



## CITATION ORDER

<p><b>Citation Issued To:</b>          Arriba Juntos          1850 Mission Street          San Francisco, CA, 94103</p> <p><b>Institution Code:</b>          3804781</p>	<p><b>Citation Number:</b>          2324142</p>
	<p><b>Total Fine Amount:</b>  <span style="color: red; font-weight: bold;">\$8,002.00</span></p>
	<p><b>Order of Abatement Included:</b> Yes</p>

Elizabeth Elias issues this 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

1. On or about February 27, 2020, the Bureau renewed an Approval to Operate a Private Postsecondary Institution to Arriba Juntos (hereinafter referred to as the "Institution"). This Approval to Operate will expire on or about February 26, 2025, unless renewed.

### DISCIPLINE HISTORY

2. The Institution has no prior discipline history.

### CITATION JURISDICTION

3. 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.

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

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

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Institution: Arriba Juntos

Institution Code: 3804781

**Violation #1:**

**5 CCR section 74110 – Annual Report in conjunction with CEC section 94934 – Annual Report**

**Cause for Citation:** A review of the Bureau's records confirm the Institution failed to submit all components of the 2021 Annual Report which was due to the Bureau by December 1, 2022.

To date, the Bureau has not received financial statements as required.

**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.

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

The Bureau orders the Institution to submit all components of the 2021 Annual Report, pursuant to 5 CCR section 74110 and CEC section 94934.

**Violation #2:**

**CEC Section 94910 – Minimum Requirements for School Performance Fact Sheet in conjunction with CEC Section 94902 (b)(3) – General Enrollment Requirements**

**Cause for Citation:** On or about April 19, 2022, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5(a). Bureau staff reviewed 3 graduate files and determined that the 3 graduated files did not contain signed School Performance Fact Sheets (SPFS). Additionally, Bureau staff asked the Institution's Program Coordinator if they provide copies of the School Performance Fact Sheets (SPFS) to the students prior to signing enrollment agreements. The Program Coordinator stated that providing SPFS is not part of their enrollment process. Bureau staff informed the Institution's Director and Program Coordinator that SPFS must be initialed, signed, and dated by the student, as well as signed by a school official and a copy of the signed SPFS must be maintained within the student file.

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The institution failed to properly execute an enrollment agreement by failing to provide SPFS to students and maintain a signed and dated copy of the SPFS within the student record.

**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 \$501.00.

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

The Bureau orders the Institution to ensure all student records follow the law pursuant to CEC sections 94902 and 94910. The Institution must submit a statement of attestation they have corrected the violation and will ensure that all student records contain signed Student Performance Fact Sheets (SPFS). The statement of attestation must be dated and signed by an authorized representative of the Institution.

**Violation #3:**

**5 CCR section 74112 (m)(1-9) – Uniform Data – Annual Report, Performance, in conjunction with CEC section 94897 (j)(3) – Prohibited Business Practices**

**Cause for Citation:** On or about April 19, 2022, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5 (a). The 2019/2020 SPFS supporting documentation failed to substantiate the data reported on the 2019/2020 SPFS for the Nursing Assistant program. According to the 2019/2020 SPFS Job Placement table, the school reported 31 Graduates Employed in the field for the year 2020. However, the 2019/2020 SPFS supporting documentation, rows 46 to 65 titled "Cycle #4 and Cycle #5", and column "Employment start date/Date employment began/Employment Verified" reported 7 graduates.

**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 \$5,000.00.

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**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 back-up documentation contains true and correct data and will maintain future compliance. The statement of attestation must be dated and signed by an authorized representative of the Institution.

### **COMPLIANCE WITH ORDER OF ABATEMENT**

5. In accordance with the provisions of CEC section 94936 and 5 CCR section 75020, 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 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 – Giovanni Alon  
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**

6. In accordance with the provisions of CEC section 94936, and 5 CCR sections 75020 and 75030, the Bureau hereby orders this assessment of fines in the total amount of \$8,002.00 for the violations described above. Payment of the fines must be made to the Bureau within 30 days from the date of issuance of this 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 – Giovanni Alon  
1747 North Market, Blvd., Suite 225  
Sacramento, CA 95834

### **NOTICE OF APPEAL RIGHTS**

7. You have the right to contest this citation through an informal conference with the Bureau pursuant to 5 CCR section 75020 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 may submit a written request to the Bureau or submit the enclosed *Notice of Appeal of Citation – Request for Informal Conference and/or Administrative Hearing* form within 30 days from the date of issuance of this citation.

Failure to submit a written request for an informal conference and/or administrative hearing within 30 days from the date of issuance of this citation will forfeit your ability to appeal the citation.

If a hearing is requested, you are not required to comply with this citation until a final order is entered against you.

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

8. Pursuant to BPC section 125.9 and 5 CCR 75050, payment of 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.

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### **BUREAU CONTACT INFORMATION**

9. If you have any questions regarding this Citation, please contact Giovanni Alon, Citation Analyst by email at [Giovani.Alon@dca.ca.gov](mailto:Giovani.Alon@dca.ca.gov) or by phone at (916) 574-7703.

“Original Signature on File”

3/18/2024

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Elizabeth Elias  
Enforcement Chief

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Citation Date of Issuance

Enclosures:

- 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