



MODIFIED CITATION ORDER

Citation Issued To: The Learning Source 270 E. Douglass Avenue El Cajon, CA 92020 Institution Code: 58707895	Citation Number: 2324072
	Total Fine Amount: \$5,002.00
	Order of Abatement Included: Yes

Elizabeth Elias issues this modified citation in her official capacity as Enforcement Chief of the Bureau for Private Postsecondary Education, California Department of Consumer Affairs (hereinafter referred to as the "Bureau").

LICENSING HISTORY

- On or about September 29, 2015, the Bureau issued an Approval to Operate a Private Postsecondary Institution to The Learning Source (hereinafter referred to as the "Institution"). This Approval to Operate expired on or about September 28, 2020 and has not been renewed. An application for renewal of the Institution's Approval to Operate a Private Postsecondary Institution was received on September 28, 2020 and is under review.

DISCIPLINE HISTORY

- The Institution has the following discipline history:
 - [Citation No. 2021103, issued October 1, 2020](#)
 - Evidence of compliance; citation satisfied May 25, 2021

CITATION JURISDICTION

- This administrative citation is issued to the Institution pursuant to California Education Code (CEC) section 94936; and Title 5 of the California Code of Regulations (5 CCR) section 75020 et seq. for the violation(s) described below.

CITATION HISTORY

4. On or about January 18, 2024, the Bureau issued Citation No. 2324072. On or about February 8, 2024, the Bureau received an appeal with a request for an informal conference. The informal conference was held on February 23, 2024. New substantive facts were presented during the informal conference; therefore, the Bureau modifies the citation as follows:

CAUSE FOR CITATION & MODIFIED ASSESMENT OF FINE AND/OR ORDER OF ABATEMENT

5. The Institution is in violation of the following Bureau laws and regulations:

Violation #1:

5 CCR section 74112 (m)(3-5) – Uniform Data – Annual Report, Performance Fact Sheet and 5 CCR section 71930 (e) – Maintenance Records

Cause for Citation: On or about August 30, 2022, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5 (a). Bureau staff requested a copy of the documentation supporting all data reported on the 2019/2020 School Performance Fact Sheet (SPFS) for review; upon this review, Bureau staff noted that several key required data points were missing from the supporting data, as referred in 74112 (m)(3-5).

- m(3)- graduates place of employment and position, date employment began
- m(4)- for each employer, the employers name(s) address and general phone number
- m(5)- for students who become self-employed, all documentation necessary to demonstrate self-employment

Additionally, upon review Bureau staff noted that the documentation supporting all data reported on the 2019/2020 SPFS did not included data for the following programs that were listed in the 2019/2020 SPFS:

- Real Estate
- Real Estate (Online)
- Real Estate Management
- Real Estate Management (Online)

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class A” violation. The Institution is issued a fine of \$2,501.00.

Administrative Fine: Affirmed.

Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Institution must submit a statement of attestation they have corrected the violation and will ensure that the substantiating data for SPFS is maintained and contains all required data pursuant to 5 CCR section 74112. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Order of Abatement: Affirmed.

Violation #2:

5 CCR section 74112 (m)(1-9) – Uniform Data – Annual Report, Performance, in conjunction with CEC section 94897 (j)(3) – Prohibited Business Practices

Cause for Citation: On or about August 30, 2022, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5 (a). Upon review of the 2019/2020 SPFS reported on the Institution’s website and the documentation supporting all data reported on the 2019/2020 SPFS the Bureau identified the backup documentation is inconsistent with the data reported on the 2019/2020 SPFS.

The Institution’s documentation supporting all data for the 2019/2020 SPFS for the Computer Basic with Small Business Marketing (CBSBM) (English) 240-hour program does not match the information reported on the 2019/2020 SPFS as follows:

- The Institution’s backup data lists one graduate for the CBSBM (English) program as not currently employed. However, the 2019/2020 SPFS lists one graduate for the CBSBM (English) program as employed.

The Institution’s documentation supporting all data for the 2019/2020 SPFS CBSBM (Spanish) 240-hour program does not match the CBSBM (Spanish) 240-hour program reported on the 2019/2020 SPFS as follows:

- The Institution's 2019/2020 SPFS lists three graduates as employed. However, the backup data indicates one of the three graduates as employed and the Institution was unsuccessful in verifying employment for the other two graduates.

The Institution's documentation supporting all data for the 2019/2020 SPFS CBSBM (English Online) 240-hour program does not match the CBSBM (English Online) 240-hour program reported on the 2019/2020 SPFS as follows:

- The Institution's 2019/2020 SPFS lists eight graduates as employed. However, the Institution's backup data identifies only four of the eight graduates as employed.
- The Institution's 2019/2020 SPFS under Salary and Wage Information indicates that 8 graduates as "No Salary Information Reported."

However, the backup data identifies one of the eight students having an actual salary.

The Institution's documentation supporting all data for the 2019/2020 SPFS CBSBM (Spanish Online) 240-hour program does not match the CBSBM (Spanish Online) 240-hour program reported on the 2019/2020 SPFS as follows:

- The Institution's 2019/2020 SPFS lists a total of thirty-five graduates as employed. However, the Institution's backup data indicated that ten of the forty-one graduates were employed.
- The Institution's 2019/2020 SPFS lists fifteen graduates who are self-employed. However, the Institution's backup data indicates only two graduates are self-employed.
- The Institution's 2019/2020 SPFS lists thirty-five graduates work at least 20-29 hours per week in the field. However, the Institution's backup data indicates twenty-six out of the thirty-five graduates work 20-29 hours per week in the field.
- The backup data shows that seven graduates reported salary information. However, in the 2019/2020 SPFS under "Annual salary and wages reported for graduates in the field", the Institution noted no salary information for 35 graduates.

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a "Class A" violation. The Institution is issued a fine of \$5,000.00.

Administrative Fine: Modified. The Bureau modifies the administrative fine from \$5,000 to \$2,501.00. The violation remains a "Class A" violation.

Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Institution must submit a statement of attestation they have corrected the violation and will ensure that the back-up documentation contains true and correct data and will maintain future compliance. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Order of Abatement: Affirmed.

COMPLIANCE WITH ORDER OF ABATEMENT

6. In accordance with the provisions of CEC section 94936 and 5 CCR sections 75020 and 75040, the Bureau issues the order(s) of abatement described above. Evidence of compliance with the order of abatement must be submitted to the Bureau within 30 days from the date of issuance of this modified citation. Evidence of compliance with the order of abatement may sent by mail or email to:
 - Mail: Bureau for Private Postsecondary Education
Attn: Discipline Unit – Tessa Barron
1747 North Market, Blvd., Suite 225
Sacramento, CA 95834
 - Email: bppe.discipline@dca.ca.gov
 - In the subject line, please include the Institution name and citation number.

COMPLIANCE WITH ASSESSMENT OF FINE

7. In accordance with the provisions of CEC section 94936, and 5 CCR section 75020 et seq., the Bureau hereby orders this assessment of fines in the total amount of \$5,002.00 for the violations described above. Payment of the fines must be made to the Bureau within 30 days from the date of service of this modified citation. To assist the Bureau in processing the

payment of fines, please submit the enclosed *Payment of Fine – Waiver of Appeal* form.

Payment must be sent to the Bureau by mail at:

- Bureau for Private Postsecondary Education
Attn: Discipline Unit – Tessa Barron
1747 North Market, Blvd., Suite 225
Sacramento, CA 95834

NOTICE OF APPEAL RIGHTS

8. Pursuant to 5 CCR section 75040(d), the modified decision is considered final, unless a request for a hearing was filed timely.

If the Institution requested a hearing and no longer chooses to proceed with the hearing, the Institution may request to withdraw the request for a hearing.

COMPLIANCE WITH FINE AND/OR ORDER OR ABATEMENT DISCLOSURE

9. Pursuant to 5 CCR section 75050, payment of the fine and/or compliance with any order of abatement does not constitute an admission of the violation charged and shall be represented as satisfactory resolution of the matter for the purposes of public disclosure.

Pursuant to 5 CCR section 75050, failure to comply with this citation order, its order of abatement, and/or administrative fine by the required due date is grounds for denial or discipline of an approval to operate. Where a citation is not contested and fine is not paid, the full amount of the assessed fine shall be added to the fee for renewal of the approval to operate. An approval to operate shall not be renewed without payment of the renewal fee and fine. The Bureau may also enforce the administrative fine as if it were a money judgment pursuant to CEC section 94936.

BUREAU CONTACT INFORMATION

10. If you have any questions regarding this Citation, please contact Tessa Barron, Citation Analyst by email at Tessa.Barron@dca.ca.gov or by phone at (916) 574-7791.

Citation Number: 2324072
Institution: The Learning Source
Institution Code: 58707895

“Original signature on file”

Elizabeth Elias
Enforcement Chief

“3/6/2024”

Citation Date of Issuance

Enclosures:

- Payment of Fine
- Withdrawal of Request for Administration Hearing
- Declaration of Service by Certified and First-Class Mail