

Case Name: *In the Matter of* Accrediting Council for Independent Colleges and Schools

Docket No.: 16-44-O

Filing Party: Respondent, Accrediting Council for Independent Colleges and Schools

Exhibit No.: B-O-30



Business, Consumer Services and Housing Agency – Governor Edmund G. Brown Jr.
Bureau for Private Postsecondary Education
2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833
P.O. Box 980818, West Sacramento, CA 95798-0818
P (916) 431-6959 F (916) 263-1897 www.bppe.ca.gov



April 11, 2018

VIA CERTIFIED MAIL

Certified Mail
Return Receipt Requested
7017 0660 0001 0842 4369

Richard Friberg
Herguan University
595 Lawrence Expressway
Sunnyvale, CA 94085

RE: Notice of Expiration of Approval to Operate, Institution Code # 88680649

Dear Mr. Friberg:

The Bureau for Private Postsecondary Education (Bureau) has received notice from the Accrediting Council for Independent Colleges and Schools (ACICS) that Herguan University's ACICS accreditation has been revoked, effective September 12, 2017. According to the Bureau's records, your institution was issued an approval by means of accreditation pursuant to California Education Code (CEC) section 94890 on May 13, 2016.

Section 94890, subdivision (b), provides that the "term of an approval to operate pursuant to this section shall be coterminous with the term of accreditation." Therefore, Herguan University's approval to operate by means of accreditation is expired on September 12, 2017.

In order to operate as a private postsecondary institution in California, unless exempt, a valid approval to operate license issued by the Bureau is required. See, CEC section 94886. CEC section 94944 provides that any person operating an institution without proper approval is subject to a fine not to exceed \$100,000.00.

You must immediately contact the Bureau's Closed School Unit to advise about your plans, and/or pursuant to Title 5, California Code of Regulations, section 76240, in order to provide the Bureau with a closure plan. A copy of section 76240 is attached to this letter for your reference and details the required information. You may (but are not required to) use the Bureau's School Closure Plan form which is available on the Bureau's website (http://www.bppe.ca.gov/forms_pubs/closed_school.pdf).

The Closed School Unit can be reached by dialing (916) 431-6914. Failure to contact the Bureau's Closed School Unit or provide a closure plan may subject the institution to citations and fines.

If you have any questions regarding the information contained in this letter, please call the Bureau at (916) 431-6959 and select option 4 for the Licensing Unit.

Sincerely,

(b)(6)

MARINA O'CONNOR
Licensing Chief

cc: Robert Bayles, Education Administrator
Yvette Johnson, Enforcement Chief, Bureau
Beth Scott, Enforcement Chief, Bureau
Scott Valverde, Chief, Office of Student Assistance and Relief
Bureau Closed School Unit
Perliter Walters-Gilliam, Accrediting Council for Independent College and Schools (via email)



76240. Required Notices and Teach-Out Plan.

All institutions, including those exempt from Bureau regulation pursuant to the Code, shall do the following prior to closing:

(a) At least 30 days prior to closing, the institution shall notify the Bureau in writing of its intention to close and provide a closure plan. The closure plan shall include:

- (1) The exact date and reason for the closure.
 - (2) The last date of instruction for each educational service or program.
 - (3) A list of students who were enrolled at any time during the 60 days prior to closure.
 - (4) If any student will not be provided complete educational services or the educational program, the institution shall provide:
 - (A) A plan for providing teach-outs or transfers, including the details of any agreements with other institutions.
 - (B) If no teach-out is contemplated, or for students who do not wish to participate in a teach-out, arrangements for making refunds within 45 days from the date of closure, or for institutions that participate in federal student financial aid programs arrangements for making refunds and returning federal student financial aid program funds.
 - (5) A plan for the disposition of student records.
 - (6) A plan to notify students of their rights and options under the Act and this chapter.
- (b) The institution shall notify the students of the following:
- (1) If the institution is a participant in federal student financial aid programs, it shall provide students information concerning those programs and institutional closures.
 - (2) If any student will not be provided complete educational services or the educational program, information regarding the Student Tuition Recovery Fund and the Bureau's physical and Internet addresses.

Note: Authority cited: Sections 94803 and 94877, Education Code. Reference: Sections 94874.5, 94909, 94911, 94926, 94927 and 94927.5, Education Code.



Business, Consumer Services and Housing Agency – Governor Edmund G. Brown Jr.
Bureau for Private Postsecondary Education
2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833
P.O. Box 980818, West Sacramento, CA 95798-0818
P (916) 431-6959 F (916) 263-1897 www.bppe.ca.gov



April 16, 2018

VIA CERTIFIED MAIL

Certified Mail
Return Receipt Requested
7017 0660 0001 0842 4376

Dr. Tim Somerville
Professional Golfers Career College
P.O. Box 892319
Temecula, CA 92589

RE: Accreditation Expiration, Institution Code # 3302051

Dear Dr. Tim Somerville:

The Bureau for Private Postsecondary Education (Bureau) is aware that the Professional Golfers Career College's (Institution) accreditation under the Accrediting Council for Independent Colleges and Schools (ACICS) was extended and will now expire on April 30, 2018. According to the Bureau's records, your institution was issued an approval by means of accreditation pursuant to California Education Code (CEC) section 94890 on February 9, 2015.

Section 94890 subdivision (b) provides that the "term of an approval to operate pursuant to this section shall be coterminous with the term of accreditation." Therefore, the Institution's approval to operate by means of accreditation will expire on April 30, 2018, unless the Institution's term of accreditation with ACICS is again extended.

In order to operate as a private postsecondary institution in California, unless exempt, a valid approval to operate license issued by the Bureau is required. See, CEC section 94886. CEC section 94944 provides that any person operating an institution without proper approval is subject to a fine not to exceed \$100,000.00.

You must contact the Bureau's Closed School Unit to advise about your plans, and/or pursuant to Title 5, California Code of Regulations, section 76240, in order to provide the Bureau with a closure plan. For your convenience, a voluntary School Closure Plan Form is available on the Bureau's website (http://www.bppe.ca.gov/schools/success_closure.shtml). A copy of section 76240 is attached to this letter for your reference. The Closed School Unit can be reached by dialing (916) 431-6914.

Failure to contact the Bureau's Closed School Unit or provide a closure plan may subject the institution to citations and fines.

If you have any questions regarding the information contained in this letter, please call the Bureau at (916) 431-6959 and select option 4 for the Licensing Unit.

Sincerely,

(b)(6)

MARINA O'CONNOR
Licensing Chief

cc: Robert Bayles, Education Administrator, Bureau
Yvette Johnson, Enforcement Chief, Bureau
Beth Scott, Enforcement Chief, Bureau
Scott Valverde, Chief, Office of Student Assistance and Relief
Margaret Christian, Bureau Closed School Unit
Perliter Walters-Gilliam, Accrediting Council for Independent College and Schools (via email)



76240. Required Notices and Teach-Out Plan.

All institutions, including those exempt from Bureau regulation pursuant to the Code, shall do the following prior to closing:

(a) At least 30 days prior to closing, the institution shall notify the Bureau in writing of its intention to close and provide a closure plan. The closure plan shall include:

- (1) The exact date and reason for the closure.
- (2) The last date of instruction for each educational service or program.
- (3) A list of students who were enrolled at any time during the 60 days prior to closure.
- (4) If any student will not be provided complete educational services or the educational program, the institution shall provide:
 - (A) A plan for providing teach-outs or transfers, including the details of any agreements with other institutions.
 - (B) If no teach-out is contemplated, or for students who do not wish to participate in a teach-out, arrangements for making refunds within 45 days from the date of closure, or for institutions that participate in federal student financial aid programs arrangements for making refunds and returning federal student financial aid program funds.
- (5) A plan for the disposition of student records.
- (6) A plan to notify students of their rights and options under the Act and this chapter.

(b) The institution shall notify the students of the following:

- (1) If the institution is a participant in federal student financial aid programs, it shall provide students information concerning those programs and institutional closures.
- (2) If any student will not be provided complete educational services or the educational program, information regarding the Student Tuition Recovery Fund and the Bureau's physical and Internet addresses.

Note: Authority cited: Sections 94803 and 94877, Education Code. Reference: Sections 94874.5, 94909, 94911, 94926, 94927 and 94927.5, Education Code.