



Bureau for Private Postsecondary Education
 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833
 P.O. Box 980818, West Sacramento, CA 95798-0818
 P (916) 431-6959 F (916) 263-1897 www.bppe.ca.gov



CITATION: ASSESSMENT OF FINE

To: Sacramento Ultrasound, Inc., Owner
 Sacramento Ultrasound Institute
 2233-Watt Ave, Suite 150
 Sacramento, CA 95825

INSTITUTION CODE: 3402661
CITATION NUMBER: 1819065
CITATION ISSUANCE/SERVICE DATE: December 5, 2018
DUE DATE: January 4, 2019

FINE AMOUNT: \$ 3,500.00

ORDER OF ABATEMENT INCLUDED: YES

Christina Villanueva issues this Citation: Assessment of Fine and Order of Abatement (Citation) in her official capacity as Discipline Manager of the Bureau for Private Postsecondary Education (Bureau) of the California Department of Consumer Affairs.

CITATION

A Citation is hereby issued to Sacramento Ultrasound, Inc., Owner of Sacramento Ultrasound Institute located at 2233-Watt Ave, Suite 150, Sacramento, CA 95825 pursuant to Business and Professions Code section 125.9; California Education Code (CEC) section 94936; and Title 5 of the California Code of Regulations (5, CCR) section 75020 for the violations described below.

BACKGROUND

On February 8, 2018, the Bureau received an Enforcement Referral from the Bureau's Compliance Unit (Compliance). The Enforcement Referral was issued due to material violations found during an announced compliance inspection conducted by the Bureau at the Institution on December 7, 2017 at 2233-Watt Avenue, Suite 150, Sacramento, 95825. The Enforcement Referral alleges material violations of 5, CCR section 76120(a) Amount of STRF Assessment and CEC section 94897(j)(1)- Prohibited Business Practices

VIOLATION

#	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>Violation: 5, CCR Section 76120(a) Amount of STRF Assessment. <i>(a) Each qualifying institution shall collect an assessment of zero dollars (\$0) per one thousand dollars (\$1,000) of institutional charges, rounded to the nearest thousand dollars, from each student in an</i></p>

	<p><i>educational program who is a California resident or is enrolled in a residency program. For institutional charges of one thousand dollars (\$1,000) or less, the assessment is zero dollars (\$0).</i></p> <p>On December 7, 2017, an announced compliance inspection was conducted at the Institution. Bureau staff conducted a review of the random sampling of student's files and Student Tuition Recovery Fund (STRF) back up documentation. Three of the nine current student files accounting ledgers showed \$16.50 was collected for STRF from the students. Effective January 1, 2015, the STRF assessment rate was changed to zero, and schools were to no longer to collect STRF. All four quarters of the 2015 STRF Assessment Reporting Forms that were submitted to the Bureau indicated \$0 was collected for STRF and the Bureau does not have a record showing that payment was sent to the Bureau.</p> <p><u>Assessment of Fine</u> The fine for this violation is <u>\$2,500.00</u></p>
2.	<p><u>Violation:</u> CEC Section 94897(j)(1)- Prohibited Business Practices An institution shall not do any of the following: (j) In any manner make an untrue or misleading change in, or untrue or misleading statement related to, a test score, grade or record of grades, attendance record, record indicating student completion, placement, employment, salaries, or financial information, including any of the following: (1) A financial report filed with the bureau.</p> <p>On December 7, 2017, an announced compliance inspection was conducted at the Institution. Bureau staff interviewed the COO and asked him if the Institution collected the STRF fee after January 1, 2015. The COO stated that the Institution did collect STRF fees after January 1, 2015. All four quarters of the 2015 STRF Assessment Reporting Forms that were submitted to the Bureau indicated \$0 was collected for STRF and the Bureau does not have a record showing that payment was sent to the Bureau.</p> <p><u>Assessment of Fine</u> The fine for this violation is <u>\$1,000.00</u></p>
<p>TOTAL ADMINISTRATIVE FINE DUE: \$3,500.00</p>	

ASSESSMENT OF A FINE

In accordance with CEC section 94936; and 5, CCR Sections 75020 and 75030, the Bureau hereby orders this assessment of fine in the amount of **\$3,500.00** for the violations described above. **Payment must be made, to the Bureau, within 30 days from the date of service of the Citation.**

COMPLIANCE WITH ORDER OF ABATEMENT

In accordance with the provisions of CEC Section 94936 and 5, CCR Section 75020 the Bureau hereby 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 service of the Citation.

APPEAL OF CITATION

You have the right to contest this Citation through an informal conference with the Bureau; and/or through an administrative hearing in accordance with Chapter 5 (Commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

If you wish to contest this Citation, you must submit the 'Notice of Appeal of Citation – Request for Informal Conference **and/or** Administrative Hearing' form (enclosed) within 30 days from the date of service of the Citation. *If you do not request an informal conference **and/or** an administrative hearing within 30 days from the service of the Citation, you will not be able to request one at a later time.*

Unless a written request for an informal conference **and/or** an administrative hearing is signed by you and delivered to the Bureau by **January 4, 2019**, you will be deemed to have waived or forfeited your right to appeal this matter.

EFFECTIVE DATE OF CITATION

If you do not request an informal conference and/or an administrative hearing, this Citation shall become effective on **December 5, 2018**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **January 4, 2019**. Your payment of the administrative fine shall not constitute an admission of the violation(s) charged.

If a hearing is requested, you will not be required to comply with this Citation until 30 days after a final order is entered against you.

Payment of the administrative fine and/or written request for appeal must be mailed to:

Gurinder Sandhu, Discipline Citation Program
Bureau for Private Postsecondary Education
2535 Capitol Oaks Drive, Suite 400
Sacramento, CA 95833

Failure for an applicant or institution to abate the violation(s) listed above or to pay the administrative fine within the time allowed may result in denial of an application for an approval or renewal to operate; disciplinary action, and/or collection action. The Bureau will promptly take all appropriate action to enforce this 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 Citation, or desire further information, please contact Gurinder Sandhu, Citation Analyst, at (916) 431-6940 or Gurinder.Sandhu@dca.ca.gov.



Christina Villanueva
Discipline Manager



Date

Enclosures

- Applicable Laws Violated
- Statement of Rights: Appeal Process Information Sheet
- Notice of Appeal of Citation: Request for Informal Conference and/or Administrative Hearing
- Payment of Fine – Waiver of Appeal
- Declaration of Service by Certified and First-Class Mail