



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

To: 24-7 Classroom, LLC., Owner
American Heritage College
1100 Town and Country Road, Suite 1250
Orange, CA 92868

INSTITUTION CODE: 41424484
CITATION NUMBER: 2021033
CITATION ISSUANCE/SERVICE DATE: July 30, 2020
DUE DATE: August 29, 2020
FINE AMOUNT: \$ 11,500.00
ORDER OF ABATEMENT INCLUDED: Yes

Christina Villanueva issues this Citation: Assessment of Fine and Order of Abatement (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 Citation is hereby issued to 24-7 Classroom, LLC., Owner of American Heritage College (Institution) located at 1100 Town and Country Road, Suite 1250, Orange, CA 92868, 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

On September 12, 2019, Bureau staff conducted an unannounced Compliance inspection at the Institution. Bureau staff reviewed student files and found material violations related to verification of high school completion or the equivalent, Enrollment Agreements, supporting documentation for Student Tuition Recovery Fund (STRF) Assessment Report Forms, Student Performance Fact Sheets (SPFS), and SPFS supporting documentation. In addition, the Owner was unable to provide all of the requested documents for inspection and copying during normal business hours.

VIOLATION(S)

#	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 94932.5 – Announced and Unannounced Compliance Inspections <i>“(a) As part of its compliance program, the bureau shall perform announced and unannounced inspections of institutions at least every five years.”</i></p> <p>5, CCR Section 71930 (e) – Maintenance of Records <i>“(e) All records that the institution is required to maintain by the Act or this chapter shall be made</i></p>

immediately available by the institution for inspection and copying during normal business hours by the Bureau and any entity authorized to conduct investigations.”

Bureau staff was unable to complete the Inspection as the Owner was uncooperative. The Owner stated that they would try to provide Bureau staff with the documentation requested, however Institution staff (the Director of Education and Placement Director) were out of the office at the time of the inspection

Bureau staff was unable to review all of the requested documents during the inspection as documents were not made immediately available for inspection and copying during normal business hours.

Order of Abatement:

The Bureau orders the Institution to submit a policy, or procedure, of how future compliance will be maintained per 5, CCR Section 71930.

Assessment of Fine

The fine for this violation is \$5,000.00.

2.

Violation:

5, CCR Section 71920 (a)(b)(1)(3)(9)(A)(B)(C) – Student Records

“(a) The institution shall maintain a file for each student who enrolls in the institution whether or not the student completes the educational service.

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

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

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

(B) Records documenting units of credit earned at other institutions that have been accepted and applied by the institution as transfer credits toward the student's completion of an educational program;

(C) Grades or findings from any examination of academic ability or educational achievement used for admission or college placement purposes;

(3) Copies of all documents signed by the student, including contracts, instruments of indebtedness, and documents relating to financial aid;

(9) A document showing the total amount of money received from or on behalf of the student and the date or dates on which the money was received;”

Violation: 5, CCR Section 71920 (a)(b)(1)(A)(B)(C): Bureau staff reviewed student files and found that the Institution failed to collect the required documentation for admission to the Institution. Specifically, the student files failed to contain verification of high school completion or equivalency, or other documentation establishing the student’s ability to do college-level work, such as successful completion of an ability-to-benefit test.

Violation: 5, CCR Section 71920 (a)(b)(3): Bureau staff reviewed student files and found that the files did not contain a copy of the SPFS document as is required. Additionally, the supporting documentation for the SPFS was not found in any of the student files reviewed during the inspection.

	<p>Violation: 5, CCR Section 71920 (b)(9): Bureau staff reviewed student files and found that the files did not contain a document showing the total amount of money received from or on behalf of the student and the date(s) on which the money was received.</p> <p>Order of Abatement: The Bureau orders the Institution to submit a policy, or procedure, of how future compliance will be maintained per 5, CCR Section 71920.</p> <p>Assessment of Fine The fine for this violation is <u>\$5,000.00</u>.</p>
3.	<p>Violation: CEC Section 94902(a) – General Enrollment Requirements <i>“(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.”</i></p> <p>Bureau staff reviewed student files and found that the Institution failed to have an authorized employee sign enrollment agreements.</p> <p>Order of Abatement: The Bureau orders the Institution to submit a policy, or procedure, of how future compliance will be maintained per CEC Section 94902.</p> <p>Assessment of Fine The fine for this violation is <u>\$500.00</u>.</p>
4.	<p>Violation: 5, CCR Section 76140(b) – Record-Keeping Requirements <i>“(b) The qualifying institution shall maintain the data required under this section in an electronic format that is readily available and open to inspection by the Bureau upon request. The institution shall make the records immediately available to a Bureau representative conducting a site inspection or, upon written request, shall provide a copy within 14 calendar days of the request. All records shall be provided to the Bureau in an intelligible and orderly manner and in an electronic format.”</i></p> <p>Bureau staff requested the supporting documentation to substantiate the data reported for the last quarter STRF Assessment Reporting Form, however, the Owner was unaware of where the documentation was stored therefore it could not be provided during the inspection.</p> <p>Order of Abatement: The Bureau orders the Institution to submit a written policy of how future compliance will be maintained per 5, CCR section 76140.</p> <p>Assessment of Fine The fine for this violation is <u>\$1,000.00</u></p>
<p>TOTAL ADMINISTRATIVE FINE DUE: \$11,500.00</p>	

ASSESSMENT OF A FINE

In accordance with CEC section 94936; and 5, CCR sections 75020 and 75030, the Bureau hereby orders this assessment of fine in the amount of **\$11,500.00** for the violations described above.

Payment must be made, to the Bureau, within 30 days from the date of service of the Citation.

COMPLIANCE WITH ORDER OF ABATEMENT

In accordance with the provisions of CEC section 94936 and 5, CCR section 75020 the Bureau hereby issues the order(s) of abatement described above. **Evidence of compliance with the order(s) of abatement must be submitted, to the Bureau, within 30 days from the date of service of the Citation.**

APPEAL OF CITATION

You have the right to contest this Citation through an informal conference with the Bureau; 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 must submit the 'Notice of Appeal of Citation – Request for Informal Conference and/or Administrative Hearing' form (enclosed) within 30 days from the date of service of the Citation. *If you do not request an informal conference and/or an administrative hearing within 30 days from the service of the Citation, you will not be able to request one at a later time.*

Unless a written request for an informal conference and/or an administrative hearing is signed by you and delivered to the Bureau by **August 29, 2020**, you will be deemed to have waived or forfeited your right to appeal this matter.

EFFECTIVE DATE OF CITATION

If you do not request an informal conference and/or an administrative hearing, this Citation shall become effective on **July 30, 2020**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **August 29, 2020**. Your payment of the administrative fine shall not constitute an admission of the violation(s) charged.

If a hearing is requested, you will not be required to comply with this Citation until 30 days after a final order is entered against you.

Payment of the administrative fine and/or written request for appeal must be mailed to:

Gabriella Perez, Discipline Citation Program
Bureau for Private Postsecondary Education
1747 N. Market Blvd., Suite 225
Sacramento, CA 95834

Failure for an applicant or institution to abate the violation(s) listed above or to pay the administrative fine within the time allowed may result in denial of an application for an approval or renewal to operate; disciplinary action, and/or collection action. The Bureau will promptly take all appropriate action to enforce this Citation and recover the civil penalties prescribed therein or found to be due after a hearing.

CONTACT INFORMATION

If you have any questions regarding this Citation, or desire further information, please contact Gabriella Perez, Citation Analyst, at (916) 574-8969 or Gabriella.Perez@dca.ca.gov.

“Original signature on file”

“7/30/2020”

Christina Villanueva
Discipline Manager

Date

Enclosures

- Applicable Laws Violated
- Statement of Rights: Appeal Process Information Sheet
- 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