



Bureau for Private Postsecondary Education
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**MODIFIED CITATION: ASSESSMENT OF FINE AND
ORDER OF ABATEMENT**

To: San Francisco Institute of Esthetics of & Cosmetology, Inc., Owner
San Francisco Institute of Esthetics of & Cosmetology, Inc.
1067 Folsom, 2nd Floor
San Francisco, CA 94103

INSTITUTION CODE: 3806621
CITATION NUMBER: 2021134
MODIFIED CITATION ISSUANCE/SERVICE DATE: October 4, 2021
MODIFIED DUE DATE: November 3, 2021
FINE AMOUNT: \$ 00.00
ORDER OF ABATEMENT INCLUDED: Yes

Christina Villanueva issues this Modified Citation: Assessment of Fine (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 Modified Citation: Assessment of Fine and Order of Abatement is hereby issued to San Francisco Institute of Esthetics of & Cosmetology, Inc. (Institution) located at 1067 Folsom, 2nd Floor, San Francisco, CA 94103, 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

The Bureau previously issued Citation: Assessment of Fine and Order of Abatement No. 2021134 to the Owner of the Institution on October 28, 2020, which was appealed by the Institution and subsequently withdrawn without prejudice on September 29, 2021.

VIOLATIONS

#	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>Violation: CEC Section 94929.5 (a)(1)(3) – Reporting of Student Performance Data <i>“(a) An institution shall annually report to the bureau, as part of the annual report, and shall publish in its School Performance Fact Sheet, all of the following:</i> <i>(1) The job placement rate, calculated by dividing the number of graduates employed in the field by the number of graduates available for employment for each program that is either (1) designed, or advertised, to lead to a particular career, or (2) advertised or promoted with any claim regarding job placement.</i></p>

(3) Salary and wage information, consisting of the total number of graduates employed in the field and the annual wages or salaries of those graduates stated in increments of five thousand dollars (\$5,000)."

Bureau staff reviewed the supporting documentation to substantiate the data reported on the 2017-2018 SPFS and found that the supporting documentation was missing information and/or provided misleading information.

The Institution's documentation to substantiate the data reported on the 2017-2018 SPFS's failed to contain the hours worked for graduates employed in the field used to determine gainful employment. The institution included all employed graduates in the "Graduates Employed in the Field" in the Salary and Wage Data without complete information to determine gainful employment. The supporting data collected and provided does not substantiate the Job Placement Rates reported. In addition, the data reported in 2017-2018 SPFS is not substantiated by the supporting data maintained. Therefore, the Institution reported untrue and misleading statements relative to the "Number of Graduates Employed in the Field."

Order of Abatement:

The Bureau orders the Institution to submit a written policy, or procedure, of how future compliance will be maintained with 5, CCR Section 74112, CEC Section 94897, and CEC Section 94929.5.

Modified Order of Abatement:

The Bureau orders the Institution to submit a written policy, or procedure, of how future compliance will be maintained with 5, CCR Section 74112, and CEC Section 94929.5., and will not report any graduate as gainfully employed if the graduate's work hours worked per week is not reported.

Reason for Modification: New substantive facts presented during settlement; the Order of Abatement has been resolved.

Assessment of Fine

The fine for this violation is \$500.00

The Administrative Fine has been modified from \$500.00 to \$00.00

TOTAL MODIFIED ADMINISTRATIVE FINE DUE: \$00.00

The Institution gives up the right to an administrative hearing and all other rights accorded by the California Administrative Procedure Act and other applicable laws. The Institution's failure to pay the Modified Citation civil penalty pursuant to the terms of this settlement will result in this matter being referred to collection and will result in the full original penalty being imposed and due in full. The Bureau for Private Postsecondary Education may file an Amended Modified Citation for the failure of conditions required of the Institution.

CONTACT INFORMATION

If you have any questions regarding this Modified Citation, or desire further information, please contact Cheryl Lardizabal, Citation Analyst, at (916) 574-8968 or Cheryl.Lardizabal@dca.ca.gov.

“Original signature on file”

“10/4/2021”

Christina Villanueva
Discipline Manager

Date

Enclosure

- Declaration of Service by Certified and First-Class Mail