



**Bureau for Private Postsecondary Education**  
1747 N. Market Blvd. Ste 225 Sacramento, CA 95834  
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**APPEAL OF CITATION INFORMAL CONFERENCE**  
**DECISION: CITATION MODIFIED**

November 23, 2020

Zoom Enterprises, Inc., Owner  
Zoom Graphics  
1800 Oak Street, Suite D  
Bakersfield, CA 93301

| Date of Issuance  | Citation Number | Institution Code |
|-------------------|-----------------|------------------|
| November 23, 2020 | 2021095         | 1501111          |

On November 13, 2020, an informal telephone conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. 2021095 (Citation) against Zoom Enterprises, Inc., Owner of Zoom Graphics (Institution). In attendance were Beth Danielson, Enforcement Chief, and Rick Garcia, Director.

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. 2021095.

It is the decision of the Enforcement Chief that on November 13, 2020, Citation No. 2021095 is modified and makes the following change(s):

**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><br/> <b>CEC 94929.7 (a)(1)(2) – Documentation of Performance Data</b><br/> <i>“(a) The information used to substantiate the rates and information calculated pursuant to Sections 94929 and 94929.5 shall do both of the following:</i><br/> <i>(1) Be documented and maintained by the institution for five years from the date of the publication of the rates and information.</i><br/> <i>(2) Be retained in an electronic format and made available to the bureau upon request.”</i></p> <p><b>On February 25, 2020, Bureau staff requested supporting documentation for the 2017/2018 SPFS. Institution staff stated that they did not have the complete data in a format that they would be able to provide to the Bureau.</b></p> <p><b>On March 30, 2020, the Bureau received a mitigation packet from the Institution. The submission</b></p> |

failed to include the information to substantiate the rates and data in the Performance Fact Sheet for five years from the date of publication.

The Institution failed to document and maintain information to substantiate the rates and data in the Performance Fact Sheet for five years from the date of publication as well as have the information retained in an electronic format and made available to the Bureau upon request.

**Order of Abatement:**

The Bureau orders the Institution to electronically maintain documentation supporting all data reported in the SPFS for at least five years from the last date reported. The institution shall submit a written policy, or procedure, of how future compliance with CEC section 9492.7 will be maintained.

**Reason for modification:** New substantive facts were presented at the conference. The Order of Abatement has been satisfied.

**Assessment of Fine**

The fine for this violation is \$2,500.00

The administrative fine for this violation has been modified from \$2,500.00 to **\$250.00**.

**TOTAL MODIFIED ADMINISTRATIVE FINE DUE: \$250.00**

PENALTY – ASSESSMENT OF A FINE

**Payment of the administrative fine is due within 30 days from the date of this decision.** Please complete the Payment of Fine form. Payment must be made to the Bureau by check, or money order. Please include the citation number on the payment of the fine assessment. Payment of the administrative fine shall not constitute an admission of the violation(s) charged and shall be represented as satisfactory resolution of the matter for purposes of public disclosure. Payments may be mailed to:

Nicole Mitchell, Discipline Citation Program  
Bureau for Private Postsecondary Education  
1747 N. Market Blvd., Suite 225  
Sacramento, CA 95834

APPEAL OF CITATION

You *do not* have the right to request another Informal Conference to appeal this modified 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 AND FINE ASSESSMENT

This modified Citation is effective on **November 23, 2020**. The payment is due by **December 23, 2020**.

Failure to pay the administrative fine 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 Modified 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 Nicole Mitchell, Citation Analyst, at (916) 574-8995 or at Nicole.Mitchell@dca.ca.gov.

“Original Signature on File”

“11/23/2020”

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

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**Date**

Enclosures

- Payment of Fine – Waiver of Appeal Rights
- Declaration of Service by Certified and First-Class Mail