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7

8 **BEFORE THE**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
9 **FOR THE BUREAU FOR PRIVATE POSTSECONDARY EDUCATION**  
**STATE OF CALIFORNIA**  
10

11 In the Matter of the Accusation Against:

Case No. 1002778

12 **QUEENSTON COLLEGE OF AMERICA,**  
13 **PETER DO, OWNER**  
14 **MYUNGJIN SONG, OWNER**  
3660 Wilshire Blvd, Suite 338  
15 Los Angeles, CA 90010

**A C C U S A T I O N**

16 **Approval to Operate**  
17 **Institution Code No. 1940681**

18 Respondent.

19  
20 Complainant alleges:

21 **PARTIES**

22 1. Dr. Michael Marion, Jr. (Complainant) brings this Accusation, pursuant to  
23 Government Code section 11460.60, subdivisions (a) and (b), solely in his official capacity as the  
24 Chief of the Bureau for Private Postsecondary Education ("Bureau"), Department of Consumer  
25 Affairs.

26 2. On or about August 26, 2002, the Bureau for Private Postsecondary and Vocational  
27 Education issued an Approval to Operate, Institution Code Number 1940681, to Queenston  
28 College of America, Peter Do and Myungjin Song, Owners as of 2014, (Respondent). The

1 Approval to Operate was in full force and effect at all times relevant to the charges brought herein  
2 and will expire on March 22, 2020, unless renewed.

3 JURISDICTION

4 3. This Accusation is brought before the Director of the Department of Consumer  
5 Affairs (Director) for the Bureau for Private Postsecondary Education, under the authority of the  
6 following laws.

7 4. Business and Professions Code ("Code") section 118 states, in part:

8 . . . .

9 "(b) The suspension, expiration, or forfeiture by operation of law of a license issued by a  
10 board in the department, or its suspension, forfeiture, or cancellation by order of the board or by  
11 order of a court of law, or its surrender without the written consent of the board, shall not, during  
12 any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its  
13 authority to institute or continue a disciplinary proceeding against the licensee upon any ground  
14 provided by law or to enter an order suspending or revoking the license or otherwise taking  
15 disciplinary action against the licensee on any such ground.

16 (c) As used in this section, board includes an individual who is authorized by any provision  
17 of this code to issue, suspend, or revoke a license, and license includes certificate, registration,  
18 and permit."

19 5. Section 477 of the Code states:

20 "As used in this division:

21 (a) 'Board' includes 'bureau,' 'commission,' 'committee,' 'department,' 'division,' 'examining  
22 committee,' 'program,' and 'agency.'

23 (b) 'License' includes certificate, registration or other means to engage in a business or  
24 profession regulated by this code."

25 6. Government Code section 11460.60 states:

26 "(a) After issuing an emergency decision under this article for temporary, interim relief, the  
27 agency shall conduct an adjudicative proceeding under a formal, informal, or other applicable  
28 hearing procedure to resolve the underlying issues giving rise to the temporary, interim relief.

1 (b) The agency shall commence an adjudicative proceeding under another procedure within  
2 10 days after issuing an emergency decision under this article, notwithstanding the pendency of  
3 proceedings for judicial review of the emergency decision.”

4 STATUTORY & REGULATORY PROVISIONS

5 7. Section 94893 of the Education Code states:

6 “If an institution intends to make a substantive change to its approval to operate, the  
7 institution shall receive prior authorization from the bureau. Except as provided in subdivision (a)  
8 of Section 94896, if the institution makes the substantive change without prior bureau  
9 authorization, the institution s approval to operate may be suspended or revoked.”

10 8. Section 94897 of the Education Code states, in pertinent part:

11 “An institution shall not do any of the following:

12 . . . .

13 (j) In any manner make an untrue or misleading change in, or untrue or misleading  
14 statement related to, a test score, grade or record of grades, attendance record, record indicating  
15 student completion, placement, employment, salaries, or financial information, including any of  
16 the following:

17 (1) A financial report filed with the bureau.

18 (2) Information or records relating to the student’s eligibility for student financial  
19 aid at the institution.

20 (3) Any other record or document required by this chapter or by the bureau.

21 . . . .

22 (l) Use the terms "approval," "approved," "approval to operate," or "approved to operate"  
23 without stating clearly and conspicuously that approval to operate means compliance with state  
24 standards as set forth in this chapter. If the bureau has granted an institution approval to operate,  
25 the institution may indicate that the institution is "licensed" or "licensed to operate," but may not  
26 state or imply either of the following:

27 (1) The institution or its educational programs are endorsed or recommended by the  
28 state or by the bureau.

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(2) The approval to operate indicates that the institution exceeds minimum state standards as set forth in this chapter.

9. Section 94900.5 of the Education Code states, in pertinent part:

“An institution shall maintain, for a period of not less than five years, at its principal place of business in this state, complete and accurate records of all of the following information:

....

(b) The names and addresses of the members of the institution s faculty and records of the educational qualifications of each member of the faculty.”

10. Section 94902 of the Education Code states, in pertinent part:

“(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:

....

(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.”

11. Section 94910 of the Education Code states, in pertinent part:

“ Except as provided in subdivision (d) of Section 94909 and Section 94910.5, prior to enrollment, an institution shall provide a prospective student with a School Performance Fact Sheet containing, at a minimum, the following information, as it relates to the educational program:

“(a) Completion rates, as calculated pursuant to Article 16 (commencing with Section 94928).

1 (b) Placement rates, as calculated pursuant to Article 16 (commencing with Section  
2 94928), if the educational program is designed to lead to, or the institution makes any express or  
3 implied claim related to preparing students for, a particular career, occupation, vocation, job, or  
4 job title.

5 (c) License examination passage rates for programs leading to employment for which  
6 passage of a state licensing examination is required, as calculated pursuant to Article 16  
7 (commencing with Section 94928).

8 (d) Salary or wage information, as calculated pursuant to Article 16 (commencing with  
9 Section 94928),

10 (e) If a program is too new to provide data for any of the categories listed in this  
11 subdivision, the institution shall state on its fact sheet: "This program is new. Therefore, the  
12 number of students who graduate, the number of students who are placed, or the starting salary  
13 you can earn after finishing the educational program are unknown at this time. Information  
14 regarding general salary and placement statistics may be available from government sources or  
15 from the institution, but is not equivalent to actual performance data."

16 12. Section 94911 of the Education Code states, in pertinent part:

17 "An enrollment agreement shall include, at a minimum, all of the following:

18 (a) The name of the institution and the name of the educational program, including the total  
19 number of credit hours, clock hours, or other increment required to complete the educational  
20 program."

21 13. Section 94913 of the Education Code states, in pertinent part:

22 "(a) An institution that maintains an Internet Web site shall provide on that Internet Web  
23 site all of the following:

24 . . . .

25 (5) The institution's most recent annual report submitted to the bureau."

26 14. Section 94929.5 of the Education Code states, in pertinent part:

27 "An institution shall annually report to the bureau, as part of the annual report, and shall  
28 publish in its School Performance Fact Sheet, all of the following:

1 (a) The job placement rate, calculated by dividing the number of graduates employed in the  
2 field by the number of graduates available for employment for each program that is either (1)  
3 designed, or advertised, to lead to a particular career, or (2) advertised or promoted with any  
4 claim regarding job placement.”

5 15. Section 94934 of the Education Code states, in pertinent part:

6 "(a) As part of the compliance program, an institution shall submit an annual report to the  
7 bureau, under penalty of perjury, signed by a responsible corporate officer, by July 1 of each year,  
8 or another date designated by the bureau, and it shall include the following information for  
9 educational programs offered in the reporting period:

10 . . . .

11 (6) The total charges for each educational program by period of attendance.”

12 16. California Code of Regulations, title 5, section 71715 states, in pertinent part:

13 “(a) Instruction shall be the central focus of the resources and services of the institution.”

14 17. California Code of Regulations, title 5, section 71800 states, in pertinent part:

15 “In addition to the requirements of section 94911 of the Code, an institution shall provide to  
16 each student an enrollment agreement that contains at the least the following information:

17 . . . .

18 (b) Period covered by the enrollment agreement.

19 (c) Program start date and scheduled completion date.

20 . . . .

21 (e) Itemization of all institutional charges and fees including, as applicable:

22 (1) tuition;

23 (2) registration fee (non-refundable);

24 (3) equipment;

25 (4) lab supplies or kits;

26 (5) Textbooks, or other learning media;

27 (6) uniforms or other special protective clothing;

28 (7) in-resident housing;

- 1 (8) tutoring;
- 2 (9) assessment fees for transfer of credits;
- 3 (10) fees to transfer credits;
- 4 (11) Student Tuition Recovery Fund fee (non-refundable);
- 5 (12) any other institutional charge or fee.”

6 18. California Code of Regulations, title 5, section 71920 states, in pertinent part:

7 “(b) In addition to the requirements of section 94900, the file shall contain all of the  
8 following pertinent student records:

9 (1) Written records and transcripts of any formal education or training, testing, or  
10 experience that are relevant to the student's qualifications for admission to the institution or the  
11 institution's award of credit or acceptance of transfer credits including the following:

12 (A) Verification of high school completion or equivalency or other  
13 documentation establishing the student's ability to do college level work, such as successful  
14 completion of an ability-to-benefit test;

15 . . . .

16 (4) Records of the dates of enrollment and, if applicable, withdrawal from the  
17 institution, leaves of absence, and graduation; and

18 (5) In addition to the requirements of section 94900(b) of the Code, a transcript  
19 showing all of the following:

20 (A) The courses or other educational programs that were completed, or were  
21 attempted but not completed, and the dates of completion or withdrawal;

22 (B) Credit awarded for prior experiential learning, including the course title for  
23 which credit was awarded and the amount of credit;

24 (C) Credit for courses earned at other institutions;

25 (D) Credit based on any examination of academic ability or educational  
26 achievement used for admission or college placement purposes;

27 (E) The name, address, website address, and telephone number of the  
28 institution.”

1 19. California Code of Regulations, title 5, section 74112 states, in pertinent part:

2 “(b) An institution offering educational programs that are too new to provide the required  
3 two years of data shall include the date the program began as well as the statement required by  
4 section 94910(e) of the Code. The Performance Fact Sheet shall also disclose the estimated date  
5 of availability for two full years of data for those programs.”

6 . . . .

7 (f) Total Charges. The institution's Annual Report and Performance Fact Sheet shall  
8 include the total charges for a student to complete the program within 100% of the program  
9 length. The institution must include the disclosure that there may be additional charges if the  
10 program is not completed on-time.

11 Total charges shall be disclosed in the Performance Fact Sheet in a format substantially similar to the format listed below (dates  
12 and numbers are for example only):

13 **Cost of Educational Program:**

14 Total Charges for the program for students completing on-time in 20XX: \$50,000.

15 Total Charges may be higher for students that do not complete on-time.

16 Student's Initials: \_\_\_\_\_ Date: \_\_\_\_\_

17 **Initial only after you have had sufficient time to read and understand the information.**

18 . . . .

19 (h) Completion Rates. Reporting of completion rates for an institution's Annual Report  
20 and Performance Fact Sheet shall include, for each educational program, the number of students  
21 who began the program as defined in subdivision (d)(1) of this section, the number of students  
22 available for graduation, number of on-time graduates, and completion rate(s). An optional table  
23 may be added to include completion rate data for students completing within 150% of the  
24 published program length. For an institution reporting completion data pursuant to section  
25 94929(b) of the Code, completion data shall be separately reported for each program and the  
26 Performance Fact Sheet shall disclose, if true, that the completion data is being reported for  
27 students completing within 150% of the published program length, and that data is not being  
28 separately reported for students completing the program within 100% of the published program



length. Programs that are more than one year in length which are reporting 150% Completion Rate will provide four calendar years of data.

Completion rates shall be included in the Performance Fact Sheet in a format substantially similar to the chart below (dates, numbers, and other data shown are for example only):

**On-time Completion Rates (Graduation Rates)** (includes data for the two calendar years prior to reporting)

Name of Educational Program (Program Length)

Calendar Year	Number of Students Who Began the Program	Students Available for Graduation	Number of On-time Graduates	On-time Completion Rate
20XX	100	98	70	71%
20XY	80	80	55	69%

**Students Completing Within 150% of the Published Program Length**

Name of Educational Program (Program Length)

Calendar Year	Number of Students Who Began the Program	Students Available for Graduation	150% Graduates	150% Completion Rate
20XX	100	98	95	97%
20XY	80	80	78	98%
*20XZ	90	90	87	97%
*20YA	87	85	74	87%

\*Included only if program is more than one year in length

Student's Initials: \_\_\_\_\_ Date: \_\_\_\_\_

**Initial only after you have had sufficient time to read and understand the information.**

“(i) Job Placement Rates.

....

(2) Placement is measured six months from the graduation date of each student.

For programs that require passage of a licensing examination, placement shall be measured six months after the announcement of the examination results for the first examination available after

1 a student completes an applicable educational program. Reporting of placement rates shall  
 2 include for each educational program: the number of students who began the program, the  
 3 number of graduates as defined in section 94842 of the Code, the graduates available for  
 4 employment, graduates employed in the field and job placement rate(s).

5 (3) If the institution makes any claim related to preparing students for a job or  
 6 regarding job placement, the list required by section 94910(f)(2) of the Code shall identify the  
 7 employment positions by using the Detailed Occupation or six-digit level of the Standard  
 8 Occupational Classification codes.

9 (4) Placement rate shall be calculated as follows: the number of graduates employed  
 10 in the field as defined in section 94928(e)(1) of the Code in conjunction with section 74112(d)(3)  
 11 divided by the number of graduates available for employment as defined in section 94928(d) of  
 12 the Code.

13 Job Placement rates and related disclosures shall be included in the Performance Fact Sheet in a  
 14 format substantially similar to the charts below; (dates, numbers, and other data shown are for  
 15 example only):

16  
 17 **Job Placement Rates** (includes data for the two calendar years prior to reporting)

18 **Name of Educational Program (Program Length)**

19 Calendar Year	Number of Students Who Began the Program	20 Number of Graduates	Graduates Available for Employment	Graduates Employed in the Field	21 Placement Rate % Employed in the Field
20XX	100	70	70	55	79%
20XY	80	55	55	20	36%

22  
 23 **Gainful Employment Categories** (includes data for the two calendar years prior to reporting)

24 **Name of Educational Program (Program Length)**

25 **Part Time vs. Full Time Employment**

	26 Graduates Employed in the field 20 to 29 hours per week	Graduates Employed in the field at least 30 hours per week	Total Graduates Employed in the Field
20XX	15	40	55
20XY	5	15	20

1 **Single Position vs. Concurrent Aggregated Positions**

2

	Graduates Employed in the field in a single position	Graduates Employed in the field in concurrent aggregated positions	Total Graduates Employed in the Field
3 20XX	52	3	55
4 20XY	19	1	20

5 **Self-Employed/Freelance Positions**

6

	Graduates Employed who are self-employed or working freelance	Total Graduates Employed in the Field
7 20XX	3	55
8 20XY	5	20

9 **Institutional Employment**

10

	Graduates Employed in the field who are employed by the institution, an employer owned by the institution, or an employer who shares ownership with the institution	Total Graduates Employed in the Field
12 20XX	15	55
13 20XY	5	20

14 Student's Initials: \_\_\_\_\_ Date: \_\_\_\_\_

15 **Initial only after you have had sufficient time to read and understand the information.**

16 (j) License Examination Passage Rates. If license examination passage rates are not  
 17 available from the appropriate state agency, an institution shall collect the information directly  
 18 from its graduates. If an institution demonstrates that, after reasonable efforts, it is unable to  
 19 obtain the examination passage information from its graduates, the institution shall report the  
 20 number of students it could not contact and note in a font the same size as the majority of the data  
 21 on the Performance Fact Sheet, "License examination passage data is not available from the state  
 22 agency administering the examination. We were unable to collect data from [enter the number]  
 23 graduates."

24 Reporting of license examination passage rates for the Annual Report and the Performance  
 25 Fact Sheet shall include, for each educational program: the number of graduates in the reported  
 26 year, the number of documented graduates who passed the first available examination, number of  
 27 documented graduates who failed the first available examination, the number of graduates for  
 28 whom data is not available. An optional column may be added to separately report licensing

1 examination data for graduates who take and pass the exam after failing initially. The Annual  
2 Report shall also include a description of the processes for attempting to contact those  
3 students...”

4 20. California Code of Regulations, title 5, section 76140 states, in pertinent part:

5 “(a) A qualifying institution shall collect and maintain records of student information to  
6 substantiate the data reported on the STRF Assessment Reporting Form and records of the  
7 students' eligibility under the Fund. Such records shall include the following for each student:

8 (1) Student identification number,

9 (2) First and last names, . . .”

#### 10 COST RECOVERY

11 21. Section 125.3 of the Code provides, in pertinent part, that the Board may request  
12 the administrative law judge to direct a licentiate found to have committed a violation or  
13 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
14 and enforcement of the case, with failure of the licentiate to comply subjecting the license to not  
15 being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs  
16 may be included in a stipulated settlement.

#### 17 MARCH 28, 2018 and MARCH 29, 2018 BUREAU INVESTIGATION SUMMARY

18 22. Between on or about July 5, 2017, and May 4, 2018, the Bureau received multiple  
19 complaints against Respondent alleging that Respondent is selling hours<sup>1</sup> to students and  
20 providing substandard education and no actual classroom instruction.

21 23. On March 28, 2018 and March 29, 2018, a Bureau enforcement analyst conducted  
22 a field investigation at Respondent's institution located at 3660 Wilshire Boulevard, Suite 338, in  
23 Los Angeles, California, concurrently with an unannounced inspection by other Bureau staff, and  
24 observed by staff of the Board of Barbering and Cosmetology (“BBC”). The Bureau's  
25 investigation determined that Respondent lacked student attendance, students did not adhere to a  
26 class schedule, and students did not receive lecture or direct instruction. In addition,

27 <sup>1</sup> The practice of falsifying “Proof of Training” documents, certifying *under penalty of*  
28 *perjury* that students have completed BBC-required training hours when they have not completed  
such training is known as “selling hours” or “diploma mill” activity.

1 Respondent's staff did not document operations such as the number of perms, color, haircuts, etc.,  
2 that students conducted, although timecards were present.

3 24. During the joint investigation/inspection by the Bureau and BBC, and subsequent  
4 review of Respondent's documentation, multiple violations of the Bureau's laws were discovered,  
5 which are summarized as follows:

6 a. Between on or about June 2016 to March 2018, Respondent falsely certified the  
7 completion of programs for at least three (3) students whose student files did not contain  
8 supporting documentation to substantiate the completion of their programs. Specifically, the  
9 timecards did not contain the student names, and only had time/date stamps; and

10 b. Between on or about June 2016 to March 2018, Respondent submitted nineteen  
11 (19) student exam applications to BBC that did not match student names provided to the Bureau  
12 on Respondent's graduated student roster.

13 25. On or about April 16, 2018, one of Respondent's faculty members admitted to a  
14 Bureau enforcement analyst that Respondent collects up to \$6,000.00 from students and falsifies  
15 student records and timecards to show that a student attended Respondent's institution ten (10)  
16 months prior.

17 26. On or about April 20, 2018, one of Respondent's students admitted to a Bureau  
18 enforcement analyst that she only attended two or three weeks out of Respondent's 1600-hour  
19 Cosmetology program, yet Respondent submitted a Proof of Training document, *under penalty of*  
20 *perjury*, to BBC for the student attesting that the student had completed all required hours.

21 27. Based on the foregoing, BBC has informed the Bureau that BBC will not process  
22 any pending applications for Respondent's students. Respondent's students have lost money by  
23 paying Respondent for education and training without being able to then sit for the BBC license  
24 exam.

25 28. On July 10, 2018, the Bureau issued a Notice and Emergency Decision effective  
26 upon close of business on July 16, 2018, ordering Respondent to:

27 a. Cease enrollment of any new students in all programs; and

28 b. Cease the collection of tuition and fees for all programs.

1 Following a hearing on July 16, 2018, the Department of Consumer Affairs issued its Decision  
2 effective July 16, 2018, modifying and affirming the Bureau's Emergency Decision as follows:

- 3 a. Cease enrollment of any new student in its Cosmetology, Esthetics, and Nail Care  
4 programs; and  
5 b. Cease the collection of tuition and fees for its Cosmetology, Esthetics and Nail  
6 Care programs.

7 FIRST CAUSE FOR DISCIPLINE

8 *(Prohibited Business Practices - Education Code §94897(l))*

9 29. Respondent is subject to disciplinary action for advertising its institution as a State  
10 Bureau Approved Vocational School on Facebook without the clear and conspicuous statement of  
11 compliance with state standards as required by Education Code section 94897, subdivision (l).

12 SECOND CAUSE FOR DISCIPLINE

13 *(Prohibited Business Practices - Education Code §94897(j))*

14 30. Respondent is subject to disciplinary action for making untrue statements and  
15 falsifying documentation relating to the completion of Respondent's Cosmetology, Nail and  
16 Esthetics courses in violation of Education Code section 94897, subdivision (j), as follows:

17 a. After one of Respondent's students, P.S., paid \$500.00 to Respondent, five (5)  
18 months passed and P.S. never attended a class. P.S. requested a refund of \$500.00. Respondent  
19 denied the refund, but offered to give P.S. a certificate of completion for partial attendance of 160  
20 hours of the 1600 hour program despite the student never attending classes;

21 b. Respondent provided P.S. with answers for the State Board licensing exam and  
22 informed P.S. that once P.S. pays Respondent \$5,000, P.S. will be scheduled to take the State  
23 Board License Exam and receive a license;

24 c. A Los Angeles Superior Court Entry of Judgment ordered Respondent to refund P.S.  
25 \$500;

26 d. Respondent's daily operations were observed by a Bureau enforcement analyst on  
27 March 28, 2018 and March 29, 2018, who determined the following:

- 28 (1) There were no set class times, no lectures, and no direct instruction;

1           (2) Students arrived at Respondent's institution between 9:30 a.m. and 12:30 p.m.  
2 and clocked out at different times;

3           (3) Students set up for State Board preparation and were only observed by  
4 Respondent's instructor M.Y.;

5           (4) Respondent's students and Instructor M.Y. stated there are normally between 4-  
6 5 students per day present in class. The Bureau enforcement analyst witnessed less than 4  
7 students present on each of the two dates;

8           (5) Two students interviewed were unaware of the names of the programs they  
9 were enrolled in;

10          (6) All but one of the students interviewed, were unsure how many hours they had  
11 remaining in the program;

12          (7) There was no evidence that instructors were signing off on students' practical  
13 operations to validate that they were completing the required number of operations; and

14          (8) A comparison of the timecards present on the two dates of the investigation/  
15 inspection to the current list of current students provided by Respondent revealed that nineteen  
16 (19) student timecards did not correlate with the names provided on the current student roster.

17          e. On or about April 12, 2018, a Bureau enforcement analyst's review of three (3)  
18 graduated student files revealed the following:

19           (1) Respondent's student file for Y.S. revealed a blank enrollment agreement, Y.S.  
20 has a Colorado mailing address, a hand-written note that no kit was ordered, and a book and  
21 review was mailed to Y.S. There were no transcripts to demonstrate Y.S.'s academic progress,  
22 and the timecards did not have a student name, and were unsigned, but had date and time stamps;  
23 and

24           (2) Respondent's students S.J.K. and I.P.'s files also contained timecards that did not  
25 have student names and were unsigned, but had date and time stamps.

26          f. On or about April 13, 2018, a Bureau enforcement analyst compared Y.S, S.J.K., and  
27 I.P.'s timecards and found that all three student timecards contained identical clock-in and clock-  
28 out times for several weeks. For the weeks where the timestamps were not identical, they were

1 only one minute apart from Y.S's timecards, despite the other students attending a different  
2 program;

3 g. On or about April 16, 2018, a Respondent faculty member who wished to remain  
4 anonymous contacted a Bureau enforcement analyst to inform her that once a student pays  
5 Respondent \$6,000, on their first day of attendance, Respondent will prepare false documentation  
6 and timecards showing the students attended the institution 10 months prior;

7 h. On or about April 18, 2018, a Bureau enforcement analyst conducted a comparison of  
8 Respondent's list of graduated students provided by Respondent during the investigation on  
9 March 28, 2018 and March 29, 2018, to the list of Respondent's exam applicants the analyst  
10 received from BBC on March 22, 2018, and found that nineteen (19) of Respondent's students  
11 listed on BBC's list of applicants did not match Respondent's graduated students from 2016 to  
12 2018;

13 i. On or about April 20, 2018, Respondent's student M.Y.K. contacted a Bureau  
14 enforcement analyst and informed her that she paid \$6,000 to Respondent in January 2018,  
15 attended only two or three weeks of Respondent's Cosmetology program, and is waiting for her  
16 State Board exam date to be scheduled. M.Y. K. lives in Arizona and could not have completed  
17 the required 1600-hour Cosmetology program in two or three weeks. M.Y.K's timecard is one of  
18 the nineteen (19) student timecards that do not match the current list of students provided by  
19 Respondent to the Bureau enforcement analyst on or about March 28-29, 2018;

20 j. On or about May 4, 2018, a complaint to the Bureau from M.Y.K's husband stated  
21 that M.Y.K. informed him that Respondent "crash trains" its students to take the State Board  
22 licensing exam rather than providing the required 1600-hour Cosmetology program curriculum;  
23 and

24 k. On or about May 8, 2018, a Bureau enforcement analyst received a copy of a Proof of  
25 Training document for M.Y.K. from BBC which Respondent had falsely certified *under penalty*  
26 *of perjury*, that M.Y.K. had completed Respondent's 1600-hour Cosmetology program.

27 ///

28 ///



1 THIRD CAUSE FOR DISCIPLINE

2 *(Prohibited Business Practices - Education Code §94897(j)(3) and C.C.R., title 5, §74140)*

3 31. Respondent is subject to disciplinary action for misleading advertising stating that  
4 instruction is provided in Korean and Spanish in that Respondent's Facebook page advertised that  
5 Respondent offered a studio promotion in English, Spanish and Korean, despite the fact that  
6 Respondent is only approved by the Bureau to teach in English and Chinese, depending on the  
7 program, in violation of Education Code section 94897, subdivision (j)(3), in conjunction with  
8 California Code of Regulations, title 5, section 74140.

9 FOURTH CAUSE FOR DISCIPLINE

10 *(Instruction Violations - C.C.R., title 5, §71715(a))*

11 32. Respondent is subject to disciplinary action because instruction is not the central  
12 focus of the resources and services of the institution in violation of California Code of  
13 Regulations, title 5, section 71715, subdivision (a), in that Respondent does not adhere to a class  
14 schedule and fails to provide lecture or direct instruction as required by the 1600-hour  
15 Cosmetology program, as revealed during the Bureau's two-day investigation/inspection on  
16 March 28, 2018, and March 29, 2018.

17 FIFTH CAUSE FOR DISCIPLINE

18 *(Enrollment Agreement Violations - Education Code §94902(a) and C.C.R., title 5, §71920(b)(3))*

19 33. Respondent is subject to disciplinary action for failing to execute enrollment  
20 agreements as required by Education Code section 94902, subdivision (a), and California Code of  
21 Regulations, title 5, section 71920, subdivision (b)(3). The circumstances are as follows:

22 a. On March 28, 2018 and March 29, 2018, a Bureau compliance inspector conducted a  
23 review of thirty-two (32) student files during an inspection at Respondent's institution. Of the 32  
24 student files reviewed, 1 student file contained an Enrollment Agreement that was not signed by a  
25 student, Y.K.;

26 b. On March 28, 2018 and March 29, 2018, a Bureau compliance inspector conducted a  
27 review of thirty-two (32) student files during an inspection at Respondent's institution. Of the 32  
28 student files reviewed, six (6) of the files did not contain an Enrollment Agreement. The

1 compliance inspector notified Respondent's manager, Lee, of the potential material violation at  
2 the conclusion of the Compliance Inspection;

3 c. On or about April 12, 2018, a Bureau enforcement analyst reviewed the graduated  
4 student file for Respondent's student Y.S., and found that the Enrollment Agreement contained  
5 within the file was blank, and was not executed or signed by the student and by an authorized  
6 employee of the institution;

7 d. On or about April 13, 2018, a Bureau enforcement analyst reviewed the copied thirty-  
8 two (32) student files in comparison to the compliance inspector's review of the same 32 student  
9 files collected during her compliance inspection and confirmed that six (6) student files are  
10 missing enrollment agreements for the following students: S.P., J.L., T.B., Y.K., C.J. (2  
11 programs), and Y.S. (blank Enrollment Agreement).

#### 12 SIXTH CAUSE FOR DISCIPLINE

13 *(Violation of General Enrollment Requirements - Education Code §94902(b)(3))*

14 34. Respondent is subject to disciplinary action for failure to sign and date the  
15 information required to be disclosed in the Student-Performance-Fact Sheet ("SPFS") as required  
16 by Education Code section 94902, subdivision (b)(3). The circumstances are as follows: On or  
17 about April 19, 2018, a Bureau enforcement analyst reviewed the student file, received from  
18 Respondent's manager, Lee, on April 13, 2018, for a recently enrolled student, E.K., for  
19 compliance with the Bureau's laws and regulations and found the SPFS located within E.K.'s  
20 student file was not signed or dated by the student and the institution on the designated lines.

#### 21 SEVENTH CAUSE FOR DISCIPLINE

22 *(Violation of Minimum Requirements for Enrollment Agreements - Education Code §94911(a))*

23 35. Respondent is subject to disciplinary action for failure to identify the name of the  
24 educational program in the enrollment agreement as required by Education Code section 94911,  
25 subdivision (a). The circumstances are as follows: On March 28, 2018 and March 29, 2018, a  
26 Bureau compliance inspector conducted a review of thirty-two (32) of Respondent's student files  
27 and found that seventeen (17) student files contained Enrollment Agreements that did not identify  
28 the program in which the student enrolled.

1 EIGHTH CAUSE FOR DISCIPLINE

2 *(Violation of Minimum Requirements for Enrollment Agreements - C.C.R., title 5, §71800(b))*

3 36. Respondent is subject to disciplinary action for failure to identify the period  
4 covered by the enrollment agreement as required by California Code of Regulations, title 5,  
5 section 71800, subdivision (b). The circumstances are as follows: On March 28, 2018 and  
6 March 29, 2018, a Bureau compliance inspector conducted a review of thirty-two (32) of  
7 Respondent's student files and found that twenty (20) student files contained enrollment  
8 agreements that did not contain the period covered by the enrollment agreement.

9 NINTH CAUSE FOR DISCIPLINE

10 *(Violation of Minimum Requirements for Enrollment Agreements - C.C.R., title 5, §71800(c))*

11 37. Respondent is subject to disciplinary action for failure to identify the start date and  
12 scheduled completion date in the enrollment agreement as required by California Code of  
13 Regulations, title 5, section 71800, subdivision (c). The circumstances are as follows: On March  
14 28, 2018 and March 29, 2018, a Bureau compliance inspector conducted a review of thirty-two  
15 (32) of Respondent's student files and found that twenty-two (22) student files contained  
16 enrollment agreements that did not have both a program start date and scheduled completion date.

17 TENTH CAUSE FOR DISCIPLINE

18 *(Violation of Minimum Requirements for Enrollment Agreements - C.C.R., title 5, §71800(e))*

19 38. Respondent is subject to disciplinary action for failure to identify a complete  
20 itemization of institutional charges and fees in the Enrollment Agreement as required by  
21 California Code of Regulations, title 5, section 71800, subdivision (e). The circumstances are as  
22 follows: On March 28, 2018 and March 29, 2018, a Bureau compliance inspector conducted a  
23 review of thirty-two (32) of Respondent's student files and found that twenty-three (23) student  
24 files contained Enrollment Agreements that did not clearly identify all institutional charges.

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1 ELEVENTH CAUSE FOR DISCIPLINE

2 *(Student Record Violations - C.C.R., title 5, §71920(b)(1)(A))*

3 39. Respondent is subject to disciplinary action for failure to maintain verification of  
4 high school completion or equivalency in student records as required by California Code of  
5 Regulations, title 5, section 71920, subdivision (b)(1)(A). The circumstances are as follows:

6 a. On March 28, 2018 and March 29, 2018, a Bureau compliance inspector  
7 conducted a review of thirty-two (32) of Respondent's student files. Of the 32 files, fourteen (14)  
8 current student files, ten (10) graduated student files, and four (4) withdrawn student files did not  
9 contain a high school diploma or its equivalent, totaling 28 files which did not contain a high  
10 school diploma or equivalent, as required; and

11 b. On April 13, 2018, Bureau enforcement analysts reviewed the copied thirty-two  
12 (32) student files in comparison to the Compliance Inspector's review of the same 32 files  
13 collected during her compliance inspection and confirmed that the student files for the following  
14 twenty-eight (28) students did not contain a high school diploma or equivalent, as required:  
15 Y.S.H., K.S., J.J., Y.K., E.J., C.J., J.L., E.S.A., T.B., S.L., J.L., S.L., J.H.P., S.K.A., P.S., J.A.,  
16 J.Y., C.J., Y.S., I.P., J.J., J.K., S.J.K., Y.K., H.I., R.K., D.B., and B.B.

17 TWELFTH CAUSE FOR DISCIPLINE

18 *(Student Record Violations - C.C.R., title 5, §71920(b)(4))*

19 40. Respondent is subject to disciplinary action for failure to maintain records of  
20 leaves of absence in student records as required by California Code of Regulations, title 5, section  
21 71920, subdivision (b)(4). The circumstances are as follows:

22 a. On March 28, 2018 and March 29, 2018, a Bureau compliance inspector  
23 conducted a review of thirty-two (32) of Respondent's student files and found that eleven (11)  
24 student files identified as on "Leave of Absence" did not contain any documentation regarding a  
25 leave of absence; and

26 b. On April 13, 2018, Bureau enforcement analysts reviewed the copied thirty-two  
27 (32) student files in comparison to the compliance inspector's review of the same 32 files  
28 collected during her compliance inspection and confirmed that of the 32 student files, none of the

1 student files identified as on "Leave of Absence" contained any documentation to confirm a leave  
2 of absence for the following 11 students: J.L., E.S.A., T.B., J.L., M.L., S.L., S.P., J.L., S.L.,  
3 J.H.P., and S.K.A.

4 THIRTEENTH CAUSE FOR DISCIPLINE

5 *(Student Record Violations - C.C.R., title 5, §71920(b)(5))*

6 41. Respondent is subject to disciplinary action for failure to maintain transcripts in  
7 student records as required by California Code of Regulations, title 5, section 71920, subdivision  
8 (b)(5). The circumstances are as follows:

9 a. On March 28, 2018 and March 29, 2018, a Bureau compliance inspector  
10 conducted a review of thirty-two (32) of Respondent's student files and found that of the 32 files,  
11 four (4) withdrawn student files were missing a transcript and eleven (11) graduated student files  
12 were missing a transcript, totaling fifteen (15) student files missing transcripts; and

13 b. On April 13, 2018, a Bureau enforcement analyst reviewed the copied thirty-two  
14 (32) student files in comparison to the compliance inspector's review of the same 32 files  
15 collected during her compliance inspection and confirmed that the following fourteen (14) student  
16 files were missing transcripts: P.S., J.A., J.Y., C.J., Y.S., I.P., J.J., J.K., S.J.K., Y.K., H.I., R.K.,  
17 D.B., and B.B.

18 FOURTEENTH CAUSE FOR DISCIPLINE

19 *(Failure to Obtain Authorization Required for Substantive Change – Education Code § 94893)*

20 42. Respondent is subject to disciplinary action for making substantial changes to its  
21 approval to operate without prior authorization by the Bureau as required by Education Code  
22 section 94893. The circumstances are as follows:

23 a. On or about March 15, 2018, screenshots of Respondent's Facebook page  
24 provided to the Bureau's enforcement analyst by a former student showed that Respondent  
25 advertised an unapproved 8-session Express Exam Preparation Course;

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1           b.     On or about March 18, 2018, a Bureau enforcement analyst's review of  
2 Respondent's website at [www.qcacollege.com](http://www.qcacollege.com) found that Respondent advertised unapproved  
3 courses in Advance Hair Care, Advanced Skin Care, Advanced Nail Care, and Core Exam  
4 Preparation;

5           c.     On March 28, 2018 and March 29, 2018, during the Bureau's investigation at  
6 Respondent's institution, Respondent's manager, Lee, provided the Bureau compliance inspector  
7 and enforcement analyst a flyer that advertised an unapproved 8-session Express Exam  
8 Preparation Course;

9           d.     On March 28, 2018 and March 29, 2018, during a Bureau enforcement analyst's  
10 investigation at Respondent's institution, it was found that Respondent provides textbooks and  
11 workbook for the Cosmetology, Nail and Esthetics programs in Korean. According to the  
12 Bureau's School's Automated Information System ("SAIL") Database, Respondent is only  
13 approved to offer the Cosmetology, Nail and Esthetics programs in English.

14                                   FIFTEENTH CAUSE FOR DISCIPLINE

15                                   *(School Performance Fact Sheet Violations – Education Code § 94910)*

16           43.    Respondent is subject to disciplinary action for making substantial changes to its  
17 approval to operate without prior authorization by the Bureau as required by Education Code  
18 section 94910. The circumstances are as follows:

19           a.     On March 28, 2018 and March 29, 2018, a Bureau compliance inspector conducted a  
20 review of thirty-two (32) of Respondent's student files and found that none of the 32 files  
21 contained a SPFS; and

22           b.     On April 13, 2018, Bureau enforcement analysts reviewed the copied thirty-two  
23 (32) student files in comparison to the compliance inspector's review of the same 32 files  
24 collected during her compliance inspection and confirmed that none of the student files contained  
25 a SPFS.

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1 SIXTEENTH CAUSE FOR DISCIPLINE

2 (School Performance Fact Sheet Violations –  
3 Education Code § 94910(e) and C.C.R., title 5, §74112(b))

4 44. Respondent is subject to disciplinary action for failing to provide required  
5 information on its SPFS for programs that are too new to provide the required two years of data  
6 as required by Education Code section 94910, subdivision (e), in conjunction with California  
7 Code of Regulations, title 5, section 74112, subdivision (b). The circumstances are as follows:

8 a. On April 5, 2018 a Bureau enforcement analyst received an email from  
9 Respondent’s manager, Lee, at [queenstonuni@gmail.com](mailto:queenstonuni@gmail.com) which contained 2016 SPFS backup  
10 documentation; and

11 b. On April 13, 2018, a Bureau enforcement analyst printed and reviewed  
12 Respondent’s 2016 Cosmetology SPFS from Respondent’s website at [www.qcacollege.com](http://www.qcacollege.com) and  
13 found that Respondent did not include the required statement for programs that are too new to  
14 provide data for any of the categories listed and did not include the date the program began as  
15 required for programs that are too new to provide data.

16 SEVENTEENTH CAUSE FOR DISCIPLINE

17 (School Performance Fact Sheet Violations –  
18 Education Code § 94910(a) and C.C.R., title 5, §74112(h))

19 45. Respondent is subject to disciplinary action for incorrectly calculating and  
20 reporting its 150% graduates as required by Education Code section 94910, subdivision (a), in  
21 conjunction with California Code of Regulations, title 5, section 74112, subdivision (h). The  
22 circumstances are as follows:

23 a. On April 5, 2018 a Bureau enforcement analyst received an email from Respondent’s  
24 manager, Lee, at [queenstonuni@gmail.com](mailto:queenstonuni@gmail.com) which contained 2016 SPFS backup documentation;  
25 and

26 b. On April 13, 2018, a Bureau enforcement analyst printed and reviewed Respondent’s  
27 2016 Nail SPFS from Respondent’s website at [www.qcacollege.com](http://www.qcacollege.com) and found that Respondent  
28 lists one-hundred (100) 150% graduates for 2016, which is incorrect. According to the

1 information provided in Respondent's SPFS backup documentation, this number should reflect  
2 one (1) 150% graduate.

3 EIGHTEENTH CAUSE FOR DISCIPLINE

4 *(School Performance Fact Sheet Violations –*

5 *Education Code §§ 94910(b) and 94929.5(a)(1) and C.C.R., title 5, §74112(i))*

6 46. Respondent is subject to disciplinary action for incorrectly reporting its 2016 job  
7 placement rates as required by Education Code sections 94910, subdivision (b), and  
8 94929.5(a)(1), in conjunction with California Code of Regulations, title 5, section 74112,  
9 subdivision (i). The circumstances are as follows:

10 a. On April 5, 2018, a Bureau enforcement analyst received an email from Respondent's  
11 manager, Lee, at [queenstonuni@gmail.com](mailto:queenstonuni@gmail.com) which contained 2016 SPFS backup documentation;  
12 and

13 b. On April 13, 2018, a Bureau enforcement analyst printed and reviewed Respondent's  
14 2016 Esthetics SPFS from Respondent's website at [www.qcacollege.com](http://www.qcacollege.com) and found that  
15 Respondent incorrectly reported Job Placement Rates and percentages for 2016. According to the  
16 information provided in Respondent's SPFS backup documentation, there were eleven (11)  
17 graduates, and not seven (7), as reported on the 2016 Esthetics SPFS.

18 NINETEENTH CAUSE FOR DISCIPLINE

19 *(School Performance Fact Sheet Violations – C.C.R., title 5, §74112(i)(2), (3), and (4))*

20 47. Respondent is subject to disciplinary action for incorrectly reporting part-time vs.  
21 full-time employments as required by California Code of Regulations, title 5, section 74112,  
22 subdivisions (i)(2), (3), and (4). The circumstances are as follows:

23 a. On April 5, 2018, a Bureau enforcement analyst received an email from Respondent's  
24 manager, Lee, at [queenstonuni@gmail.com](mailto:queenstonuni@gmail.com) which contained 2016 SPFS backup documentation;  
25 and

26 b. On April 13, 2018, a Bureau enforcement analyst printed and reviewed Respondent's  
27 2016 Esthetics SPFS from Respondent's website at [www.qcacollege.com](http://www.qcacollege.com) and found that  
28 Respondent incorrectly reported three (3) students in Part-Time vs. Full-Time Employment. The



1 backup documentation did not provide information to substantiate that any students were  
2 employed within 6 months of the first examination available after the students completed an  
3 applicable education program; and

4 c. Additionally, if calculated based on the program completion dates, one student, K.P.,  
5 did not have an employment start date indicated, and therefore her employment should not have  
6 been included.

7 TWENTIETH CAUSE FOR DISCIPLINE

8 *(School Performance Fact Sheet Violations – C.C.R., title 5, §74112(j))*

9 48. Respondent is subject to disciplinary action for incorrectly reporting the students  
10 who took the Esthetics State Board Licensing exam as required by California Code of  
11 Regulations, title 5, section 74112, subdivision (j). The circumstances are as follows:

12 a. On April 5, 2018, a Bureau enforcement analyst received an email from Respondent's  
13 manager, Lee, at [queenstonuni@gmail.com](mailto:queenstonuni@gmail.com) which contained 2016 SPFS backup documentation;  
14 and

15 b. On April 13, 2018, a Bureau enforcement analyst printed and reviewed Respondent's  
16 2016 Esthetics SPFS from Respondent's website at [www.qcacollege.com](http://www.qcacollege.com) and found that  
17 Respondent reported six (6) students took the Esthetics State Board Licensing exam. However,  
18 the backup documentation shows that in 2016, seven (7) students took the exam and passed the  
19 first time.

20 TWENTY-FIRST CAUSE FOR DISCIPLINE

21 *(School Performance Fact Sheet Violations – CCR, title 5, §74112(k))*

22 49. Respondent is subject to disciplinary action for incorrectly reporting salary and  
23 wage data as required by California Code of Regulations, title 5, section 74112, subdivision (k).  
24 The circumstances are as follows:

25 a. On April 5, 2018, a Bureau enforcement analyst received an email from Respondent's  
26 manager, Lee, at [queenstonuni@gmail.com](mailto:queenstonuni@gmail.com) which contained 2016 SPFS backup documentation;  
27 and

28 ///

1 b. On April 13, 2018, a Bureau enforcement analyst printed and reviewed Respondent's  
2 2016 Esthetics SPFS from Respondent's website at [www.qcacollege.com](http://www.qcacollege.com) and found that  
3 Respondent reported seven (7) graduates who were available for employment, but only reported  
4 six (6) students' salary and wage data. The number of students reported under salary and wage  
5 data should be identical to the number of students reported under job placement rates in the 2016  
6 Esthetics SPFS;

7 c. Additionally, based, on the backup documentation provided, only two (2) students,  
8 P.S. and N.S., were employed within 5 months of their completion date. Respondent incorrectly  
9 reported that four (4) students were graduates employed in the field.

10 TWENTY-SECOND CAUSE FOR DISCIPLINE

11 *(School Performance Fact Sheet Violations – C.C.R., title 5, §74112(f))*

12 50. Respondent is subject to disciplinary action for failing to include the costs of  
13 educational programs as required by California Code of Regulations, title 5, section 74112,  
14 subdivision (f). The circumstances are as follows:

15 a. According to the Bureau's Compliance Inspection Report dated April 9, 2018, on  
16 March 29, 2018, Respondent's manager, Lee, admitted that she was unsure what to put on the  
17 2016 Cosmetology, Nail, and Esthetics SPFS for program costs since they were new. The  
18 Bureau's compliance inspector informed Lee that it would be appropriate to put a zero-dollar  
19 amount since the programs were not in existence at the time;

20 b. On April 5, 2018, a Bureau enforcement analyst received an email from Respondent's  
21 manager, Lee, at [queenstonuni@gmail.com](mailto:queenstonuni@gmail.com) which contained 2016 SPFS backup documentation;  
22 and

23 c. On April 13, 2018, a Bureau enforcement analyst printed and reviewed Respondent's  
24 2016 Cosmetology, Nail and Esthetics SPFS from Respondent's website at [www.qcacollege.com](http://www.qcacollege.com)  
25 and found that Respondent did not provide the cost for the educational programs, despite the  
26 compliance inspector's direction.

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1 TWENTY-THIRD CAUSE FOR DISCIPLINE

2 *(School Performance Fact Sheet Violations – C.C.R., title 5, §74112(j))*

3 51. Respondent is subject to disciplinary action for failing to report the number of  
4 students it could not contact to obtain State Board License Examination passage rate information  
5 from as required by California Code of Regulations, title 5, section 74112, subdivision (j). The  
6 circumstances are as follows:

7 a. On April 5, 2018, a Bureau enforcement analyst received an email from Respondent's  
8 manager, Lee, at [queenstonuni@gmail.com](mailto:queenstonuni@gmail.com) which contained 2016 SPFS backup documentation;  
9 and

10 b. On April 13, 2018, a Bureau enforcement analyst printed and reviewed Respondent's  
11 2016 Cosmetology, Nail and Esthetics SPFS from Respondent's website at [www.qcacollege.com](http://www.qcacollege.com)  
12 and found that Respondent did not report the number of students the institution was unable to  
13 gather information from for the State Board Licensing Examination passage rates for the  
14 Cosmetology, Esthetic and Nail programs.

15 TWENTY-FOURTH CAUSE FOR DISCIPLINE

16 *(School Performance Fact Sheet Violations – C.C.R., title 5, §74112(g)(2))*

17 52. Respondent is subject to disciplinary action for failing to information pertaining to  
18 eligibility or ineligibility for federal student loans as required by California Code of Regulations,  
19 title 5, section 74112, subdivision (g)(2). The circumstances are as follows:

20 a. On April 5, 2018, a Bureau enforcement analyst received an email from Respondent's  
21 manager, Lee, at [queenstonuni@gmail.com](mailto:queenstonuni@gmail.com) which contained 2016 SPFS backup documentation;  
22 and

23 b. On April 13, 2018, a Bureau enforcement analyst printed and reviewed Respondent's  
24 SPFS for all programs from Respondent's website at [www.qcacollege.com](http://www.qcacollege.com) and found that  
25 Respondent did not state whether or not federal financial aid is available. All of Respondent's  
26 SPFS contain both statements that students are eligible for financial aid, and that students are not  
27 eligible for financial aid.

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1 TWENTY-FIFTH CAUSE FOR DISCIPLINE

2 (Student Tuition Recovery Fund Violations (STRF) – C.C.R., title 5, §76140)

3 53. Respondent is subject to disciplinary action for failing to comply with STRF  
4 record-keeping requirements as required by California Code of Regulations, title 5, section  
5 76140. The circumstances are as follows:

6 a. March 28, 2018 and March 29, 2018, a Bureau compliance inspector conducted an  
7 unannounced compliance inspection at Respondent's institution, and requested STRF backup  
8 documentation to substantiate the 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2017 STRF Assessment reporting forms.  
9 At the conclusion of the compliance inspection, Respondent did not provide the requested backup  
10 documentation;

11 b. On April 5, 2018, Lee submitted STRF 2016 supporting documentation to the Bureau  
12 via email, which did not satisfy the requirement of 3<sup>rd</sup> and 4<sup>th</sup> quarter 2017 STRF backup  
13 documentation; and

14 c. To date, Respondent has not provided the backup documentation to substantiate the  
15 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2017 STRF Assessment reporting forms.

16 TWENTY-SIXTH CAUSE FOR DISCIPLINE

17 (Annual Report Violation – Education Code §94934(a)(6))

18 54. Respondent is subject to disciplinary action for incorrectly reporting in its Annual  
19 Report the total charges, *under penalty of perjury*, for each program as required by Education  
20 Code section 94934, subdivision (a)(6). The circumstances are as follows:

21 a. According to the Bureau's Compliance Inspection Report dated April 9, 2018,  
22 Respondent's listed program charges for each program do not match the charges advertised for  
23 each program in Respondent's school catalog; and

24 b. On April 17, 2018, a Bureau enforcement analyst printed Respondent's 2016 Annual  
25 Report and its school catalog dated January 9, 2017 – December 31, 2018, from Respondent's  
26 website at [www.qcacollege.com](http://www.qcacollege.com). The analyst compared the program charges in the Annual  
27 Report to the program charges indicated in the school catalog and confirmed the compliance  
28 inspector's determination that the charges do not match for the same program.

1 TWENTY-SEVENTH CAUSE FOR DISCIPLINE

2 *(Required Institutional Records Violations – Education Code §94900.5)*

3 55. Respondent is subject to disciplinary action for failing to maintain information  
4 regarding the educational qualifications of each member of the faculty in its required institutional  
5 records for a period of 5 years as required by Education Code section 94900.5. The  
6 circumstances are as follows:

7 a. According to the Bureau's Compliance Inspection Report dated April 9, 2018, the  
8 compliance inspector was unable to determine the minimum faculty qualifications for five (5) out  
9 of (6) instructors provided on Respondent's faculty list during the compliance inspection; and

10 b. On April 17, 2018, a Bureau enforcement analyst reviewed Respondent's faculty  
11 files and was unable to verify that instructors I.T.K., N.P., and L.N. have three (3) years of  
12 experience, education and training in the subject area they are teaching.

13 TWENTY-EIGHTH CAUSE FOR DISCIPLINE

14 *(School Catalog Violation – Education Code §94909(a)(7))*

15 56. Respondent is subject to disciplinary action for failing to provide students a school  
16 catalog containing information regarding the faculty and their qualifications as required by  
17 Education Code section 94909, subdivision (a)(7). The circumstances are as follows:

18 a. On April 17, 2018, a Bureau enforcement analyst printed Respondent's school  
19 catalog dated January 9, 2017 – December 31, 2018, from Respondent's website at  
20 [www.qcacollege.com](http://www.qcacollege.com), and reviewed it for information regarding the faculty members and their  
21 qualifications to teach. The instructors listed in the school catalog did not match the instructors  
22 listed on the faculty list provided by Respondent.

23 TWENTY-NINTH CAUSE FOR DISCIPLINE

24 *(Website Violation – Education Code §94913(a)(5))*

25 57. Respondent is subject to disciplinary action for failing to post its 2016 Annual  
26 Report submitted to the Bureau on its website as required by Education Code section 94913,  
27 subdivision (a)(5). The circumstances are as follows: On April 17, 2018, a Bureau Annual Report  
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1 analyst confirmed that Respondent submitted its satellite information on December 12, 2017, with  
2 the Annual Report, but did not properly post the information on their website.

3 THIRTIETH CAUSE FOR DISCIPLINE

4 *(Retention of Advertising Violation – C.C.R., title 5, §74140)*

5 58. Respondent is subject to disciplinary action for failing to provide their internet  
6 (Facebook) advertising content during the Bureau’s inspection as require by California Code of  
7 Regulations, title 5, section 74140. The circumstances are as follows:

8 a. On March 15, 2018, a Bureau enforcement analyst received screenshot photos of  
9 Respondent’s Facebook page from a student which show that Respondent advertises to the public  
10 from Facebook. During the Bureau’s investigation/inspection on March 28, 2018 and March 29,  
11 2018, Respondent’s manager, Lee, provided the Bureau’s compliance inspector and enforcement  
12 analysts with a flyer which Lee stated was Respondent’s only form of advertising.

13 PRAYER

14 *WHEREFORE*, Complainant requests that a hearing be held on the matters herein alleged,  
15 and that following the hearing, the Director of the Department of Consumer Affairs issue a  
16 decision:

17 1. Revoking or suspending Respondent’s Approval to Operate, Institution Code No.  
18 1940681, issued to Queenston College of America, Peter Do, Owner, and Myungjin Song,  
19 Owner;

20 2. Ordering Respondent, Peter Do, and/or Myungjin Song to pay the Bureau for Private  
21 Postsecondary Education the reasonable costs of the investigation and enforcement of this case;

22 and,

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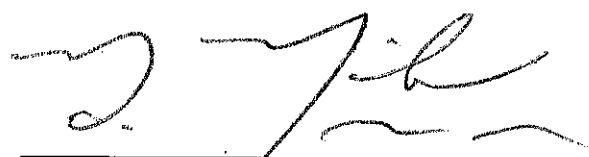
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3. Taking such other and further action as deemed necessary and proper.

DATED: 7/20/18



DR. MICHAEL MARION, JR.  
Chief  
Bureau for Private Postsecondary Education  
Department of Consumer Affairs  
State of California  
*Complainant*