



## **CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT**

To: Oikos University, Owner  
Oikos University  
7901 Oakport St. Suite 3000  
Oakland, CA 94621

**INSTITUTION CODE: 93159648**

**CITATION NUMBER: 1819092**

**CITATION ISSUANCE/SERVICE DATE: January 23, 2019**

**DUE DATE: February 22, 2019**

**FINE AMOUNT: \$ 5,000.00**

**ORDER OF ABATEMENT INCLUDED: Yes**

Beth Scott issues this Citation: Assessment of Fine and Order of Abatement (Citation) in her official capacity as Enforcement Chief of the Bureau for Private Postsecondary Education (Bureau) of the California Department of Consumer Affairs.

### CITATION

A Citation is hereby issued to Oikos University, Owner, of Oikos University (Institution) located at 7901 Oakport St. Suite 3000, Oakland, CA 94621, 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 May 12, 2017, Oikos University's Associate of Science in Nursing (LVN) program was terminated by the California Board of Vocational Nursing and Psychiatric Technicians (BVNPT). The Bureau for Private Postsecondary Education (Bureau) received Student Tuition Recovery Fund (STRF) claims from five former Oikos University students affected by the closure of their Associate of Science in Nursing (LVN) program. Oikos University declined to pay refunds to affected LVN students, thus students filed for STRF claims with the Bureau.

On September 11, 2017, student A filed a STRF claim in the amount of \$26,960.00.

On September 14, 2017, student B filed a STRF claim in the amount of \$25,308.11.

On October 23, 2017, student C filed a STRF claim in the amount of \$25,547.59.

On March 30, 2018, student D filed a STRF claim in the amount of \$25,203.11.

On April 5, 2018, student E filed a STRF claim in the amount of \$14,722.50.

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><b><u>Violation:</u></b> <b>CEC Section 94927 – Institutions in Default of Enrollment Agreement</b> “An institution shall be considered in default of the enrollment agreement when an educational program is discontinued or canceled or the institution closes prior to completion of the educational program. When an institution is in default, student institutional charges may be refunded on a pro rata basis if the bureau determines that the school has made provision for students enrolled at the time of default to complete a comparable educational program at another institution at no additional charge to the students beyond the amount of the total charges in the original enrollment agreement. If the institution does not make that provision, a total refund of all institutional charges shall be made to students.”</p> <p>The Institution failed to issue refunds of all institutional charges to all students affected by the closure of the Associate of Science in Nursing (LVN) program.</p> <p><b><u>Order of Abatement:</u></b> The Bureau orders the Institution to issue refunds of all institutional charges to all students affected by the closure of the Associate of Science in Nursing (LVN) program within 45 days. The Institution must provide the Bureau with the roster of each student. The roster must include the name of the student, their contact information (including phone number, email address, and physical address) the date of enrollment, the amount paid for the program, the amount the student was refunded and proof of refund.</p> <p><b><u>Assessment of Fine</u></b> The fine for this violation is <u>\$5000.00</u></p>
<b>TOTAL ADMINISTRATIVE FINE DUE: \$5,000.00</b>	

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 **\$5,000.00** 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 **February 22, 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 23, 2019**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **February 22, 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](mailto:Gurinder.Sandhu@dca.ca.gov).

*Beth Scott*

**Beth Scott**  
**Enforcement Chief**

*1/23/19*

**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