

U.S. Department of Homeland Security
Potomac Center North
500 12th Street SW, Washington, DC 20536

, President
Tri-Valley University

Dear _____ ;

I am writing to you regarding the Notice of Intent to Withdraw of the approval for attendance of nonimmigrant students of Tri-Valley University which was hand delivered to my house on 01/19/2011. Upon the decision of SEVP to withdraw TVU's SEVIS approval; we would like to submit the following written reasons under oath why TVU's shall not be withdraw from SEVP approval.

Since its inception in March 2008, Tri-Valley University is able to implement a cutting-edge technology of instruction model, which allows the live broadcasting of class with video, audio, desk-top sharing, chatting, document sharing, chat, recording features. Since our SEVP approval to enroll international students a year later in Feb 2009, the University has upgraded to the most advanced enterprise version which is capable of monitoring every second a student entering and leaving the classroom. We also reinforce student classroom attendance by requiring students showing their face in the camera to check the attendance. In Fall of 2010, approximate 90% of TVU 800 or so registered students attending weekly class meeting. According to the decision made by SEVP Director (<http://www.region12south.nafsa.org/CaliforniaCommunityCollegesSEVPannouncement.pdf>) as shown in Exhibit 1, item 6:

"In authorizing this flexibility for schools in determining the full course of study available, SEVP wishes that schools are clear on the available parameters of online training available to credit towards a full course of study." With regarding the on-line class attendance 8 CFR 214.2(f) (6) (G), ***" For F-1 Students enrolled in classes for credit or classroom hours, no more than the equivalent of one class or three credits per session, term, semester, trimester, or quarter may be counted toward the full course of study requirement if the class is taken on-line or through distance education and does not require the student's physical attendance for classes, examination or other purposes integral to completion of the class."*** The decision furthermore approve: ***"There is no limit enrolled in classes for credit or classroom hours can be counted toward a full course of study if the school can confirm the physical presence and participation of students. SEVP encourage schools to make maximum use of monitored online training as feasible"***. Item 8 even says: ***"SEVP is aware that there are other stated and college systems in the United States facing similar issues. The Director will consider allowing similar ameliorative standards of contacted by a state's department of education or an administrative office of a community college system."*** However, TVU's instruction is also quite different from the on-line program content which takes a textbook material and edits into reading and questions and answer section (on-line classes have no real lectures, just reading and E-mail back and forth between the students and the instructors). All TVU's classes are regular classic classroom instructor content with power point presentation on each textbook chapter with live class lectures and live classroom interaction between students and instructors. With the cutting-edge technology to live broadcasting class meeting at TVU, people at work can attend class and house wife can also attend class while staying at home.

With this technology, and good quality-content and practical course, as well as TVU's referral system (each single TVU student project his/her computer screen on the wall to turn his/her home into a TVU

classroom, many family and friend of TVU students join TVU also), the students enrollments have been exponentially grow . As the quick rising curve occurring just recent, a strong and effective administration system is in the process of forming, the University does have issues from the growing pain. We would like to address the 8 issues pointed out in your letter. Some are misunderstandings; some are our administrative system ignorance and part of the growing pain and have been working on to resolve.

Response to Issue 1: Failure to Comply with 8 CFR 214.3(g) (1) without a subpoena.

Since the inception on St. Patrick day on March 17, 2008, Tri-Valley University's students are mainly US citizens. With the SEVP approval on 02/17/2009 a year later, TVU does not have student dormitories to accommodate international students who come to the campus directly. The first contract TVU signed regarding international students was with consultancy who originally request for an exclusive contract to represent TVU in India to take the full responsibility of all TVU's international students (but was not approved by the President). TVU signed a contract with that they will receive 20% of each international student's tuition fee as the referral fee, and their responsibility including recruiting, referring students, VISA interview consultant, status change consultant, reinstatement consultant as well as airport pickup and accommodation. TVU's first hundred of international students are all taken care of by consultancy. From Application, they are all input the consultancy's CA address. When students arrive in California, they were picked up by consultancy, temperately stay with them for couple of day. then arranged them to stay at an apt in the same complex which rent and charge the student for rental fee.

That staff's (who actually committed stealing money and cheated student and was fired) misunderstanding of concealing the fact that the student who live outside of in California is apparently his limited knowledge and interpretation. "Conceal a fact" claim is never true (but indeed a vicious attempt to tear the university down by that fires staff teamed with another criminal person

). The University never told any staff in that way. As a matter of fact TVU's ADM office wrote numerous DMV verification letters to many different states of our government agency stating that the student's residence at a different state but attending classes over here. TVU later on hired staff to update student actual physical address, not the consultant address. With the frequent change of student address and quick growth of admitted students; the staff never completed the work.

As regulation 8 CFR 214.4 (a) (2) (i) (iii) states, we are actually in compliance with this regulation: the University communicated with all students through address. Letters mailed to address at: members will FedEx to student's address with their own expense. With this practice, TVU has indeed honored the controlling regulation: 8 CFR 214.4 (a) (2) (i) (iii), "In the event the student or his or her dependents cannot receive mail at such physical residence, the school must provide a mailing address in SEVIS". The address input in SEVIS is exact provided by the school, and effective working, and is the school legally contracted and give the authorization of the responsibility.

Response to Issue 2: Failure to comply with 8 CFR 214.3 (g) (2). See 8 CFR 214.4 (a) (2) (ii), Controlling regulation: 8 CFR 214.4 (a) (2) (ii), 214.3(g) (2), 214.3(h)(3), 214.2(f)(6)(i)(G).

TVU's instruction model's compliance with regulation 8 CFR 214.2 (f) (6)(i) (G) to fulfill the requirement of student physical attendance have addressed in the 2nd paragraph.

TVU honoring regulation CFR 214.3 (g) (i) with the consultancy address input as the international students contact has been elaborated above in Response to Issue 1.

On page 4 paragraph 4 of your letter, the letter saying that beginning June 2010, HIS agents has observed the building: for 6 days, but not find a single class going on over there.

It has to be true, because TVU has moved into starting in Sept, 2009, with ADM office, and many classrooms available in need bases.

However we did fail to report to SEVIS about the address change within 21 days, mainly because TVU has been considered purchasing a permanent campus building for quite a long time, and has considered several buildings including (with bank loan not approved), until finally bought (similar to but only one-third of the price and is a brand new building).

With every instructor teaches with TVU instruction system able to live broadcasting class meeting, TVU's instructor can be located at all different states of the US, and they are teaching everyday classes inside TVU's classrooms. If students come to campus in , the live class can be projected on the wall for live interaction with an instructor who is teaching at New York. The truth is that ever since the inception, TVU have been offering quality and practical class instructions with the dual-module of cutting-edge instructional model. At the time, when we applied for SEVP approval, our instructional model published on TVU's website since the first day of TVU inception is already a public knowledge. We advise every student, that they are welcome to come here, if they can not make it, they do not need to, because they will see exactly the same in their computer as everyone who come here on campus.

Even since the SEVP approval for enroll international students, TVU has been strongly reinforcing real classroom attendance, the President has sent multiple E-mails to both entire TVU students body, as well as TVU instructors on strictly monitoring and checking student attendance. However due to the quick growth pain, the administrative team do not catch up, also some students working as student assistant in the office has taken advantage of selling I20 or CPT for students money, ask students to give money to their account, and give students I20 (). is believed to be one of those students who did not even register a class, but obtain an I20 by the cheating office student assistant, who later on also feed wrong, threatening and defamation information (such as ABS address issues is just one) to ICE and many TVU students. We have fired them, later filed a police report against the two fraud individual. Student is one of the student victims.

With regarding to student interview, we reviewed the transcript. Students did attend the classes remotely, but he is not so sure about the legitimacy of TVU's instructional module by hearing something from some anonymous internet law forum discussion, so he tried to lie that he did come to California to attend the classes to cover. That is the main reason for his deportation, after we investigate the situation, we did give him another initial I20 for him to reapply for a student VISA, with an explanation and verification letter stating that he did resident in Chicago and attends the class here.

Response to Issue 3: Willful issuance by a DSO of a false statement including wrongful certification of a statement by signature, in connection with a student's school transfer or application for employment or practical training. See 8 CFR 214.4 (a) (2) (v).

Control regulation: 8 CFR 214.4 (a) (2) (v), 214.2(f)(9), 214.2 (f) (10)

TVU's Mission includes quality academic principle, integrated with practical industry application as well as Christian world view. Tri-Valley University has very unique academic programs to facility the University's Mission and Institutional Purpose. The continuum education nature of integration of academic and industrious application is reflected from every single course content to every academic degree program curriculum and requirement. To facility the objective of each degree program, a TVU student must work in industry to gain real working and application experiences before they can be

awarded a TVU degree. The class schedule and education model allows the realization of the curriculum requirement, class meeting are at evenings, and also can be accessed anywhere remotely, class meeting are recorded. As a continuum education university, TVU's CPT also differs from any other universities. Other universities make CPT a course (or a research course) for student to make tuition payment to enroll. At TVU, international student just register 3 regular courses to keep the full-time student status, all classes are in the evening, and all student is encouraged, recommended and helped by the university to find a job in industry to gain real application experience in order to fulfill the industry application requirement of the degree curriculum and to have a TVU's degree. So at TVU, CPT has no trimester limits. Student registered for 399 research course is also different form CPT, for a research course, a student will be assigned an individual instructor and work with him/her toward a research report, which is separated from CPT, while CPT is part of the entire degree curriculum requirement of real industry experience. Our CPT normally input is to: "Fulfill the degree requirement of the curriculum requirement". Only a few student who also find a research topic form their work decide to do research and write a thesis related to his work.

For CPT approval, a student needs to submit an offer letter. We can not judge the real job a student does at a company by the website description of the company in general. For an example, a software company like CISCO mainly running business in software programming also has human resource department, accounting department, may hiring people not only from Computer Science major, but also hiring student with major in business administration, accounting and mechanical engineering etc field as well. Our CPT staff is instructed to approve student's CPT with regarding to their job offer letter. To authorize a student to work is exactly fulfill TVU curriculum requirement of industry working experience.

Response to Issue 4: Conduct on the part of a DSO that does not comply with the regulation. See 8 CFR 214.4(a)(2)(vi). Controlling regulations: 8 CFR 214.4(a)(2)(vi), 214.2(f)(9)(i), 214.3(1)(1)

For any SEVIS approved university, such as UC Berkeley, students work as Teaching Assistant and Research Assistant is a common practice in each department. With TVU's continue education nature, most TVU's Ph.D. student are working in industry already (Those international students are on CPT). TVU has a unique position called Teaching Associated is for TVU's graduate student to teach classes, partially also is also a curriculum requirement of the Ph.D. degree to gain leadership and academic teaching experience (also reduce their tuition fee). With TVU's instructional model, every single TVU student can simply project his/her computer screen on the wall, and make it a TVU live classroom, every single TVU student's computer and home is a small TVU campus. We do have on-site employments which are student assistant positions in the administration office, such as in the admission department, registration department and record department.

When TVU initially submit I-17 and receive SEVIS approval, there is no full-time PSDO and DSO at all; we have the President as the DSO and her sister as the PSDO and her husband as another DSO (who are all volunteer workers as in TVU's five-year strategic plan). After approval, we have advertised for long time for qualified person with SEVIS experience to join the team. We have added as the DSO soon later, however she was threatened by the real criminal student assistant and quit her job due to fear. From beginning both and with their other full-time job commitment can only stop by the office part-time and in need basis. For the first year or so, TVU also does not have many international students, all international students affairs are performed by as a DSO. Later on, as their role also as an admission officer and registration office responsibility increase with the admitted students, the President assigns each one of them two student assistants because they cannot commit full-time to TVU's international students. However those student assistant have never be delegated the designation of the DSO and PSDO. Every day, they were only given a computer screen. They are strictly trained and instructed to

just typing previous designed content and word inside the SEVIS window, not allow modifying anything, not give the password and user name to login at all. The President holds all the account login information, student assistant is only given the screen to work on, and they are highly supervised and strictly monitored by the President in daily basis, their work is also reviewed daily by the President.

Response to Issue 5: Failure to provide SEVP paper copies of the school's Form I-17 bearing the names, titles and signatures of DSOs as required by 214.3 (1) (2). See 8 CFR 214.4 (a) (2) (vii)
Controlling regulation: 8 CFR 214.4(a) (2) (viii), 214.3 (1) (2)

Already addressed in response to Issue 4 .

Response to Issue 6: Failure to submit statements of DSOs as required by 8 CFR 214.3 (1) (3), See 8 CFR 214.4 (a) (2) (ix). Controlling regulation: 8 CFR 214.4 (a) (2) (ix), 214.3 (1)(3).

Already addressed in response to Issue 4 .

Response to Issue 7: Issuance of Forms I-20 to aliens who will not be enrolled in or carry full courses of study, as defined in 8 CFR 214.2 (f) (6). See 8 CFR 214.4 (a) (2) (xi)
Controlling regulations: 8 CFR 214.4 (a) (2) (xi), 214.2 (f)(6)

The first paragraph of this letter has elaborated TVU's class instruction model, the class attendance monitoring as well as the attendance rate from the previous term and the legitimacy of this instructional model. In the early stage of the university, first year, TVU only have US students who are working full-time taking classes, if they request class absent, sometimes, the President give them permission, with the strict requirement that the student has to study the class meeting recorded video, and complete their homework assignment and have good grade in midterm and final exam (they are responsible to contact with the instructor to arrange individual study if needed).

With the increasing of the International students' enrollment, The President has sent multiple E-mails to all TVU students to make the real life class attendance mandatory, E-mails to all Instructors to strictly monitor student class attendance. TVU's majority students are post-educated adult and individuals, normally all requirements are done in a willing manner, if the President order everyone to come to class, majority of them will honor that requirement willingly. As a matter of fact, our virtual classroom data show that majority of TVU student in the previous term, close to 90% registered international students are attending weekly class meeting. The virtual class room monitoring has small issues if a student or a faculty is not properly trained, when a student enter the classroom, if he/she forget to input his own name, what the system sees is just an "Attendee No", can not identify who the student is. Also some student may leave the class in the middle, and relogin in couple of minutes later. We are also plan to fix all of these issues in the coming term, by training all TVU students and instructors on how to check in the attendance in the first 30 minute of each class meeting, with the students showing face in camera and full name recorded.

Student _____ and _____ cases are just two individuals, and one who never attend the class remains in India, TVU never give him another chance of I20. _____ who did attend classes was given another chance for VISA interview.

Response to Issue 8: Failure of a DSO to notify SEVP of material changes, such as changes to the school's name, address, or curriculum changes that represent material changes to the scope of institution offerings as required by 8 CFR 214.3 (f) (1), See 8 CFR 214.4 (a) (2) (xix). Controlling regulations: 8 CFR 214.4 (a) (2) (xix), 214.3(f)(1), 214.3(g)(2)(i), 214.3(h)(3).

Tri-Valley University's academic program, class content, degree curriculum are keeping improving and updating almost in daily, weekly bases, so does the website and Catalog which are modified and improved accordingly. We did not receive any instruction on report to SEVIS on daily and weekly class modification and program changes, as well as location changes. We received E-mail notice form SEVIS, that every two years the school will need submit I-17 for recertification. This Feb 17th, 2011, is our two year recertification time, we plan to update all of the change (including academic program change, curriculum changes and location changes) to SEVIS at that time.

With the recent increasing of student enrollments, the administration team suffers from grow pain, and in the process of catching up. There are many places and issues we need to improve. We feel that we shall be given an opportunity to report our change of address in Feb. 2011. The intention to terminate all TVU active student SEVIS status and school's access is extremely unfair. We all aware that majority of TVU students are post-educated intellectual, and have done nothing wrong and illegal. In case the President decides to forsake the school, these students need to transfer to good University in US to continue their education.

As for now, we would like you to review the reasons which I submit above for why SEVP shall not withdraw Tri-Valley University's approval.

Sincerely;

, President

Tri-Valley University

Exhibit 1 Decision by SEVP Director Full Course of Study: California Community Colleges Crisis.