



AFFIRMED CITATION ORDER

Citation Issued To: Micro-Easy Vocational Institute 2300 El Portal Dr. Suite C San Pablo, CA 94806 Institution Code: 0703041	Citation Number: 2223041
	Total Fine Amount: \$15,004.00
	Order of Abatement Included: Yes

Elizabeth Elias issues this affirmed 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 July 2, 2015, the Bureau renewed an Approval to Operate a Private Postsecondary Institution to Micro-Easy Vocational Institute (hereinafter referred to as the "Institution"). This Approval to Operate expired on or about July 1, 2020 and has not been renewed.

DISCIPLINE HISTORY

- The Institution has the following discipline history:
 - [Modified Citation No. 1819131 issued March 26, 2019](#)
 - Evidence of compliance; citation satisfied May 3, 2019
 - [Modified Citation No. 1920180 issued March 6, 2020](#)
 - Evidence of compliance; citation satisfied June 10, 2020
 - [Modified Citation No. 1920339 issued September 10, 2020](#)
 - Evidence of compliance; citation satisfied April 13, 2022
 - [Statement of Issue filed November 2, 2022](#)

CITATION JURISDICTION

- This administrative citation is issued to the Institution pursuant to the statutory provisions of 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 March 6, 2023, the Bureau issued Citation No. 2223041. On or about March 16, 2023, the Bureau received an appeal with a request for an informal conference. The informal conference was held on May 12, 2023. No new substantive facts were presented during the informal conference; therefore, the Bureau affirms Citation No. 2223041.

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

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

Violation #1:
CCR, Title 5, section 76130 – Collection and Submission of Assessments
Cause for Citation: The Institution failed to submit the Student Tuition Recovery Fund (STRF) Assessment Reporting form and pay any applicable fees as required for the 2nd, 3rd, and 4th quarter reporting periods of 2020.
Administrative Fine: Pursuant to 5, CCR 75030, the Bureau has determined this to be a "Class C" violation. The Institution is issued a fine of \$501.00.
Order of Abatement: Pursuant to 5, CCR 75020, the Bureau issues the following order of abatement: The Bureau orders the Institution to submit the Student Tuition Recovery Fund (STRF) Assessment Reporting form and pay any applicable fees as required for the 2nd, 3rd, and 4th quarter reporting periods of 2020.
Violation #2:
CCR, Title 5, section 76130 – Collection and Submission of Assessments
Cause for Citation: The Institution failed to submit the Student Tuition Recovery Fund (STRF) Assessment Reporting form and pay any applicable fees as required for the 1st, 2nd, and 3rd quarter reporting periods of 2021.
Administrative Fine: Pursuant to 5, CCR 75030, the Bureau has determined this to be a "Class C" violation. The Institution is issued a fine of \$501.00.

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

The Bureau orders the Institution to submit the Student Tuition Recovery Fund (STRF) Assessment Reporting form and pay any applicable fees as required for the 1st, 2nd, and 3rd quarter reporting periods of 2021.

Violation #3:

CCR, Title 5, section 71745 (a)(6) – Financial Resources, in conjunction with CEC section 94885 (a)(6)(9) – Minimum Operating Standards

Cause for Citation: On or about December 8, 2021, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5(a). Bureau staff reviewed the financial statements for year-end December 31, 2020 and determined that the Institution's ratio is 0.81 to 1. The Institution failed to maintain a ratio of current assets to current liabilities of 1.25 to 1.00 or greater.

Administrative Fine: Pursuant to 5, CCR 75030, the Bureau has determined this to be a "A" violation. The Institution is issued a fine of \$2501.00.

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

The Bureau orders the Institution to submit the following:

1. Current financial statements for year-end 2022 which demonstrates compliance with CCR, Title 5, 71745 (a)(6).
2. In an electronic format, a roster of all currently enrolled students that includes the student: (1) names, (2) addresses, (3) telephone numbers, (4) email addresses, (5) program in which they are enrolled, (6) date of enrollment, (7) total cost of the program and (8) the total amount the student has paid.

Violation #4:

CCR, Title 5, section 71920 (b)(5) – Student Records and CCR, Title 5, section 71930 (a), (e) – Maintenance Records in conjunction with CEC 94900 (b) – Required Student Records

Cause for Citation: On or about December 8, 2021, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5(a). Bureau staff reviewed student files and determined that the files did not contain an Institution transcript.

Administrative Fine: Pursuant to 5, CCR 75030, the Bureau has determined this to be a "Class C" violation. The Institution is issued a fine of \$1,000.00.

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

The Bureau orders the Institution to ensure all student records follow the law pursuant to CCR, Title 5, section 71920. The Institution must submit a statement of attestation they have corrected the violation and ensured that all student records contain an Institution transcript. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Violation #5:

5, CCR Section 71720 (b)(2) – Faculty and CCR, Title 5, section 71930 (e) – Maintenance Records in conjunction with CEC 94900.5 (b) – Required Institutional Records

Cause for Citation: On or about December 8, 2021, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5(a). Bureau staff reviewed faculty records and determined that that the Institution did not maintain faculty records regarding continuing education (CE) courses in the subject area, classroom management or other courses related to teaching.

Administrative Fine: Pursuant to 5, CCR 75030, the Bureau has determined this to be a "Class C" violation. The Institution is issued a fine of \$1,000.00.

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

The Bureau orders the Institution to ensure all faculty records follow the law pursuant to CEC 94900.5 (b) and CCR, Title 5, section 71720 (b)(2). The Institution must submit a statement of attestation they have corrected the violation and ensured that all faculty records are in compliance with the law. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Violation #6:

CCR, Title 5, section 71730 (e) – Administration, CCR, Title 5, section 71930 (e) – Maintenance Records in conjunction with CEC 94900.5 (b) – Required Institutional Records

Cause for Citation: On or about December 8, 2021, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5(a). Bureau staff requested the Chief Academic Officer (CAO) records for review; however, the Institution failed to provide the records upon request.

Administrative Fine: Pursuant to 5, CCR 75030, the Bureau has determined this to be a "Class C" violation. The Institution is issued a fine of \$1,000.00.

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

The Bureau orders the Institution to ensure all faculty records follow the law pursuant to CEC 94900.5 (b) and CCR, Title 5, section 71730 (e). The Institution must submit a statement of attestation they have corrected the violation and ensured that all faculty records are in compliance with the law. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Violation #7:

CCR, Title 5, section 71760 – Self Monitoring Procedures and CCR, Title 5, section 71930 (e) – Maintenance Records

Cause for Citation: On or about December 8, 2021, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5(a). Bureau staff requested a copy of the Institution's self-monitoring procedures; however, the Institution failed to provide a copy upon request.

Administrative Fine: Pursuant to 5, CCR 75030, the Bureau has determined this to be a "Class D" violation. The Institution is issued a fine of \$500.00.

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

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The Bureau orders the Institution to correct the violation and submit a copy of the Institution's self-monitoring procedures pursuant to CCR, Title 5, section 71760.

Violation #8:

CCR, Title 5, section 71735 (b) – Facilities and Equipment

Cause for Citation: On or about December 8, 2021, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5(a). During the inspection Bureau staff requested permits required by any public agencies relating to the health and safety of the Institution's facilities and equipment on file. The Institution failed to provide copies of the permits upon request.

Administrative Fine: Pursuant to 5, CCR 75030, the Bureau has determined this to be a "Class B" violation. The Institution is issued a fine of \$2,500.00.

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

The Bureau orders the Institution to submit copies of all required permits pursuant to CCR, Title 5, section 71735 (b).

Violation #9:

CCR, Title 5, section 76130 – Collection and Submission of Assessments

Cause for Citation: The Institution failed to submit the Student Tuition Recovery Fund (STRF) Assessment Reporting form and pay any applicable fees as required for the 1st, 2nd, and 4th quarter reporting periods of 2022.

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

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

The Bureau orders the Institution to submit the Student Tuition Recovery Fund (STRF) Assessment Reporting form and pay any applicable fees as required for the 1st, 2nd, and 4th quarter reporting periods of 2022.

Violation #10:

CCR, Title 5, section 74110 – Annual Report in conjunction with CEC section 94934 – Annual Report

Cause for Citation: A review of the Bureau's records confirm the Institution failed to submit all components of the 2021 Annual Report which was due to the Bureau by December 1, 2022. A reminder notice was sent to the Institution on or about the following dates: June 28, 2022, July 14, 2022, and July 26, 2022.

Administrative Fine: Pursuant to 5, CCR 75030, the Bureau has determined this to be a "Class A" violation. The Institution is issued a fine of \$5000.00.

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

The Bureau orders the Institution to submit the 2021 Annual Report pursuant to CCR, Title 5, section 74110 and CEC section 94934.

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 affirmed 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 – Cheryl Lardizabal
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 \$ 15,004.00 for the violations described above.

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Payment of the fines must be made to the Bureau within 30 days from the date of issuance of this affirmed 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 – Cheryl Lardizabal
1747 North Market, Blvd., Suite 225
Sacramento, CA 95834

NOTICE OF APPEAL RIGHTS

8. Pursuant to 5 CCR section 75040(d), the affirmed 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. If the Institution has not requested to withdraw the hearing, a hearing will be set to hear the matter.

COMPLIANCE WITH FINE AND/OR ORDER OR ABATEMENT DISCLOSURE

9. Pursuant to 5 CCR section 75050, payment of 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.

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BUREAU CONTACT INFORMATION

10. If you have any questions regarding this Citation, please Cheryl Lardizabal, Citation Analyst by email at Cheryl.Lardizabal@dca.ca.gov or by phone at (916) 574-7427.

"Original Signature on File"

5/24/2023

Elizabeth Elias
Enforcement Chief

Citation Date of Issuance

Enclosures:

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