



September 22, 2015

Dr. Barbara Quigley, CEO
Bristol University
2390 East Orangewood Avenue
Suite 485
Anaheim, CA 92806-6198

UPS 2nd Day Delivery
Tracking #: 1Z A87 964 02 9842 3781

Re: Loss of Eligibility
OPE ID: 03308300

Dear Dr. Quigley:

The U.S. Department of Education (Department) has learned that Bristol University (BU) underwent a change in ownership resulting in a change in control on December 26, 2014. However, BU did not file a materially complete application for that change in ownership with the Department within the timeframe prescribed by regulation. Therefore, BU is no longer eligible to participate in the student financial assistance programs authorized pursuant to Title IV of the Higher Education Act of 1965, as amended, 20 U.S.C. §§ 1070 et seq. (Title IV, HEA programs).

An institution that undergoes a change in ownership that results in a change of control ceases to qualify as an eligible institution upon occurrence of the change in ownership and control. 34 C.F.R. § 600.31(a)(1). However, the Department may continue the institution's participation in the Title IV, HEA Programs on a provisional basis if the institution submits, under the provisions of 34 C.F.R. § 600.20(g), a materially complete application no later than 10 business days after the change occurs. 34 C.F.R. § 600.31(a)(2)(i). A proprietary institution such as BU submits a materially complete application if it submits a fully completed application form supported by an originally signed signature page; a copy of the institution's state license or equivalent document that, as of the day before the change in ownership, authorized or will authorize the institution to provide a program of postsecondary education in the state in which it is located; a copy of the document from the institution's accrediting agency that, as of the day before the change in ownership, granted or will grant the institution accreditation status; audited financial statements of the institution's two most recently completed fiscal years that are prepared and audited in accordance with the requirements of 34 C.F.R. § 668.23; and audited financial statements of the institution's new owner's two most recently completed fiscal years that are audited in accordance with the requirements of 34 C.F.R. § 668.23, or equivalent information for that owner that is acceptable to the Secretary. Since BU underwent a change in ownership due to a change in the ownership structure, audited financial statements of the institution's new owner's two most recently completed fiscal years that are audited in accordance with the requirements of 34 C.F.R. § 668.23, or equivalent information for that owner that is acceptable to the Secretary, are not required.

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The Department is currently reviewing BU's application for a change in ownership resulting in a change in control, which was submitted on August 27, 2015. Based upon information in the application, BU underwent a change of ownership that resulted in a change of control on December 26, 2014. We have determined, however, that BU did not provide a materially complete application by January 12, 2015, the 10th business day after the date of the change in ownership. Specifically, BU did not submit an electronic application (E-App) and a signature page with change in ownership indicated as a purpose. Therefore, BU did not meet the requirements outlined in 34 C.F.R § 600.31(a)(2)(i), and ceased to qualify as an eligible Title IV, HEA program participant on December 26, 2014, the date of the change in ownership.

In order to resume participation in the Title IV, HEA programs, BU must demonstrate that it continues to be an eligible institution pursuant to 34 C.F.R. § 600.20(b), and be approved by the Secretary of Education to sign a new Program Participation Agreement under 34 C.F.R. Part 668, Subpart B. BU must therefore submit the following documents, so that the application process may be completed:

- Signature page (Section L) with an original signature of the new president;
- Section M including the owner's social security number and home address; and
- Default management plan, unless the institution is exempt under the provisions of 34 C.F.R. § 668.14(b)(15).

Also, please submit the following institutional policies:

- Admissions;
- Refunds;
- Satisfactory academic progress (SAP); and
- Return to Title IV.

In addition, if BU is required to submit a Letter of Credit (LOC), the actual amount of the LOC cannot be determined until the Department has received BU's same day balance sheet, and any other documentation the Department may request in order to fully evaluate the change in ownership transaction. If BU is required to post an LOC, the institution will be required to maintain the LOC until it provides the Department with audited financial statements for two complete fiscal years under its new ownership. The Department may reduce the LOC to at least 10 percent of BU's funding after receiving acceptable audited financial statements for one complete fiscal year that demonstrate that the owner and the institution are financially responsible and the institution is administratively capable.

BU must also update the application and type its responses to questions 36 and 38 in Sections H and K of the application.

Please be advised that if BU has received Title IV, HEA funds since December 26, 2014, and BU is not entitled to those funds under the provisions of 34 C.F.R. § 668.26(d), those funds will constitute institutional liabilities. The Department will notify BU of any applicable liabilities

owed for Title IV, HEA funds received after December 26, 2014 in separate correspondence¹. That letter will provide BU with the opportunity to contest any identified liabilities under the procedures set forth at 34 C.F.R. Part 668, Subpart H.

Please contact Dianne O'Riley, Sr. Eligibility Analyst, at (202) 377-4242 if you have any questions regarding the content of this notice.

Sincerely,



Martina Fernandez-Rosario
Division Director
San Francisco/Seattle School Participation Division

- cc: Dr. Patrick Doan, Vice Chair, Board of Directors, Bristol University
Mr. Albert C. Gray, Ph.D., President and Chief Executive Officer, Accrediting Council for Independent Colleges and Schools
Ms. Joanne Wenzel, Bureau Chief, California Department of Consumer Affairs, Bureau for Private Postsecondary Education
Mr. Leeza Rifredi, Licensing Chief, California Department of Consumer Affairs, Bureau for Private Postsecondary Education

¹ The Department will discuss liabilities due by Bristol in the Final Program Review Determination.