



**Bureau for Private Postsecondary Education**  
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**APPEAL OF CITATION INFORMAL CONFERENCE**  
**DECISION: CITATION AFFIRMED**

October 21, 2020

PCOM Holdings, LLC, Owner  
Pacific College of Health and Science  
7445 Mission Valley Rd, Ste 105  
San Diego, CA, 92108

<b>Date of Issuance</b>	<b>Citation Number</b>	<b>Institution Code</b>
October 21, 2020	2021056	3706241

On October 2, 2020, an informal telephone conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. 2021056 (Citation) against PCOM Holdings, LLC., Owner of Pacific College of Health and Science (Institution). In attendance were Beth Danielson, Enforcement Chief, Teri Powers, Campus Director, and Malcolm Youngren, COO.

Pursuant to Business and Professions Code, section 125.9; California Education Code, section 94936; and Title 5 of the California Code of Regulations, section 75020 and section 75040, the Bureau for Private Postsecondary Education (Bureau) renders the following decision relative to your appeal of the Citation No. 2021056.

It is the decision of the Enforcement Chief that on October 7, 2020, Citation No. 2021056 is affirmed for the following reason(s):

- No new substantive facts were presented at the conference.

**VIOLATION CODE SECTIONS**

#	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 94935(b)(h) – Notice to Comply</b>  <i>“(b) An institution that receives a notice to comply shall have no more than 30 days from the date of inspection to remedy the noncompliance.</i>  <i>(h) If an institution fails to comply with a notice to comply within the prescribed time, the bureau shall take appropriate administrative enforcement action.”</i></p> <p><b>The Institution failed to comply with the NTC within the prescribed time of 30 days. The Institution was unable to submit proof of compliance with the following laws and regulations:</b></p>

**5, CCR Section 71800(b) – Enrollment Agreement**

*In addition to the requirements of section 94911 of the Code, an institution shall provide to each student an enrollment agreement that contains at the least the following information:*

*(b) Period covered by the enrollment agreement*

**5, CCR Section 71800(e)(11) – Enrollment Agreement**

*In addition to the requirements of section 94911 of the Code, an institution shall provide to each student an enrollment agreement that contains at the least the following information:*

*(e) Itemization of all institutional charges and fees including, as applicable:*

*(11) Student Tuition Recovery Fund fee (non-refundable);*

**5, CCR Section 76140(a) – Record-Keeping Requirements**

*(a) A qualifying institution shall collect and maintain records of student information to substantiate the data reported on the STRF Assessment Reporting Form and records of the students' eligibility under the Fund. Such records shall include the following for each student:*

**5, CCR Section 76140(b) – Record-Keeping Requirements**

*(b) The qualifying institution shall maintain the data required under this section in an electronic format that is readily available and open to inspection by the Bureau upon request. The institution shall make the records immediately available to a Bureau representative conducting a site inspection or, upon written request, shall provide a copy within 14 calendar days of the request. All records shall be provided to the Bureau in an intelligible and orderly manner and in an electronic format.*

**CEC Section 94913(a)(3) – Institutional Web Site Requirements**

*(a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following:*

*(3) Student brochures offered by the institution.*

**CEC Section 94897(o) – Prohibited Business Practices**

*An institution shall not do any of the following:*

*(o) Require a prospective student to provide personal contact information in order to obtain, from the institution's Internet Web site, educational program information that is required to be contained in the school catalog or any information required pursuant to the consumer information requirements of Title IV of the federal Higher Education Act of 1965, and any amendments thereto.*

**Order of Abatement:**

The Institution shall submit proof of compliance with all NTC violations listed above. (See attached NTC)

**Assessment of Fine**

The fine for this violation is \$501.00

Payment of the Administrative Fine was received September 21, 2020.

**TOTAL AFFIRMED ADMINISTRATIVE FINE DUE: \$00.00**

ORDER OF ABATEMENT

The Bureau orders that you comply with the orders described in the 'Violation Code Sections' of this document and submit evidence of compliance within 30 days from the date of this decision.

APPEAL OF CITATION

You *do not* have the right to request another Informal Conference to appeal this affirmed Citation. If you did not initially request an Administrative Hearing within 30 days from when the original citation was issued, you can no longer request one.

EFFECTIVE DATE OF CITATION

This affirmed Citation is effective on **October 21, 2020**. The order of abatement is due by **November 20, 2020**.

Failure to abate the violation within the time allowed is grounds for denial of an application for an approval to operate or discipline. The Bureau will promptly take all appropriate action to enforce the Affirmed 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 decision or desire further information, please contact Gabriella Perez, Citation Analyst, at (916) 574-8969 or at Gabriella.Perez@dca.ca.gov.

“Original signature on file”

“10/21/2020”

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**Christina Villanueva**  
**Discipline Manager**

\_\_\_\_\_  
**Date**

Enclosures

- Declaration of Service by Certified and First-Class Mail