



AFFIRMED CITATION ORDER

Citation Issued To: Pathways College, LLC., Nursing and Health Care Careers 637 East Albertoni Street, Suite 100 Carson, CA, 90746 Institution Code: 53555857	Citation Number: 2324151
	Total Fine Amount: \$4,501.00
	Order of Abatement Included: Yes

Elizabeth Elias issues this affirmed citation in her official capacity as Enforcement Chief of the Bureau for Private Postsecondary Education, California Department of Consumer Affairs (hereinafter referred to as the "Bureau").

LICENSING HISTORY

- On or about October 18, 2019, the Bureau renewed an Approval to Operate a Private Postsecondary Institution to Pathways College, LLC., (hereinafter referred to as the "Institution"). This Approval to Operate will expire on or about October 17, 2024, unless renewed.

DISCIPLINE HISTORY

- The Institution has the following discipline history:
 - [Statement of Issues, filed September 3, 2019](#)
 - [Notice of Withdrawal, filed October 14, 2019](#)
 - [Modified Citation No. 192020, issued April 15, 2020](#)
 - Evidence of compliance; citation satisfied July 15, 2020
 - [Citation No. 2122068, issued October 6, 2021](#)
 - Evidence of compliance; citation satisfied November 17, 2021

CITATION JURISDICTION

- This administrative citation is issued to the Institution pursuant to the statutory provisions of California Education Code (CEC) section 94936; and Title 5 of the California Code of Regulations (5 CCR) section 75020 et seq. for the violation(s) described below.

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4. On or about February 22, 2024, the Bureau issued Citation No. 2324151. On or about March 15, 2024, the Bureau received an appeal with a request for an informal conference. The informal conference was held on March 25, 2024. No new substantive facts were presented during the informal conference; therefore, the Bureau affirms Citation No. 2324151.

CAUSE FOR CITATION & ASSESMENT OF FINE AND/OR ORDER OF ABATEMENT

5. The Institution is in violation of the following Bureau laws and regulations:

Violation #1:

5 CCR section 76140 (a)(1-13),(b) – Record-Keeping Requirements and 5 CCR section 71930 (e) – Maintenance Records

Cause for Citation: On or about January 25, 2022, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5 (a). Bureau staff requested records of student information to substantiate the data reported on the Student Tuition Recovery Fund (STRF) form for the 3rd quarter reporting period of 2021 and provided the Program Director a list of the required data points pursuant to 5 CCR 76140 (a)(1-13). Further, the Institution failed to provide Bureau staff the records in an electronic format and in an intelligible and orderly manner as required pursuant to 5 CCR 76140 (b).

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class B” violation. The Institution is issued a fine of \$1,001.00.

Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to correct the violation by providing an electronic copy of the template used by the Institution to document student information for the STRF supporting documentation, in order for the Bureau to verify the Institution is collecting the required data points pursuant to 5 CCR section 76140.

In addition, the Institution must submit a statement of attestation they have corrected the violation and will ensure that the substantiating data for STRF is maintained in an electronic format and readily available to a Bureau

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representative upon request pursuant to 5 CCR 76140. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Violation #2:

5 CCR section 76120 (a) – Amount of STRF Assessment and 5 CCR section 71630 (a)(1) – Collection and Submission of STRF Assessments

Cause for Citation: On or about January 25, 2022, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5 (a). Bureau staff reviewed student records that showed the Institution failed to identify and collect the correct Student Tuition Recovery Fund (STRF) amounts as identified in the enrollment agreements in the student files for students enrolled after February 8, 2021.

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class B” violation. The Institution is issued a fine of \$1,000.00.

Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to correct the violation by providing a copy of an enrollment agreement template used by the Institution which shows the Institution is collecting the correct STRF amounts pursuant to 5 CCR section 76120.

Additionally, the Institution must submit a statement of attestation they have corrected the violation and will ensure that the Institution is collecting the correct STRF amounts in the enrollment agreements. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Violation #3:

CEC section 94935 (b) – Notice to Comply in conjunction with 5 CCR 75010 (h)

Cause for Citation: On or about January 25, 2022, Bureau staff issued a Notice to Comply (NTC) for violations of 5 CCR section 71920 (b)(5)(10)(A)(B)(C)(D)(E) Student Record Requirements.

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The Institution failed remedy the noncompliance as noted in the Notice to Comply by the due date of February 25, 2022.

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a "Class B" violation. The Institution is issued a fine of \$2,500.00.

Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to correct the violations identified in the Notice to Comply and submit proof of compliance pursuant to CEC section 94935.

COMPLIANCE WITH ORDER OF ABATEMENT

6. In accordance with the provisions of CEC section 94936 and 5 CCR sections 75020 and 75040, the Bureau issues the order(s) of abatement described above. Evidence of compliance with the order of abatement must be submitted to the Bureau within 30 days from the date of issuance of this affirmed citation. Evidence of compliance with the order of abatement may sent by mail or email to:

- Mail: Bureau for Private Postsecondary Education
Attn: Discipline Unit – Tessa Barron
1747 North Market, Blvd., Suite 225
Sacramento, CA 95834
- Email: bppe.discipline@dca.ca.gov
 - In the subject line, please include the Institution name and citation number.

COMPLIANCE WITH ASSESSMENT OF FINE

7. In accordance with the provisions of CEC section 94936, and 5 CCR section 75020 et seq., the Bureau hereby orders this assessment of fines in the total amount of \$ 4,501.00 for the violations described above. Payment of the fines must be made to the Bureau within 30 days from the date of issuance of this affirmed citation. To assist the Bureau in processing the payment of fines, please submit the enclosed *Payment of Fine – Waiver of Appeal* form.

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Payment must be sent to the Bureau by mail at:

- Bureau for Private Postsecondary Education
Attn: Discipline Unit – Tessa Barron
1747 North Market, Blvd., Suite 225
Sacramento, CA 95834

NOTICE OF APPEAL RIGHTS

8. Pursuant to 5 CCR section 75040(d), the affirmed decision is considered final, unless a request for a hearing was filed timely.

If the Institution requested a hearing and no longer chooses to proceed with the hearing, the Institution may request to withdraw the request for a hearing. If the Institution has not requested to withdraw the hearing, a hearing will be set to hear the matter.

COMPLIANCE WITH FINE AND/OR ORDER OR ABATEMENT DISCLOSURE

9. Pursuant to 5 CCR section 75050, payment of fine and/or compliance with any order of abatement does not constitute an admission of the violation charged and shall be represented as satisfactory resolution of the matter for the purposes of public disclosure.

Pursuant to 5 CCR section 75050, failure to comply with this citation order, its order of abatement, and/or administrative fine by the required due date is grounds for denial or discipline of an approval to operate. Where a citation is not contested and fine is not paid, the full amount of the assessed fine shall be added to the fee for renewal of the approval to operate. An approval to operate shall not be renewed without payment of the renewal fee and fine. The Bureau may also enforce the administrative fine as if it were a money judgment pursuant to CEC section 94936.

BUREAU CONTACT INFORMATION

10. If you have any questions regarding this Citation, please contact Tessa Barron, Citation Analyst by email at Tessa.Barron@dca.ca.gov or by phone at (916) 574-7791.

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“Original Signature on File”

4/15/2024

Elizabeth Elias
Enforcement Chief

Citation Date of Issuance

Enclosures:

- Payment of Fine
- Declaration of Service by Certified and First-Class Mail