



**Bureau for Private Postsecondary Education**  
1747 N. Market Blvd. Ste 225 Sacramento, CA 95834  
P.O. Box 980818, West Sacramento, CA 95798-0818  
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**CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT**

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

**INSTITUTION CODE: 1501111**  
**CITATION NUMBER: 2021095**  
**CITATION ISSUANCE/SERVICE DATE: September 24, 2020**  
**DUE DATE: October 24, 2020**  
**FINE AMOUNT: \$ 2,500.00**  
**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 Zoom Graphics, Inc., Owner of Zoom Graphics (Institution) located at 1800 Oak Street, Suite D, Bakersfield, CA 93301, pursuant to Business and Professions Code section 125.9; California Education Code (CEC) sections 94936 and 94932; and Title 5 of the California Code of Regulations (5, CCR) section 75020 for the violations described below.

BACKGROUND

On February 25, 2020, Bureau staff conducted an Unannounced Compliance Inspection at the Institution. During the inspection the Institution was unable to provide the supporting documentation to substantiate the data reported on the 2017/2018 School Performance Fact Sheet (SPFS) upon request.

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><b>Violation:</b>  <b>CEC 94929.7 (a)(1)(2) – Documentation of Performance Data</b>  <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>  <i>(1) Be documented and maintained by the institution for five years from the date of the publication of the rates and information.</i>  <i>(2) Be retained in an electronic format and made available to the bureau upon request.”</i></p>

<p>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.</p> <p>On March 30, 2020, the Bureau received a mitigation packet from the Institution. The submission failed to include the information to substantiate the rates and data in the Performance Fact Sheet for five years from the date of publication.</p> <p>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.</p> <p><b><u>Order of Abatement:</u></b> 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.</p> <p><b><u>Assessment of Fine</u></b> The fine for this violation is <u>\$2,500.00</u></p>
<p><b>TOTAL ADMINISTRATIVE FINE DUE: \$2,500.00</b></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 **\$2,500.00** 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(s) 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 **October 24, 2020**, 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 **September 24, 2020**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **October 24, 2020**. 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:**

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

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 Nicole Mitchell, Citation Analyst, at (916) 574-8995 or Nicole.Mitchell@dca.ca.gov

“Original Signature on File”

“9/24/2020”

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**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