



Bureau for Private Postsecondary Education
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ORDER SUSPENDING APPROVAL TO OPERATE DEGREE GRANTING PROGRAMS

To: Appear Media, Inc., Owner
Brentwood University
15615 Alton Parkway #450
Irvine, CA 92618

INSTITUTION CODE: 42693395

ORDER NUMBER: 1006336

ORDER MAILING DATE: November 9, 2020

ORDER EFFECTIVE DATE: November 14, 2020

DUE DATE TO REQUEST INFORMAL OFFICE CONFERENCE: December 14, 2020

Beth Scott, as the designee of the Bureau Chief of the Bureau for Private Postsecondary Education (Bureau), hereby issues an Order Suspending Approval to Operate Degree Granting Programs (Order) of the above institution.

This Order is hereby issued to Appear Media, Inc., Owner of Brentwood University located at 15615 Alton Parkway #450, Irvine, CA 92618, pursuant to California Education Code (CEC) section 94885.5 and Title 5 of the California Code of Regulations (5, CCR) section 71410 for the violations described below.

Factual Basis

Pursuant to CEC section 94885.5 (b)(1)(2), the institution was required to submit evidence of having achieved accreditation candidacy or pre-accreditation¹ by August 11, 2018.

On August 11, 2016, Brentwood University (Institution), an unaccredited degree granting institution, received a provisional approval to operate two (2) degree programs. The provisional approval was granted in accordance with CEC section 94885.5 (a).

On February 13, 2017, the Bureau emailed the Institution to request the Institution submit an Accreditation Benchmark Table indicating progress towards accreditation with Distance Education Accrediting Commission (DEAC). On February 24, 2017, the Bureau received an email from the Institution stating that the Institution had not yet enrolled any students and were considering changing accreditors from DEAC to Accreditation Service for International Schools (ASIC). The Bureau emailed the Institution and informed them that ASIC is not recognized by the United States Department of Education is not acceptable as an accrediting agency for the Bureau's criteria.

¹ As defined by 5, CCR section 70000(s), for this purpose, "pre-accreditation" or "candidacy" means that an institution has submitted a completed application for initial accreditation with the required fee, which was accepted by the accreditor.

On October 25, 2017, the Bureau mailed the Institution a follow-up letter requesting an update on accreditation progress and, on December 1, 2017, the Bureau received the Accreditation Benchmark Table from the Institution.

On February 28, 2018, the Bureau mailed the Institution a follow-up letter regarding the accreditation progress and the procedures to follow if accreditation is no longer pursued. The Bureau also informed the Institution of the opportunity to request an extension by July 8, 2018 in order to meet the accreditation requirements.

On March 26, 2018, the Bureau received the Accreditation Benchmark Table from the Institution.

On June 8, 2018, the Bureau mailed the Institution a notification of the Visiting Committee's scheduled Accreditation Plan Desk Review.

On July 5, 2018, the Bureau received an email from the Institution with an update on accreditation progress. On July 9, 2018, the Bureau received hard copies of documents from the Institution regarding accreditation progress and requesting an extension of time to achieve pre-accreditation.

On or about July 12, 2018, the Bureau received the Institution's amended accreditation plan.

On August 10, 2018, the Bureau mailed the Institution the Visiting Committee Report on the Assessment of Institution's Progress towards Accreditation and a notification informing the Institution that a 7-month extension to achieve accreditation on or before March 11, 2019 had been granted.

On March 13, 2019, the Bureau mailed and emailed the Institution the Expiration of Extension to Achieve Accreditation Candidacy. The Bureau received a response from the Institution via email with a letter from DEAC, dated February 25, 2019, granting a waiver of eligibility requirements I.C and I.D for a period of 18 months, to initiate the application process.

On April 12, 2019, the Bureau issued and mailed to the Institution an Order Suspending Approval to Operate Degree Granting Programs.

On May 13, 2019, the Institution appealed the Order Suspending Approval to Operate Degree Granting Programs and on May 16, 2019, the Bureau received the Institution's accreditation progress follow up and a request for an additional 17-month extension to achieve pre-accreditation or candidacy.

On May 20, 2019, the Bureau informed the Institution that a 17-month extension to achieve accreditation on or before August 11, 2020 was granted. As a result of the extension, the Order Suspending Approval to Operate Degree Granting Programs was lifted.

On April 14, 2020, the Bureau emailed DEAC requesting an accreditation status for the Institution. DEAC confirmed that they received a petition from the Institution, however, an application had not been received.

On July 6, 2020, the Bureau emailed the Institution a follow up letter requesting an update on accreditation progress and emailed DEAC requesting an accreditation status for the Institution.

On July 7, 2020, the Bureau received an email from DEAC stating that they still had not received an application from the Institution.

From July 6, 2020 to August 2, 2020, the Bureau and the Institution corresponded with each other regarding the Extension Expiration, Accreditation Benchmark Update request, and request for supporting documentation.

On August 3, 2020, the Bureau notified the Institution by email that they had exhausted the maximum extension of time (24 months) allowed by law to achieve candidacy/pre-accreditation with DEAC as of August 11, 2020.

ORDER

In accordance with the provisions of CEC section 94885.5(d)(1) & (d)(2) and 5, CCR sections 71410 and 74250, the Bureau hereby orders the following:

The approval to operate, issued to Brentwood University is automatically suspended as to all of the institution's degree programs. The Bureau will not lift the suspension until the Institution complies with the requirements of CEC section 94885.5(d)(1) & (d)(2) by submitting evidence to the Bureau of having achieved accreditation.

1. You must immediately **cease enrolling new students** in all of your degree programs.
2. Within 30 days of the effective date of this Order, you must submit a **degree program closure plan** to the Bureau with all of the following:
 - a. The date the institution stopped enrolling new students in the degree program(s).
 - b. A list of contact information for all students currently enrolled in each degree program.
 - c. A **teach-out plan** with information on the arrangements you have made for students to complete their educational programs at another institution. **The institution shall not teach-out its own students.** The teach-out plan must: (1) provide the name and location of the institution(s) providing the teach-out; (2) include a plan for the disposition of student records per CEC section 94927.5; (3) be compliant with the refund provisions of CEC section 94927; and (4) include a copy of the notification to be provided to students identified in item # 4 below.
3. The institution must notify, in writing, all currently enrolled students within five (5) business days of the effective date of this Order of the following:
 - a. That the institution has received a notice of suspension from the Bureau and may no longer offer degree programs.
 - b. The teach-out plan, which shall provide, at minimum, the following information: (1) the name and location of the institution(s) that is providing the teach-out, (2) the date upon which instruction at the teach-out institution(s) will begin, (3) how and when payments will be made to the new institution and any relevant financial information, and (4) a contact person at the new institution(s).

- c. That the student has a right to choose not to participate in the teach-out, and instead seek a refund for any classes the student is currently enrolled in or has not yet completed.
4. Any student may seek a refund from the institution rather than participate in a proposed teach-out program. The school must provide refunds within 45 days of the request by a student.
5. Failure of any institution to comply with the requirements of this section will be considered a violation and subject to action by the Bureau.

APPEAL OF ORDER

You may request an appeal of this Order before the Director of the Department of Consumer Affairs, or his or her designee. (5 CCR section 71410.)

Because this suspension is automatic per CEC section 94885.1(e), the institution shall not operate its degree programs during any appeal.

If you wish to appeal this Order, you must do so within 30 days from the effective date of the Order. *Unless you sign a written request for an appeal and deliver it to the Bureau within 30 days from the effective date of the Order, you will be deemed to have waived your right to appeal this matter to the Department of Consumer Affairs.*

Upon timely receipt of your request for an appeal, an informal office conference will be arranged within 30 days, or as extended at your request or by the Bureau for good cause. Upon request and approval, the person approved to operate the institution or representative may participate in the office conference by telephone.

Please submit your request to:

Bureau for Private Postsecondary Education
Attn: Cheryl Lardizabal, Discipline Analyst
1747 N. Market Blvd., Ste. 225
Sacramento, CA 95834

Failure by an institution to comply with the Order above may result in further enforcement action.
The Bureau will promptly take all appropriate action to enforce this Order.

CONTACT INFORMATION

If you have any questions regarding this Order or can verify that you submitted evidence to the Bureau of accreditation candidacy or pre-accreditation, please contact Cheryl Lardizabal, Discipline Analyst, at (916) 574-8968 or Cheryl.Lardizabal@dca.ca.gov.

"Original signature on file"

"11/9/2020"

Beth Scott
Enforcement Chief

Date

Enclosures

- Declaration of Service by Certified and First-Class Mail