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

13 In the Matter of the Statement of Issues
Against:
14 **UNIVERSAL COLLEGE OF BEAUTY,**
15 **INC.**
16 **Institution Code Number 1920961**
17 **Application for Approval to Operate an**
18 **Accredited Institution**
19 Respondent.

Case No. 1006752

STATEMENT OF ISSUES

20 **PARTIES**

21 1. Deborah Cochrane (Complainant) brings this Statement of Issues solely in her official
22 capacity as the Chief of the Bureau for Private Postsecondary Education, Department of
23 Consumer Affairs.

24 2. On or about November 20, 1991, the Bureau for Private Postsecondary Education
25 (Bureau) granted full approval for Universal College of Beauty, Inc. to operate an accredited
26 institution. The Institution Code Number is 1920961. The full approval expired on January 31,
27 2020. According to the Bureau's records, the owner and Executive Director of Universal College
28 of Beauty, Inc. is John C. Williams.

1 7. Section 94887 states:

2 An approval to operate shall be granted only after an applicant has presented sufficient
3 evidence to the bureau, and the bureau has independently verified the information provided by the
4 applicant through site visits or other methods deemed appropriate by the bureau, that the applicant
5 has the capacity to satisfy the minimum operating standards. The bureau shall deny an application
6 for an approval to operate if the application does not satisfy those standards.

7 **REGULATORY PROVISIONS**

8 8. California Code of Regulations, title 5, section 71390, states:

9 a) An applicant seeking approval to operate by means of its accreditation pursuant to
10 Section 94890(a)(1) of the Code shall complete the "Application for Approval to Operate for an
11 Accredited Institution," Form Application 94890 (rev. 2/10).

12 (b) An applicant shall submit to the Bureau the form required by subdivision (a) of this
13 section, a certified copy of its current verification of accreditation granted by its accrediting
14 agency, and the appropriate application fee, as provided in Section 94930.5(a)(3) of the Code.

15 (c) The application for Approval to Operate for an Accredited Institution shall include the
16 following:

17 (1) The name, mailing address, telephone and fax numbers, website address and institution
18 or school code of the institution.

19 (2) The name, mailing address, e-mail address, telephone and fax numbers of the institution
20 contact person for the purposes of this application.

21 (3) The name, title and address of each person, as defined in section 94855 of the Code,
22 who owns or controls 25% or more of the stock or an interest in the institution. The name, title
23 and address of each general partner, officer, corporate director, member of the board of directors,
24 and any other person who exercises substantial control over the institution's management or
25 policies. For the purpose of this paragraph, a person exercises "substantial control over the
26 institution's management or policies" if the person has the authority to cause the institution to
27 expend money or incur debt in the amount of five thousand dollars (\$5,000) or more in any year.

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1 (A) For each address required, the institution shall provide a physical home address, and
2 may request that the address, email address, and telephone number, of each person described in
3 paragraph (3) be maintained as personal information.

4 (B) The federal employer identification number for partnerships or the social security
5 number for individual owners identified in the application pursuant to section 71130(a)(1).

6 (d) The application shall be signed and dated, and each fact stated therein and each
7 attachment thereto shall be declared to be true under penalty of perjury, as follows:

8 (1) Signatories:

9 (A) Each owner of the institution, or

10 (B) If the institution is incorporated, the chief executive officer of the corporation and each
11 person who owns or controls 25 percent or more of the stock or interest in the institution, or

12 (C) Each member of the governing body of a nonprofit corporation.

13 (2) The declaration shall be in the following form:

14 “I declare under penalty of perjury under the laws of the State of California that the
15 foregoing and all attachments are true and correct.

16
17 (Date) _____ (Signature) _____

18 9. California Code of Regulations, title 5, section 74006, states:

19 (a) An institution's annual fee is due within 30 days of the date on which the institution
20 originally receives its approval to operate and each year thereafter on the anniversary of the date
21 of the original approval.

22 (b) An institution shall pay its annual fee in addition to any other applicable fees.

23 (c) The annual institutional fee is based on the institution's annual revenue. For purposes of
24 this article, annual revenue is annual gross revenue.

25 **FIRST CAUSE FOR DENIAL OF APPLICATION**

26 (Incomplete Application)

27 10. Respondent’s application is subject to denial under California Education Code section
28 94887 and California Code of Regulations, title 5, section 71390, subsections (a) and (c)(3), as it

1 did not include the correct information for, and original signatures from, the owner(s) of the
2 institution.

3 **SECOND CAUSE FOR DENIAL OF APPLICATION**

4 (Lack of Required Information from Accrediting Agency)

5 11. Respondent’s application is subject to denial under California Education Code section
6 94887 and California Code of Regulations, title 5, section 71390, subsection (b), as it failed to
7 submit a current letter from an accrediting agency recognized by the United States Department of
8 Education that reflects the required information for an Approval to Operate an Accredited
9 Institution.

10 **THIRD CAUSE FOR DENIAL OF APPLICATION**

11 (Failure to Pay Fees)

12 12. Respondent’s application is subject to denial under California Education Code section
13 94887 and California Code of Regulations, title 5, section 74006, subsection (b), as respondent
14 did not pay the institution’s 2020 annual fee and subsequent late fee.

15 **PRAYER**

16 WHEREFORE, complainant requests that a hearing be held on the matters herein alleged,
17 and that following the hearing, the Director of the Department of Consumer Affairs issue a
18 decision:

- 19 1. Denying the application of Universal College of Beauty, Inc. for Approval to Operate
20 an Accredited Institution;
21 2. Taking such other and further action as deemed necessary and proper.
22

23 DATED: “9/30/2021” _____

24 “Original signature on file” _____
25 DEBORAH COCHRANE
26 Chief
27 Bureau for Private Postsecondary
28 Education
Department of Consumer Affairs
State of California
Complainant

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