



**Bureau for Private Postsecondary Education**  
1747 N. Market Blvd. Ste 225 Sacramento, CA 95834  
P.O. Box 980818, West Sacramento, CA 95798-0818  
P (916) 574-8900 F (916) 263-1897 [www.bppe.ca.gov](http://www.bppe.ca.gov)



## **CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT**

To: Training Institute for Addiction Counselors, Owner  
Training Institute for Addiction Counselors  
5230 Clark Avenue, Suite 14  
Lakewood, CA 90712

**INSTITUTION CODE: 1919431**

**CITATION NUMBER: 2021118**

**CITATION ISSUANCE/SERVICE DATE: October 15, 2020**

**DUE DATE: November 14, 2020**

**FINE AMOUNT: \$ 8,000.00**

**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 Training Institute for Addiction Counselors, Owner of Training Institute for Addiction Counselors (Institution) located at 5230 Clark Avenue, Suite 14, Lakewood, CA 90712, 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 April 15, 2020 the Bureau issued a Modified Citation, Number 1920189, for failing to submit the 2017 Annual Report. As of October 15, 2020, the citation remains outstanding.

In addition, on August 6, 2020 the Bureau issued Citation Number 2021038 for failing to submit Student Tuition Recovery Fund (STRF) Assessment Reporting Forms as well as the 2019 Annual Fee and Late Payment Penalty Fee. As of October 15, 2020, the citation remains outstanding.

Lastly, on January 15, 2020, Bureau staff conducted an Unannounced Compliance Inspection at the Institution. Through the course of the inspection, Bureau staff found multiple material violations. In addition, Bureau staff found minor violations that were unable to be cleared before the end of the inspection. The Institution was issued Notice to Comply #CU-1919431-0120 (NTC). The Institution was given thirty days from the date of the inspection to either remedy all minor violations listed in the NTC or submit a written Notice of Disagreement. The response the Institution submitted did not remedy all minor violations listed in the NTC.

VIOLATION(S)

#	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> <b>5, CCR Section 71770 (a)(1) – Admissions Standards and Transferred Credits Policy</b> <i>“(a) The institution shall establish specific written standards for student admissions for each educational program. These standards shall be related to the particular educational program. An institution shall not admit any student who is obviously unqualified or who does not appear to have a reasonable prospect of completing the program. In addition to any specific standards for an educational program, the admissions standards must specify as applicable that: (1) Each student admitted to an undergraduate degree program, or a diploma program, shall possess a high school diploma or its equivalent, or otherwise successfully take and pass the relevant examination as required by section 94904 of the Code.”</i></p> <p><b>CEC Section 71920 (b)(1)(a) – Student Records</b> <i>“(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records: (1) Written records and transcripts of any formal education or training, testing, or experience that are relevant to the student's qualifications for admission to the institution or the institution's award of credit or acceptance of transfer credits including the following: (A) Verification of high school completion or equivalency or other documentation establishing the student's ability to do college level work, such as successful completion of an ability-to-benefit test;”</i></p> <p>During an Announced Compliance Inspection conducted on October 14, 2014, the Institution was informed of this violation.</p> <p>During the inspection on January 15, 2020, Bureau staff reviewed student files and found that the Institution failed to collect verification of high school completion or its equivalent, such as an Ability-to-Benefit test. Institution staff stated they do not require this documentation from students since most of the students do not have access to the documentation.</p> <p><b><u>Order of Abatement:</u></b> The Bureau orders the Institution to submit an established policy, or procedure, of how the Institution will maintain future compliance with 5, CCR sections 71770 and 71920.</p> <p><b><u>Assessment of Fine</u></b> The fine for this violation is <u>\$1,500.00</u></p>
2.	<p><b><u>Violation:</u></b> <b>5, CCR Section 74112 (e)(2)(m)(1-9)- Uniform Data – Annual Report, Performance Fact Sheet</b> <i>“(e) Reporting periods: (2) A Performance Fact Sheet shall be current and available not later than December 1st, and shall report data for the previous two calendar years based upon the “number of students who began the program,” as defined in subdivision (d)(1) of this section and were scheduled to graduate in the reported year(s). (m) Documentation supporting all data reported shall be maintained electronically by the institution for at least five years from the last time the data was included in either an Annual Report or a Performance Fact Sheet, and shall be provided to the Bureau upon request; and the data for each program shall include at a minimum: (1) the list of job classifications determined to be considered gainful employment for the educational</i></p>

program;

(2) student name(s), address, phone number, email address, program completed, program start date, scheduled completion date, and actual completion dates;

(3) graduate's place of employment and position, date employment began, date employment ended, if applicable, actual salary, hours per week, and the date employment was verified;

(4) for each employer from which employment or salary information was obtained, the employer name(s) address and general phone number, the contact person at the employer and the contact's phone number and email address, and all written communication with employer verifying student's employment or salary;

(5) for students who become self-employed, all documentation necessary to demonstrate selfemployment;

(6) a description of all attempts to contact each student. or employer;

(7) any and all documentation used to provide data regarding license examinations and examination results;

(8) for each student determined to be unavailable for graduation or unavailable for employment, the identity of the student, the type of unavailability, the dates of unavailability, and the documentation of the unavailability; and

(9) the name, email address, phone number, and position or title of the institution's representative who was primarily responsible for obtaining the students' completion, placement, licensing, and salary and wage data, the date that the information was gathered, and copies of notes, letters or emails through which the information was requested and gathered."

#### **5, CCR Section 71930 (e) -Maintenance of Records**

"(e) All records that the institution is required to maintain by the Act or this chapter shall be made immediately available by the institution for inspection and copying during normal business hours by the Bureau and any entity authorized to conduct investigations."

**Violation: 5, CCR Section 74112 (e)(2) and 5, CCR Section 71930 (e):** The Institution failed to maintain Student Performance Fact Sheets (SPFS) for the following periods:

- 2016-2017, due December 1, 2018; and
- 2017-2018, due December 1, 2019.

**Violation: 5, CCR Section 74112 (m)(1-9) and 5, CCR Section 71930 (e):** The Institution failed to provide supporting documentation for the Annual Report.

Institution staff stated they did not track this data.

#### **Order of Abatement:**

The Bureau orders the Institution to provide a policy, or procedure, to the Bureau of how the Institution will maintain future compliance with 5, CCR sections 74112 and 71930.

#### **Assessment of Fine**

The fine for this violation is \$5,000.00

3.

#### **Violation:**

#### **CEC Section 94902 (a)(b)(1)(2)(3)- General Enrollment Requirements**

"(a) A student shall enroll solely by means of executing an enrollment agreement. The enrollment agreement shall be signed by the student and by an authorized employee of the institution.

(b) An enrollment agreement is not enforceable unless all of the following requirements are met:

(1) The student has received the institution's catalog and School Performance Fact Sheet prior to

	<p><i>signing the enrollment agreement.</i>  <i>(2) At the time of the execution of the enrollment agreement, the institution held a valid approval to operate.</i>  <i>(3) Prior to the execution of the enrollment agreement, the student and the institution have signed and dated the information required to be disclosed in the Student Performance Fact Sheet pursuant to subdivisions (a) to (d), inclusive, of Section 94910. Each of these items in the Student Performance Fact Sheet shall include a line for the student to initial and shall be initialed and dated by the student."</i></p> <p><b>Bureau staff reviewed student files and found that the Enrollment Agreements failed to contain signatures from an Institution representative. Institution staff stated that the Enrollment Agreements are signed after the student graduates. However, Bureau staff also found graduated student files contained Enrollment Agreements without signatures from an Institution representative.</b></p> <p><b><u>Order of Abatement:</u></b>  The Bureau orders the Institution to submit a written policy, or procedure, of how the Institution will maintain future compliance with CEC Section 94902.</p> <p><b><u>Assessment of Fine</u></b>  The fine for this violation is <u>\$1,000.00</u></p>
4.	<p><b><u>Violation:</u></b>  <b>CEC Section 94935(b)(h) - Notice to Comply</b>  <i>"(b) An institution that receives a notice to comply shall have no more than 30 days from the date of inspection to remedy the noncompliance."</i>  <i>"(h) If an institution fails to comply with a notice to comply within the prescribed time, the bureau shall take appropriate administrative enforcement action."</i></p> <p><b>The Institution failed to comply with the NTC within the prescribed time of 30 days. The Institution was unable to submit proof of compliance with the following laws and regulations:</b></p> <ul style="list-style-type: none"> <li>• CEC Section 94909 (a)(8)(B) - Minimum Requirements for School Catalog</li> <li>• CEC Section 94897 (e) - Prohibited Business Practices</li> <li>• CEC Section 94897 (l)(1)(2) - Prohibited Business Practices</li> <li>• CEC Section 94913 (a)(5) - Institutional Web Site Requirements</li> <li>• 5, CCR Section 76215 (a)(b)(1-7) - Student Tuition Recovery Fund Disclosures</li> </ul> <p><b><u>Order of Abatement:</u></b>  The Bureau orders the Institution to submit proof of compliance with the NTC violations listed above.</p> <p><b><u>Assessment of Fine</u></b>  The fine for this violation is <u>\$500.00</u></p>
<p><b>TOTAL ADMINISTRATIVE FINE DUE: \$8,000.00</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 **\$8,000.00** 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 **November 14, 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 **October 15, 2020**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **November 14, 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”

“10/15/2020”

---

**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