



## MODIFIED CITATION ORDER

<b>Citation Issued To:</b> Transportation Guidance & Assistance Truck Driving School 1115 S. Taylor Avenue Montebello, CA 90640  <b>Institution Code:</b> 1922271	<b>Citation Number:</b> 2324153
	<b>Total Fine Amount:</b> <b>\$6,004.00</b>
	<b>Order of Abatement Included:</b> Yes

Elizabeth Elias issues this modified 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 August 6, 2021, the Bureau renewed an Approval to Operate a Private Postsecondary Institution to Transportation Guidance & Assistance Truck Driving School (hereinafter referred to as the "Institution"). This Approval to Operate will expire on or about August 6, 2026, unless renewed.

### DISCIPLINE HISTORY

- The Institution has the following discipline history:
  - [Citation No. 1819196, issued May 14, 2019](#)
    - Evidence of compliance; citation satisfied August 20, 2019
  - [Citation No. 2122096, issued December 1, 2021](#)
    - Evidence of compliance; citation satisfied January 20, 2022
  - [Citation No. 2223056, issued March 7, 2023](#)
  - [Citation No. 2324019, issued July 20, 2023](#)

### CITATION JURISDICTION

- This administrative citation is issued to the Institution pursuant to 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.

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### CITATION HISTORY

4. On or about February 1, 2024, the Bureau issued Citation No. 2324153. On or about March 4, 2024, the Bureau received an appeal with a request for an informal conference. The informal conference was held on March 26, 2024. New substantive facts were presented during the informal conference; therefore, the Bureau modifies the citation as follows:

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

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

**Violation #1:****5 CCR section 74112 (m)(3-8) – Uniform Data – Annual Report, Performance Fact Sheet and 5 CCR section 71930 (e) – Maintenance Records**

**Cause for Citation:** Prior to the announced inspection, Bureau staff requested a copy of the documentation supporting data reported on the 2020/2021 School Performance Fact Sheet (SPFS) for desk review; upon this review, Bureau staff noted that several key required data points were missing from the supporting data. On or about September 12, 2023, Bureau staff conducted an announced compliance inspection pursuant to CEC 94932.5 (a). During the announced compliance inspection, Bureau staff informed the Owner and Admissions Director that during the desk review, it was noted that required data points were missing from the Institution's supporting data. The Institution's Admission's Director showed Bureau staff where the supporting data was tracked and was able to place some of the missing data points, however by the end of the inspection, Bureau staff noted that several key required data points were still missing from the supporting data, as referred in 74112 (m)(3-8).

- m(3)- graduates place of employment and position, date employment began, date employment ended if applicable, hours per week, actual salary and the date employment was verified;
- m(4)- for each employer, the employers email address and general phone number;
- m(5)- for students who become self-employed, all documentation necessary to demonstrate self-employment;

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- m(6) - a description of all attempts to contact each student, or employer;
- m(7) - any and all documentation used to provide data regarding license examinations and examination;
- results;
- m(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;

**Administrative Fine:** Pursuant to 5 CCR section 75030, the Bureau has determined this to be a "Class A" violation. The Institution is issued a fine of \$2,501.00.

**Administrative Fine: Affirmed.**

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

The Institution must submit a statement of attestation they have corrected the violation and will ensure that the substantiating data for SPFS is maintained and contains all required data pursuant to 5 CCR section 74112. The statement of attestation must be dated and signed by an authorized representative of the Institution.

**Order of Abatement: Affirmed.**

**Violation #2:**

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

**Cause for Citation:** On or about September 12, 2023, the Bureau conducted an announced compliance inspection pursuant to CEC 94932.5 (a). During the inspection, Bureau staff requested a copy of the Institution's current financial statements for review. Bureau staff reviewed the financial statements for year-end December 31, 2021, and determined that the Institution's current assets to current liabilities ratio is 1.05 to 1. The Institution failed to maintain a ratio of current assets to current liabilities of 1.25 to 1.00 or greater.

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**Administrative Fine:** Pursuant to 5 CCR section 75030, the Bureau has determined this to be a "A" violation. The Institution is issued a fine of \$2,501.00.

**Administrative Fine: Affirmed.**

**Order of Abatement:** Pursuant to 5 CCR section 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 5 CCR section 71745 (a)(c).
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.

**Order of Abatement: Affirmed.**

**Violation #3:**

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

**Cause for Citation:** On or about September 12, 2023, the Bureau conducted an announced compliance inspection pursuant to CEC 94932.5(a). Bureau staff reviewed student files and determined that all 3 files reviewed for withdrawn/dropped students, did not contain a 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 \$501.00.

**Administrative Fine: Affirmed.**

**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

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records contain a transcript. The statement of attestation must be dated and signed by an authorized representative of the Institution.

**Order of Abatement: Affirmed.**

**Violation #4:**

**5 CCR section 71920 (b)(1) – Student Records and CCR, 5 CCR section 71930 (a), (e) – Maintenance Records in conjunction with CEC 94900 (b) – Required Student Records**

**Cause for Citation:** On or about September 12, 2023, the Bureau conducted an announced compliance inspection pursuant to CEC 94932.5(a). Bureau staff reviewed student files and determined that all 3 files reviewed for withdrawn/dropped students, did not contain written record of formal education.

**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.

**Administrative Fine: Affirmed.**

**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 a transcript. The statement of attestation must be dated and signed by an authorized representative of the Institution.

**Order of Abatement: Affirmed.**

**Violation #5:**

**5 CCR 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 the collection of assessment fees as required for the 3<sup>rd</sup> and 4<sup>th</sup> quarter reporting period of 2023.

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

**Administrative Fine: Dismissed.**

**Order of Abatement:** Pursuant to 5 CCR section 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 the collection of assessment fees as required for the 3<sup>rd</sup> and 4<sup>th</sup> quarter reporting period of 2023.

**Order of Abatement: Dismissed.**

### 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 modified citation. Evidence of compliance with the order of abatement may be sent by mail or email to:

- Mail: Bureau for Private Postsecondary Education  
Attn: Discipline Unit – Tessa Barron  
1747 North Market, Blvd., Suite 225  
Sacramento, CA 95834
- Email: [bppe.discipline@dca.ca.gov](mailto: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 \$6,004.00 for the violations described above. Payment of the fines must be made to the Bureau within 30 days from the date of service of this modified citation. To assist the Bureau in processing the payment of fines, please submit the enclosed *Payment of Fine – Waiver of Appeal* form.

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Payment must be sent to the Bureau by mail at:

- Bureau for Private Postsecondary Education  
Attn: Discipline Unit – Tessa Barron  
1747 North Market, Blvd., Suite 225  
Sacramento, CA 95834

### **NOTICE OF APPEAL RIGHTS**

8. Pursuant to 5 CCR section 75040(d), the modified 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.

### **COMPLIANCE WITH FINE AND/OR ORDER OR ABATEMENT DISCLOSURE**

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

### **BUREAU CONTACT INFORMATION**

10. If you have any questions regarding this Citation, please contact Tessa Barron, Citation Analyst by email at [Tessa.Barron@dca.ca.gov](mailto:Tessa.Barron@dca.ca.gov) or by phone at (916) 574-7791.

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“Original Signature on File”

4/25/2024

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Elizabeth Elias  
Enforcement Chief

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Citation Date of Issuance

Enclosures:

- Payment of Fine
- Declaration of Service by Certified and First-Class Mail