



**Bureau for Private Postsecondary Education**  
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**APPEAL OF CITATION INFORMAL CONFERENCE**  
**DECISION: CITATION MODIFIED**

June 17, 2020

A-1 Truck Driving School Inc., Owner  
A-1 Truck Driving School Inc.  
2977 Baumberg Ave.  
Hayward, CA 94545

<b>Date of Issuance</b>	<b>Citation Number</b>	<b>Institution Code</b>
June 17, 2020	1920277	0106221

On May 29, 2020, an informal telephone conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. 1920277 (Citation) against A-1 Truck Driving School Inc., Owner of A-1 Truck Driving School Inc. (Institution). In attendance were Beth Scott, Enforcement Chief, Doug Smith, DCA Legal Counsel, Mohinder Janda, President, Willie Brown Jr., Attorney, Jack Iyer, CPA/Translator.

Pursuant to Business and Professions Code, section 125.9; California Education Code, section 94936; and Title 5 of the California Code of Regulations, section 75020 and section 75040, the Bureau for Private Postsecondary Education (Bureau) renders the following decision relative to your appeal of the Citation No. 1920277.

It is the decision of the Enforcement Chief that on June 8, 2020, Citation No. 1920288 is modified and makes the following change(s):

**VIOLATION CODE SECTIONS**

#	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 74110 (a-d) – Annual Report</b>  <i>“(a) The annual report required by section 94934 of the Code shall include the information required by section 94929.5 and 94934 for all educational programs offered in the prior calendar year. (b) In addition to the information required by section 94934 and this section provided under penalty of perjury, the institution shall have annual financial statements prepared for the institution's prior fiscal year and signed under penalty of perjury, and shall submit a hard copy under separate cover of such statements in conjunction with its annual report. The form, content and mode of preparation of financial statements shall comply with Section 74115 of this Division. The Bureau may request that the institution immediately make available for inspection to a representative of the Bureau, these financial statements at the offices of the institution. (c) An institution shall file its annual report by December 1st. The Bureau may extend the period for filing if the institution demonstrates evidence of substantial need but in no case longer than 60 days. The institution shall not change the date of its filing its annual report because of a change in the fiscal year without the Bureau's approval. (d) The annual report shall be electronically filed by submitting the information required by section 94934 of the Code and this section via the online form provided on the Bureau's website, electronically attaching, as directed,</i></p>

the School Performance Fact Sheet, the enrollment agreement, and the school catalog”.

**CEC Section 94934(a)(1-9) - Annual Report**

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

(1) The total number of students enrolled by level of degree or for a diploma.

(2) The number of degrees, by level, and diplomas awarded.

(3) The degree levels and diplomas offered.

(4) The Student Performance Fact Sheet, as required pursuant to Section 94910.

(5) The school catalog, as required pursuant to Section 94909.

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

(7) A statement indicating whether the institution is, or is not, current in remitting Student Tuition Recovery Fund assessments.

(8) A statement indicating whether an accrediting agency has taken any final disciplinary action against the institution.

(9) Additional information deemed by the bureau to be reasonably required to ascertain compliance with this chapter”.

As of March 4, 2020, the Bureau has not received an Annual Report for the year 2018 from the Institution.

**Order of Abatement:**

The Bureau orders the Institution to submit its Annual Report in accordance with 5, CCR section 74110 (a-d) and CEC section 94934(a)(1-9). The Institution shall submit the following:

**2018 Annual Report**

- Complete and submit the 2018 Annual Report via the Bureau’s Online Annual Report Submission Portal website at [https://bppe.ca.gov/annual\\_report/](https://bppe.ca.gov/annual_report/).
- A hard copy of the financial statements for year-end 2018 must be submitted via regular mail to the Bureau for Private Postsecondary Education, P.O. Box 980818, West Sacramento, CA 95833.

**Modified Order of Abatement:**

The Bureau orders the Institution to continue to work with the Bureau’s Annual Report Unit regarding the 2018 Annual Report submission.

**Reason for modification:** New substantive facts were presented at the conference.

**Assessment of Fine**

The fine for this violation is \$5,000.00

The administrative fine for this violation has been modified from \$5,000.00 to \$00.00.

**TOTAL MODIFIED ADMINISTRATIVE FINE DUE: \$00.00**

ORDER OF ABATEMENT

The Bureau orders that you comply with the orders described in the 'Violation Code Sections' of this document.

APPEAL OF CITATION

You *do not* have the right to request another Informal Conference to appeal this modified Citation. You *do*, however, have the right to appeal this affirmed or modified Citation through an Administrative Hearing. A hearing before an Administrative Law Judge will be scheduled and you will be notified of the hearing date. The hearing will be held pursuant to Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

If you do not wish to appeal this modified Citation you must withdraw your initial request for an Administrative Hearing, if one was made. Please complete and mail the enclosed Withdrawal – Request for Administrative Hearing within **30 Days** of the date of this decision.

EFFECTIVE DATE OF CITATION

This modified Citation is effective on **June 17, 2020**.

CONTACT INFORMATION

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

“Original signature on file”

“6/17/2020”

\_\_\_\_\_  
**Christina Villanueva**  
**Discipline Manager**

\_\_\_\_\_  
**Date**

Enclosures

- Withdrawal- Request for Administrative Hearing
- Declaration of Service by Certified and First-Class Mail