CITATION NUMBER: 1819102
CITATION ISSUANCE/SERVICE DATE: January 31, 2019
DUE DATE: March 2, 2019

FINE AMOUNT: \$ 100,000.00

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 for the Bureau for Private Postsecondary Education (Bureau) of the California Department of Consumer Affairs.

CITATION

A Citation is hereby issued to Horizons Education, LLC., Owner of Horizons School of Technology (Institution) located at 450 9th Street, 1st floor, San Francisco, CA 94103 pursuant to Business and Professions Code section 125.9 and 149; California Education Code (CEC) section 94944; and Title 5 of the California Code of Regulations (5, CCR) section 75020 for the violation(s) described below.

BACKGROUND

On September 27, 2016, the Bureau received a tip, alleging that Institution was operating without Bureau approval in violation of CEC section 94886. Bureau staff conducted research on the Institution on the Institution's websites, www.horizonsbootcamp.com and <https://joinhorizons.com>. The website supported the allegation that the Institution is operating without Bureau approval. The website provided evidence that the programs offered by the Institution exceeded the \$2,500.00 cap on tuition, that is permissible under CEC section 94874(f), that allows an institution to claim an exemption to CEC section 94886. Review of the Bureau's in-house database, Schools Automated Information Link (SAIL) revealed that on March 20, 2017, the Institution submitted an Application to Operate an Institution Non-Accredited and an acknowledgement letter was sent to the Institution, advising that the Bureau was in receipt of the application and stated that the Institution was not allowed to offer programs to the public until approval was granted. The Institution is operating at 450 9th Street, 1st floor, San Francisco, CA 94103 and 1624 Wilcox Avenue, Los Angeles, CA 90028 without Bureau approval.

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><u>Violation:</u> 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 “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.”</p> <p>CEC Section 94868. To Offer to the Public “To offer to the public” means to advertise, publicize, solicit, or recruit.”</p> <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.”</p> <p>On September 27, 2016, the Bureau received a tip alleging that the Institution is operating without Bureau approval.</p> <p>On October 13, 2016, Bureau staff conducted a review of Institution’s websites www.horizonsbootcamp.com and https://joinhorizons.com that contained information regarding the Institution’s summer program. The website showed that there was a Coding program offered from May 2017 through August 2017 and listed the program’s tuition as \$10,000. Bureau staff, sent an Unapproved Institution letter (UA letter) to the Institution ordering them to cease operating.</p> <p>On November 28, 2016, the Bureau sent a second UA letter to the Institution. On January 4, 2017 the Bureau received a signed receipt of the certified mailing.</p> <p>On January 26, 2017, Bureau staff reviewed the Institution’s website and noted that the Institution offered “Summer Immersive” training programs with tuition fees of \$9,000.00 to \$10,000.00. These programs were offered from May 2017 through August 2017, in San Francisco, Philadelphia, and Boston.</p> <p>On March 20, 2017, a review of the Bureau’s database revealed that on March 20, 2017, the Institution submitted an Application for Approval to Operate an Institution Non-accredited. On March 20, 2017, 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.”</p> <p>On May 26, 2017, the Bureau sent a third UA Letter addressed specifically to A.R., E.L., and D.G., the founders of the Institution. On June 6, 2017, the Bureau received the signed receipt of the certified mailing.</p>

On July 26, 2018, Bureau staff conducted additional research on the Institution's websites www.horizonsbootcamp.com and <https://joinhorizons.com> and determined that the Institution continues to operate a private postsecondary institution without Bureau approval. The website states that the Institution is offering their Coding program for a tuition cost of \$9,000.00 to \$10,000.00 and that the next Coding program will be offered in San Francisco, CA in the summer of 2019.

The Bureau's investigation confirmed that the Institution is operating as a private postsecondary educational institution in Los Angeles and San Francisco.

Order of Abatement:

The Bureau orders that the Institution cease to operate as a private postsecondary educational institution. The Institution must discontinue recruiting or enrolling students and cease all instructional services and advertising in any form or type of media, including the www.horizonsbootcamp.com and www.joinhorizons.com, and any other websites not identified here that are associated with the Institution, until such time as an approval to operate is obtained from the Bureau. The Institution must disconnect all telephone service numbers that are associated with the Institution, including but not limited to (302) 777-0538; (650) 614-1036; (678) 559-7970; and (888) 816-0548, until such time as an approval to operate is obtained from the Bureau. To comply with the Order of Abatement the Institution must submit a school closure plan to the Bureau pursuant to California Education Code section 94926. The Institution must provide a roster of each student currently enrolled at the Institution. The roster must include the names of the students, their contact information (including phone number, email address, and physical address), the programs in which they are enrolled, the amount paid for the programs.

Assessment of Fine

The fine for this violation is \$100,000.00

TOTAL ADMINISTRATIVE FINE DUE: \$100,000.00

ASSESSMENT OF A FINE

In accordance with CEC section 94944; and 5, CCR section 75020(b), the Bureau hereby orders this assessment of a fine in the amount of **\$100,000.00** 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 5, CCR section 75020 (b) the Bureau hereby issues the order(s) of abatement described above. In accordance with Business and Professions Code Section 149, the Bureau may disconnect any telephone service numbers used by an unapproved Institution. **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 **March 2, 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 **January 31, 2019**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **March 2, 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, 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.



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