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7

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

10
11 In the Matter of the Statement of Issues
Against:

Case No. 1001404

12 **ALEXANDER TRAINING INSTITUTE OF**
13 **LOS ANGELES**
1526 14th Street, Suite 110
14 Santa Monica, CA 90404

STATEMENT OF ISSUES

15 **Renewal of Approval to Operate Applicant**

16 **Institution Code Number 191738I**

17 Respondent.
18

19 Complainant alleges:

20 **PARTIES**

21 1. Joanne Wenzel (Complainant) brings this Statement of Issues solely in her official
22 capacity as the Chief of the Bureau for Private Postsecondary Education, Department of
23 Consumer Affairs.

24 2. On or about November 1, 1987, the Bureau for Private Postsecondary Education
25 (Bureau) issued Full Approval to Operate Institution Code Number 191738I to Alexander
26 Training Institute of Los Angeles, (Respondent and/or the Institution). Said Full Approval
27 expired on February 28, 2013, and has not been renewed.

28 ///

1 **JURISDICTION**

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

6 **STATUTORY PROVISIONS¹**

7 4. Code section 94891, subdivision (b) states: "To be granted a renewal of an approval to
8 operate, the institution shall demonstrate its continued capacity to meet the minimum operating
9 standards."

10 5. Code section 94897 states, in pertinent part:

11 An institution shall not do any of the following:

12 * * * *

13 (l) Use the terms "approval," "approved," "approval to operate," or
14 "approved to operate" without stating clearly and conspicuously that approval to
15 operate means compliance with state standards as set forth in this chapter. If the
16 bureau has granted an institution approval to operate, the institution may indicate that
17 the institution is "licensed" or "licensed to operate," but may not state or imply either
18 of the following:

19 (1) The institution or its educational programs are endorsed or
20 recommended by the state or by the bureau.

21 (2) The approval to operate indicates that the institution exceeds
22 minimum state standards as set forth in this chapter.

23 * * * *

24 6. Code section 94910 states, in pertinent part, as follows:

25 Except as provided in subdivision (d) of Section 94909 and Section
26 94910.5, prior to enrollment, an institution shall provide a prospective student with a
27 School Performance Fact Sheet containing, at a minimum, the following information,
28 as it relates to the educational program:

(a) Completion rates, as calculated pursuant to Article 16 (commencing
with Section 94928).

¹ On October 11, 2009, the California Private Postsecondary Education Act (Act) of 2009 was signed into law. (Educ. Code, §§94800, et seq.) The Act was recently amended, effective January 1, 2015. (See: Senate Bill No. 1247.) This Statement of Issues is based on the post-amendment version of the Act.

1 (b) Placement rates for each educational program, as calculated pursuant
2 to Article 16 (commencing with Section 94928), if the educational program is
3 designed to lead to, or the institution makes any express or implied claim related to
4 preparing students for, a recognized career, occupation, vocation, job, or job title.

5 * * * *

6 (d) Salary or wage information, as calculated pursuant to Article 16
7 (commencing with Section 94928).

8 * * * *

9 (f) All of the following:

10 (1) A description of the manner in which the figures described in
11 subdivisions (a) to (d), inclusive, are calculated or a statement informing the reader of
12 where he or she may obtain a description of the manner in which the figures
13 described in subdivisions (a) to (d), inclusive, are calculated.

14 (2) A statement informing the reader of where he or she may obtain from
15 the institution a list of the employment positions determined to be within the field for
16 which a student received education and training for the calculation of job placement
17 rates as required by subdivision (b).

18 (3) A statement informing the reader of where he or she may obtain from
19 the institution a list of the objective sources of information used to substantiate the
20 salary disclosure as required by subdivision (d).

21 * * * *

22 7. Code section 94928, subdivision (c), states, in relevant part, that:

23 As used in this article, the following terms have the following meanings:

24 * * * *

25 (c) "On-time graduates" means the number of students who complete a
26 program within 100 percent of the published program length. An institution may
27 separately state completion information for students completing the program within
28 150 percent of the original contracted time, but that information may not replace
completion information for students completing within the original scheduled time.
Completion information shall be separately stated for each campus or branch of the
institution.

8. Code section 94929 provides, in pertinent part:

(a) An institution shall annually report to the bureau, as part of the annual
report, and publish in its School Performance Fact Sheet, the completion rate for each
program. Except as provided in subdivision (b), the completion rate shall be
calculated by dividing the number of on-time graduates by the number of students
available for graduation.

(b) In lieu of calculating graduation data pursuant to subdivision (a), an
institution may report graduation data reported to, and calculated by, the Integrated
Postsecondary Education Data System of the United States Department of Education.

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1 9. Code section 94929.5 provides, in pertinent part, as follows:

2 (a) An institution shall annually report to the bureau, as part of the annual
3 report, and shall publish in its School Performance Fact Sheet, all of the following:

4 (1) The job placement rate, calculated by dividing the number of
5 graduates employed in the field by the number of graduates available for employment
6 for each program that is either (1) designed, or advertised, to lead to a particular
7 career, or (2) advertised or promoted with any claim regarding job placement.

8 * * * *

9 (3) Salary and wage information, consisting of the total number of
10 graduates employed in the field and the annual wages or salaries of those graduates
11 stated in increments of five thousand dollars (\$5,000).

12 10. Code section 94932 sets forth that:

13 The bureau shall determine an institution's compliance with the
14 requirements of this chapter. The bureau shall have the power to require reports that
15 institutions shall file with the bureau in addition to the annual report, to send staff to
16 an institution's sites, and to require documents and responses from an institution to
17 monitor compliance. When the bureau has reason to believe that an institution may be
18 out of compliance, it shall conduct an investigation of the institution. If the bureau
19 determines, after completing an investigation, that an institution has violated any
20 applicable law or regulation, the bureau shall take appropriate action pursuant to this
21 article.

22 REGULATORY PROVISIONS

23 11. California Code of Regulations, title 5, section 71475, states, in pertinent part:

24 * * * *

25 (e) The institution shall submit at the time it applies for renewal current
26 financial statements that meet the requirements of section 74115 as follows: (1) for an
27 institution with annual gross revenues of \$500,000 and over, statements shall be
28 audited; (2) for an institution with annual gross revenues less than \$500,000,
statements shall be reviewed.

12. California Code of Regulations, title 5, section 71700 states that "The Bureau may
request that an institution document compliance with the standards set forth in the Act and this
Division to obtain and maintain an approval to operate."

13. California Code of Regulations, title 5, section 71745, states as follows:

(a) The institution shall document that it has at all times sufficient assets
and financial resources to do all of the following:

(1) Provide all of the educational programs that the institution represented
it would provide.

(2) Ensure that all students admitted to its educational programs have a

1 reasonable opportunity to complete the programs and obtain their degrees or
2 diplomas.

3 (3) Maintain the minimum standards required by the Act and this chapter.

4 (4) Pay timely refunds as required by Article 13 of the Act.

5 (5) Pay all operating expenses due within 30 days.

6 (6) Maintain a ratio of current assets to current liabilities of 1.25 to 1.00
7 or greater at the end of the most recent fiscal year when using generally accepted
8 accounting principles, or for an institution participating in Title IV of the federal
9 Higher Education Act of 1965, meet the composite score requirements of the U.S.
10 Department of Education. For the purposes of this section, current assets does not
11 include: intangible assets, including goodwill, going concern value, organization
12 expense, startup costs, long-term prepayment of deferred charges, and non-returnable
13 deposits, or state or federal grant or loan funds that are not the property of the
14 institution but are held for future disbursement for the benefit of students. Unearned
15 tuition shall be accounted for in accordance with general accepted accounting
16 principles.

17 (b) At an institution's request, the Bureau may consider the financial
18 resources of a parent company if the parent company, as defined by section 94853 of
19 the Code, meets and maintains all of the following provisions:

20 (1) consents in writing to be sued in California;

21 (2) consents in writing to be subject to the jurisdiction of the Bureau with
22 respect to the institution's regulation under the Act and this Chapter;

23 (3) designates and maintains an agent for service of process, consistent
24 with section 74190;

25 (4) agrees in writing to pay any refund, claim, penalty, or judgment that
26 the institution is obligated to pay; and

27 (5) files financial reports, maintains financial records, and consents in
28 writing to permit the inspection and copying of financial records to the same extent as
is required of the institution.

(c) An institution shall provide to the Bureau its most current financial
statements upon request.

14. California Code of Regulations, title 5, section 74112, subdivisions (d), (e) & (g) state
in relevant part:

* * * *

(d) Completion Rates. Reporting of completion rates for an institution's
Annual Report and Performance Fact Sheet shall include, for each educational
program, the number of students who began program as defined in subdivision (b),
the number of students available for graduation, number of graduates, and completion
rate(s). An optional column may be added to include completion rate data for students
completing within 101-150% of the published program length. For an institution
reporting completion data pursuant to section 94929(b) of the Code, completion data

shall be separately reported for each program. The Performance Fact Sheet shall disclose, if true, that the completion data is being reported for students completing within 150% of the published program length, and that data is not being separately reported for students completing the program within 100% of the published program length.

Completion rates shall be included in the Performance Fact Sheet in a format substantially similar to the chart below, including the footnoted information below (dates, numbers, and other data shown are for example only):

Completion Rates (includes data for the two calendar years prior to reporting)

Name of Educational Program (Program Length)

<i>Calendar Year</i>	<i>Number of Students Who Began Program¹</i>	<i>Students Available for Graduation²</i>	<i>Graduates³</i>	<i>Completion Rate⁴</i>
20XX	100	98	70	71%
20XY	80	80	55	69%

Students Completing After Published Program Length - 150% Completion Rate

Name of Educational Program (Program Length)

<i>Calendar Year</i>	<i>Number of Students Who Began Program¹</i>	<i>Students Available for Graduation²</i>	<i>150% Graduates⁵</i>	<i>150% Completion Rate⁶</i>
20XX	100	98	25	26%
20XY	80	80	23	29%

¹ "Number of Students Who Began Program" is the number of students who began the program who are scheduled to complete the program within the reporting calendar year.

² "Students available for graduation" is the number of students who began program minus the number of "Students unavailable for graduation," which means those students who have died, been incarcerated, or called to active military duty.

³ "Graduates" is the number of students who completed the program within 100% of the published program length.

⁴ "Completion Rate" is the number of Graduates divided by the Number of Students Available for Graduation.

⁵ "150% Graduates" is the number of students who completed the program within 101-150% of the published program length.

⁶ "150% Completion Rate" is the number of students who completed the program in the reported calendar year within 101-150% of the published program length divided by the Number of Students Available for Graduation in the published program length period.

(e) Placement Rates.

(1) Any placement data required by sections 94910(b) and 94929.5(a) of the Code shall be reported for the number of students who began the program as defined in subdivision (b) for each reported calendar year.

(2) Placement is measured six months from the graduation date of each student. Reporting of placement rates shall include for each educational program: the number of students who began the program, the number of graduates as defined in subdivision (b), graduates available for employment, graduates employed in the field and placement rate(s).

(3) Placement rate shall be calculated as follows: the number of graduates employed in the field as defined in subsection 74112(b)(3) divided by the number of graduates available for employment as defined in section 94928(d) of the Code.

(4) Graduates employed in the field shall be reported for those graduates employed in the field in a single position that averages under 32 hours per week and those employed in the field in a single position that averages at least 32 hours per week.

References to the Code are to the California Education Code where the California Private Postsecondary Education Act of 2009 is located.

Placement rates shall be included in the Performance Fact Sheet in a format substantially similar to the chart below, including the footnoted information below (dates, numbers, and other data shown are for example only):

Placement Rates (includes data for the two calendar years prior to reporting)

Calendar Year	Name of Educational Program (Program Length)		Graduates Available for Employment ³	Graduates Employed in the Field ⁴	Placement Rate % Employed in the Field ⁵	Graduates	Graduates
	Number of Students Who Began Program ¹	Number of Graduates ²				Employed in the Field an	Employed in the Field at least
						average of less than 32 hours per week	32 hours per week
20XX	100	70	70	55	79%	5	50
20XY	80	55	55	20	36%	9	11

¹ "Number of Students Who Began Program" means the number of students who began the program who are scheduled to complete the program within the reporting calendar year.

² "Number of Graduates" is the number of students who have completed the program within 100% of the published program length.

³ "Graduates available for employment" means the number of graduates minus the number of graduates unavailable for employment. "Graduates unavailable for employment" means graduates who, after graduation, die, become incarcerated, are called to active military duty, are international students that leave the United States or do not have a visa allowing employment in the United States, or are continuing their education in an accredited or bureau-approved postsecondary institution.

⁴ "Graduates employed in the field" means graduates who report that they are gainfully employed within six months of graduation in a position for which the skills obtained through the education and training provided by the institution are required or provided a significant advantage to the graduate in obtaining the position.

⁵ Placement Rate is calculated by dividing the number of graduates gainfully employed in the field by the number of graduates available for employment.

* * * *

(g) Salary and Wage Information.

All Salary and Wage Information shall be reported to the Bureau pursuant to section 94929.5(c) of the Code and, if required by section 94910(d) of the Code, shall be included in the Performance Fact Sheet, for each educational program, in a format substantially similar to the chart below, including the footnoted information (dates, numbers, salaries, and other data shown are for example only).

Salary and Wage Information (includes data for the two calendar years prior to reporting)

Name of Educational Program (Program Length)	Annual Salary and Wages Reported by Graduates Employed in the Field ³						Students Not Reporting Salary
	Graduates Available for Employment ¹	Graduates Employed in the Field ²	\$15,000.00 - \$20,000.00	\$20,001.00 - \$25,000.00	\$25,001.00 - \$30,000.00	\$30,001.00 - \$35,000.00	
20XX	100	70	5	40	6	3	16
20XY	80	55	5	7	3	5	35

¹ "Graduates available for employment" means the number of graduates minus the number of graduates unavailable for employment. Graduates unavailable for employment means graduates who, after graduation, die, become incarcerated, are called to active military duty, are international students that leave the United States or do not have a visa allowing employment in the United States, or are continuing their education in an accredited or bureau-approved postsecondary institution.

² "Graduates employed in the field" means graduates who are gainfully employed within six months of graduation in a position for which the skills obtained through the education and training provided by the institution are required or provided a significant advantage to the graduate in obtaining the position.

³ Salary is as reported by the student. Not all graduates reported salary.

* * * *

1 15. California Code of Regulations, title 5, section 74115, states:

2 (a) This section applies to every set of financial statements required to be
3 prepared or filed by the Act or by this chapter.

4 (b) A set of financial statements shall contain, at a minimum, a balance
5 sheet, an income statement, and a cash flow statement, and the preparation of
6 financial statements, shall comply with all of the following:

7 (1) Audited and reviewed financial statements shall be conducted and
8 prepared in accordance with the generally accepted accounting principles established
9 by the American Institute of Certified Public Accountants by an independent certified
10 public accountant who is not an employee, officer, or corporate director or member of
11 the governing board of the institution.

12 (2) Financial statements prepared on an annual basis as required by
13 section 74110(b) shall be prepared in accordance with the generally accepted
14 accounting principles established by the American Institute of Certified Public
15 Accountants. Nonprofit institutions shall provide annual financial statements as
16 required under generally accepted accounting principles for nonprofit organizations.

17 (3) The financial statements shall establish that the institution meets the
18 requirements for financial resources required by Section 71745.

19 (4) If an audit performed to determine compliance with any federal or
20 state student financial aid program reveals any failure to comply with the
21 requirements of the program and the noncompliance creates any liability or potential
22 liability for the institution, the financial statements shall reflect the liability or
23 potential liability.

24 (5) Any audits shall demonstrate that the accountant obtained an
25 understanding of the institution's internal financial control structure, assessed any
26 risks, and has reported any material deficiencies in the internal controls.

27 (c) Work papers for the financial statements shall be retained for five
28 years from the date of the statements and shall be made available to the Bureau upon
request.

(d) "Current" with respect to financial statements means completed no
sooner than 120 days prior to the time it is submitted to the Bureau, and covering no
less than the most recent complete fiscal year. If more than 8 months will have
elapsed between the close of the most recent complete fiscal year and the time it is
submitted, the fiscal statements shall also cover no less than five months of that
current fiscal year.

COST RECOVERY

16. Section 94937 of the Code states, in pertinent part:

* * * *

(c) The bureau may seek reimbursement pursuant to Section 125.3 of the
Business and Professions Code.

(d) An institution shall not be required to pay the cost of investigation to

1 more than one agency.

2 17. Section 125.3 of the Business and Professions Code provides, in pertinent part, that
3 the Director may request the administrative law judge to direct a licentiate found to have
4 committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable
5 costs of the investigation and enforcement of the case.

6 **FACTUAL BACKGROUND**

7 18. ATI is an institution in Santa Monica, California which provides training, leading to
8 certification, as an "Alexander Technique"² teacher, and accepted tuition from students for
9 completion of its program.

10 19. On or about February 25, 2013, the Bureau received Application No. 25877, the
11 "Application for Renewal of Approval to Operate and Offer Educational Programs for Non-
12 Accredited Institutions" (application for renewal) from Respondent. Respondent submitted a
13 "Financial Report 2011", which was not reviewed or audited by a Certified Public Accountant
14 (CPA), with its application for renewal.

15 20. On or about February 26, 2013, the Bureau issued a deficiency letter to Respondent.

16 21. On or about March 3, 2013, Respondent sent the Bureau a letter stating that it had a
17 small student population and small operating budget and used simple accounting procedures.
18 Respondent claimed that the cost of preparation of a more elaborate financial statement would be
19 more than they pay in annual fees for approval, and enclosed another copy of the same 2011
20 financial statement which it had already included in its application for renewal.

21 22. On or about September 30, 2014, an Enforcement Inspection Analyst with the Bureau
22 conducted an announced compliance inspection of the Institution, which resulted in multiple
23 possible violations of the Code. The Enforcement Inspection Analyst performed a visual
24 inspection of the Institution's campus, reviewed institutional records, policies and procedures,
25 interviewed the Institution's owner, administrators and faculty and administered an anonymous
26 survey to students. There were violations which were found and corrected at the on-site

27 ²The Alexander technique is a way of learning how you can get rid of harmful tension in
28 your body. (See: <http://www.alexandertechnique.com/at.htm>.)

1 inspection. However, the following violations were found and remained after the inspection:

2 a. Violations of the Institution's Enrollment Agreement which failed to contain all of
3 the statements which were required by the Code.

4 b. A random sampling of Respondent's student records for current, graduated and
5 withdrawn/incomplete students were reviewed and were determined to be incomplete in that they
6 failed to contain: properly executed enrollment agreements, verification of prior education, copies
7 of documents signed by the students and the institution, financial ledgers, and transcripts. The
8 student files did not contain any financial documents and it was noted by the Institution that
9 someone outside of the school handles their financial documents. Moreover, the student files did
10 not contain academic transcripts for each student who graduated, showing all of the courses and
11 units upon which the certification was based. These were material violations.

12 c. The files of five instructors for the Institution were reviewed, and it was determined
13 that documents establishing completion of continuing education requirements were not
14 maintained in three of the five instructor files.

15 23. On or about September 30, 2014, the Bureau issued Notice to Comply 1917381 09 14
16 to the Institution and Respondent, notifying them of violations of Sections 94900 and 94911
17 along with violations of California Code of Regulations, title 5, sections 71720 and 71920.

18 24. On or about October 24, 2014, the Bureau received a written response from
19 Respondent related to each of the violations in Notice to Comply 1917381 09 14.

20 25. On or about November 3, 2014, the Bureau determined that Respondent's written
21 response and the proof which it submitted demonstrated that it had corrected all four of the
22 deficiencies in Notice to Comply 1917381 09 14. Therefore, the Bureau sent Respondent a letter
23 dated November 3, 2014, notifying it that the response demonstrated compliance with the minor
24 violations noted, and no further response was required.

25 26. On or about September 30, 2015, the Bureau sent Respondent a deficiency letter
26 regarding Respondent's Application for Renewal for Approval to Operate for an Institution Not
27 Accredited, #25877.

28 ///

1 27. On or about October 30, 2015, the Bureau received a response to the deficiency letter
2 from Respondent which was dated October 22, 2015. In the letter, Respondent Lyn Klein states
3 “Please see the enclosed response regarding our financial document”, but no financial document
4 was actually enclosed with the letter. In addition, Respondent’s letter states that their website
5 “. . . now has the Annual Report, Fact Sheet and Catalogue available under our Site Map heading,
6 State Approval.” Another letter from Respondent to the Bureau dated October 21, 2015
7 requested an exception to the requirement that the Institution’s financial statements must be
8 reviewed by a CPA “because it would cost thousands of dollars”.

9 28. On or about November 1, 2015, Respondent sent an email to the Bureau, indicating
10 that it did not include the financial statement which was referred to in its prior letter, and
11 attaching a copy of the 2013 financial statement.

12 29. On or about December 7, 2015, the Bureau sent Respondent a “Notice of Denial”
13 letter.

14 30. On or about February 5, 2016, Respondent sent the Bureau a letter requesting an
15 administrative hearing to appeal the denial of its application for a renewal of its license.

16 **FIRST CAUSE FOR DENIAL OF APPLICATION**

17 **(Failed to Submit Adequate Financial Statements)**

18 31. Respondent’s application is subject to denial under Code sections 94891, subdivision
19 (b) and 94928, subdivision (c), in that the Institution did not provide current financial statements
20 which have been reviewed and/or audited by a CPA, who is not an employee, officer, or corporate
21 director or member of the governing board of the institution, in accordance with the generally
22 accepted accounting principles established by the American Institute of Certified Public
23 Accountants, in violation of California Code of Regulations, title 5, sections 71475, subdivision
24 (e), 71745, subdivisions (b)(5) and (c), and 74115. Respondent incorporates by reference herein
25 Paragraphs 18-30, above.

26 **SECOND CAUSE FOR DENIAL OF APPLICATION**

27 **(Violated School Performance Fact Sheet Requirements)**

28 32. Respondent’s application is subject to denial under Code sections 94932, as follows:

1 a. Respondent violated Code sections 94910, subdivision (a), 94929, subdivision (a),
2 and 94928, and California Code of Regulation, title 5, section 74112, subdivision (d), in that
3 Respondent reports in its School Performance Fact Sheet (SPFS) that in 2013, two students began
4 the program, two students were available for graduation and those two graduated on time.
5 However, the Completion Rates for Students Completing After Published Program Length (101-
6 150% Completion Rate) state, two students began the program, two students were available for
7 graduation and two students completed and graduated within 101-150% of the published program
8 length. Pursuant to Code section 94928, subdivision (c), graduates are the number of students
9 who complete a program within 100% of the published program length and those students
10 completing within 150% of the contracted program length. It is not possible for two students who
11 were scheduled to complete in 2013 to graduate both on time and within 101-150% of the
12 program length. Substantiating documentation was not provided to determine whether the
13 students graduated on time or within 101-150% of the program length.

14 b. Respondent violated Code sections 94910, subdivision (a) and 94929, subdivision
15 (a), and California Code of Regulation, title 5, section 74112, subdivision (d), in that Respondent
16 reports in its SPFS that in 2013, two students began the program and two students completed
17 within the published program length, and the SPFS documents a 100% completion rate. The SPFS
18 data also documents that in 2013, two students began the program and two students completed
19 within the published program length, and the SPFS documents a 150% completion rate. Pursuant
20 to Code section 94929, subdivision (a), the completion rate shall be calculated by dividing the
21 number of graduates by the number of students available for graduation. The On Time
22 Completion and the Completion Rates for Students Completing After the Published Program
23 Length percentages are mathematically incorrect.

24 c. Respondent failed to include Placement Rates, in violation of Code sections 94910,
25 subdivision (b) and 94929.5, subdivision (a)(1) and California Code of Regulation, title 5, section
26 74112, subdivision (e), as follows:

27 (1) In 2013, the SPFS includes Placement Rates that state that the Placemnt Rates
28 for Graduates Employed in the Field; Placement Rate – Employed in the Field; Graduates

1 Employed in the Field an average of less than 32 hours per week; and Graduates Employed in the
2 Field at least 32 hours per week document “see attached list” and “see attached.” A numerical
3 calculation is required. Additionally, there was no attached document.

4 (2) In 2013, the SPFS documents one student for the “Number of Graduates” and
5 one student for the “Graduates Available for Employment”. However, these numbers are not
6 consistent with the Institution’s 2013 SPFS data reported for “On Time and For Students
7 Completing After Published Program Length” completion rates.

8 (3) For 2014, the SPFS includes Placement Rates which state that “Placement
9 Rates for Graduates Employed in the Field”; “Placement Rate – Employed in the Field”;
10 “Graduates Employed in the Field” an average of less than 32 hours per week; and “Graduates
11 Employed in the Field” at least 32 hours per week document “see attached list” and “see
12 attached.” A numerical calculation is required. Additionally, there was no attached document.

13 (4) In 2014, the SPFS documents three graduates for “Graduates Available for
14 Employment”. However, these numbers are not consistent with the Institution’s 2014 SPFS data
15 reported for “On Time and For Students Completing After Published Program Length”
16 completion rates.

17 d. Respondent failed to include in its SPFS a statement informing students where
18 they may obtain from the institution a list of employment positions determined to be within the
19 field for which a student received education and training for the calculation of job placement
20 rates, pursuant to Section 94910, subdivision (f)(2). The Institution’s SPFS includes the sample
21 verbiage provided by the Bureau, but was not updated to reflect the Institution’s website address.
22 Therefore, students do not know exactly where the list or employment positions may be obtained.

23 c. Respondent’s Salary and Wage Information in the SPFS for 2013 and 2014 states,
24 under the Annual Salary and Wages Reported Graduates Employed in the Field header, which
25 documents salary categories, “see attached” for the \$15,000-\$20,000 and the other are blank,
26 without the required numerical information. A corrected calculation is required. Additionally,
27 without this information the Bureau is unable to determine the accuracy of the students not
28 reporting salary.

1 f. Respondent's Salary and Wage Information in the SPFS for 2014 is blank, and
2 does not contain the required numerical calculation.

3 33. Respondent incorporates by reference herein Paragraphs 18-30, above.


4 **PRAYER**

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

8 1. Denying the renewal application of Alexander Training Institute of Los Angeles,
9 Institution Code Number 1917381; and

10 2. Taking such other and further action as deemed necessary and proper.

11
12 DATED: 01/21/16


13 JOANNE WENZEL
14 Chief
15 Bureau for Private Postsecondary Education
16 Department of Consumer Affairs
17 State of California
18 *Complainant*

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