



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

To: The Technical School, Inc., Owner  
Technical College  
7916 Long Beach Blvd.  
South Gate, CA 90280

**INSTITUTION CODE: 1929241**  
**CITATION NUMBER: 1920260**  
**CITATION ISSUANCE/SERVICE DATE: March 19, 2020**  
**DUE DATE: April 18, 2020**  
**FINE AMOUNT: \$ 9,002.00**  
**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 The Technical School, Inc., Owner of Technical College (Institution) located at 7916 Long Beach Blvd., South Gate, CA 90280, 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 November 2, 2017, Bureau staff conducted a field investigation at the Institution. As a result, material violations were found related to current, graduate, and dropped/withdrawn student files.

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><b>Violation:</b>  <b>5, CCR Section 71770(a)(1) – Admissions Standards and Transferred Credits Policy</b>  <i>“(a) The institution shall establish specific written standards for student admissions for each educational program. These standards shall be related to the particular educational program. An institution shall not admit any student who is obviously unqualified or who does not appear to have a reasonable prospect of completing the program. In addition to any specific standards for an educational program, the admissions standards must specify as applicable that:</i>  <i>(1) Each student admitted to an undergraduate degree program, or a diploma program, shall possess a high school diploma or its equivalent, or otherwise successfully take and pass the relevant examination as required by section 94904 of the Code.”</i></p>

**5, CCR Section 71920(b)(1)(A) – Student Records**

*“(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;”*

**CEC Section 94904(a)(b) – Ability to Benefit Students**

*“(a) Except as provided in subdivision (c), before an ability-to-benefit student may execute an enrollment agreement, the institution shall have the student take an independently administered examination from the list of examinations prescribed by the United States Department of Education pursuant to Section 484(d) of the federal Higher Education Act of 1965 (20 U.S.C. Sec. 1070a et seq.). The student shall not enroll unless the student achieves a score, as specified by the United States Department of Education, demonstrating that the student may benefit from the education and training being offered.*

*(b) If the United States Department of Education does not have a list of relevant examinations that pertain to the intended occupational training, the bureau may publish its own list of acceptable examinations and required passing scores.”*

Bureau staff reviewed student files and determined that the files did not include high school diplomas and/or Ability to Benefit (ATB) exams. Furthermore, Bureau staff requested evidence of these documents on November 2, 2017, September 16, 2019, and September 30, 2019 and the Institution failed to provide the requested documents to demonstrate that they obtained high school diplomas and/or administered ATB exams prior to enrolling students.

**Order of Abatement:**

The Bureau orders the Institution to submit an established policy, or procedure, of how the Institution will maintain future compliance with 5, CCR sections 71770(a)(1), 71920(b)(1)(a), and CEC section 94904(a)(b). In addition, the Bureau orders the Institution to submit the name of the ATB exam they would like to administer to incoming students and obtain Bureau approval.

**Assessment of Fine**

The fine for this violation is \$1,501.00

2. **Violation:**

**5, CCR Section 71920(b)(3) – Student Records**

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

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

Bureau staff reviewed student files and determined that the files did not include financial records. Furthermore, Bureau staff requested and received five student files which did not include copies of financial records. On September 16, 2019, Bureau staff requested the school to provide additional copies of student financial records. On September 27, 2019, the Institution’s attorney provided copies for two out of the five payment receipts.

**Order of Abatement:**

The Bureau orders the Institution to submit an established policy, or procedure, of how the

	<p>Institution will maintain future compliance with 5, CCR Section 71920(b)(3).</p> <p><b><u>Assessment of Fine</u></b> The fine for this violation is <u>\$1,000.00</u></p>
3.	<p><b><u>Violation:</u></b> <b>5, CCR Section 74112(e)(2) – Uniform Data – Annual Report, Performance Fact Sheet</b> <i>“(e) Reporting periods: (2) A Performance Fact Sheet shall be current and available not later than December 1st, and shall report data for the previous two calendar years based upon the “number of students who began the program,” as defined in subdivision (d)(1) of this section and were scheduled to graduate in the reported year(s).”</i></p> <p><b>CEC Section 94902 – General Enrollment Requirements</b> <i>“(b) An enrollment agreement is not enforceable unless all of the following requirements are met: (1) The student has received the institution’s catalog and School Performance Fact Sheet prior to signing the enrollment agreement. (3) Prior to the execution of the enrollment agreement, the student and the institution have signed and dated the information required to be disclosed in the Student Performance Fact Sheet pursuant to subdivisions (a) to (d), inclusive, of Section 94910. Each of these items in the Student Performance Fact Sheet shall include a line for the student to initial and shall be initialed and dated by the student.”</i></p> <p>Bureau staff reviewed student files and determined that files did not include School Performance Fact Sheets (SPFS). On September 16, 2019, Bureau staff emailed the Institution requesting copies of the SPFS for five students. On September 27, 2019, Bureau staff received the 2012-2013 SPFS as requested. However, Bureau staff determined that the Institution failed to provide students who enrolled in 2016 and 2017 with the appropriate corresponding SPFS (2013/2014 SPFS and 2014/2015 SPFS accordingly).</p> <p><b><u>Order of Abatement:</u></b> The Bureau orders the Institution to submit an established policy, or procedure, of how the Institution will maintain future compliance with 5, CCR section 74112(e)(2) and CEC section 94902(b)(1)(3).</p> <p><b><u>Assessment of Fine</u></b> The fine for this violation is <u>\$1,000.00</u></p>
4.	<p><b><u>Violation:</u></b> <b>CEC Section 94897(j)(1)(3) – Prohibited Business Practices</b> <i>“An institution shall not do any of the following: (j) In any manner make an untrue or misleading change in, or untrue or misleading statement related to, a test score, grade or record of grades, attendance record, record indicating student completion, placement, employment, salaries, or financial information, including any of the following: (3) Any other record or document required by this chapter or by the bureau.”</i></p> <p>Bureau staff reviewed student files and determined that the files either included completion certificates, or copies of official transcripts, for students that did not attend any classes</p> <p>Additionally, Bureau staff determined that a copy of a student’s SPFS obtained on September 27, 2019 included the Institution’s official signature (dated April 25, 2016), however the original copy of the SPFS that was obtained by Bureau staff on November 2, 2017 did not include the Institution’s official signature.</p>

	<p>Furthermore, Bureau staff concluded that student files contained copies of Wonderlic Assessment Reports that Wonderlic did not have record of providing to the Institution. Therefore, the Institution is in violation of CEC section 94897 (j) as the documentation is untrue or misleading.</p> <p><b><u>Order of Abatement:</u></b> The Bureau orders the Institution to submit an established policy, or procedure, of how the Institution will maintain future compliance with 5, CCR section 94897(j)(1)(3).</p> <p><b><u>Assessment of Fine</u></b> The fine for this violation is <u>\$5,000.00</u></p>
5.	<p><b><u>Violation:</u></b> <b>5, CCR Section 71730(g) – Administration</b> <i>“(g) The institution shall not employ or continue to employ any administrative personnel who were adjudicated in a judicial or administrative proceeding as having violated any provision of the Act or this chapter or as having committed any act that would constitute grounds for the denial of a license under Section 480 of the Business and Professions Code.”</i></p> <p>Bureau staff determined that the Institution continued to employ an administrative staff member who had a felony conviction.</p> <p><b><u>Order of Abatement:</u></b> The Bureau orders the Institution to submit an established policy, or procedure, of how the Institution will maintain future compliance with 5, CCR section 71730(g).</p> <p><b><u>Assessment of Fine</u></b> The fine for this violation is <u>\$501.00</u></p>
<p><b>TOTAL ADMINISTRATIVE FINE DUE: \$9,002.00</b></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 **\$9,002.00** 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 **April 18, 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 **March 19, 2020**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **April 18, 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](mailto:Gabriella.Perez@dca.ca.gov).

“Original signature on file”

“3/19/2020”

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**Christina Villanueva**  
**Discipline Manager**

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**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