



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

To: Mikhail Portnov
Portnov Computer School
163 S. Clark Ave.
Los Altos, CA 94024

INSTITUTION CODE: 4306131
CITATION NUMBER: 1516072
CITATION ISSUANCE/SERVICE DATE: April 11, 2016
DUE DATE: May 10, 2016
FINE AMOUNT: \$5000.00
ORDER OF ABATEMENT INCLUDED: YES

Elainea Shotwell issues this Citation: Assessment of Fine and Order of Abatement in her official capacity as Enforcement Manager of the Bureau for Private Postsecondary Education (Bureau) of the California Department of Consumer Affairs.

CITATION

A Citation is hereby issued to Mikhail Portnov, Owner of Portnov Computer School located at 163 S. Clark Ave., Los Altos, CA 94024 pursuant to Business and Professions Code section 125.9; California Education Code (CEC) section 94936; and Title 5 of the California Code of Regulations (5 CCR) section 75020 for the violations described below.

VIOLATION

#	The California Education Code (CEC) and the California Code of Regulations (CCR). Below you will find the code section(s) of law you are charged with violating.
1.	<p>Violation: CEC 94913(a)(2)(5) - Required Web Site Information <i>“(a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following: (2) A School Performance Fact Sheet for each educational program offered by the institution. (5) The institution’s most recent annual report submitted to the bureau.”</i></p> <p>Bureau staff reviewed Portnov Computer School’s website at www.portnov.com during a complaint investigation on May 28, 2015 and again on April 6, 2016. The review showed that Portnov Computer School failed to attach any School Performance Fact Sheets or its most recent Annual Report to its website.</p>

Order of Abatement:

The Bureau hereby orders Portnov Computer School to update its website to include all of the website requirements in compliance with CEC 94913 including, but not limited to, the School Performance Fact Sheets and most recent Annual Report submitted to the Bureau.

Assessment of Fine

The fine for this violation is \$5000.00

TOTAL ADMINISTRATIVE FINE DUE: \$5000.00

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 **\$5000.00** for the violations described above.

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

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.**

BACKGROUND

On May 11, 2015, the Bureau received an anonymous complaint alleging that Portnov Computer School (PCS) was fraudulently creating job experience for its students. The complaint alleges a violation of CEC 94897(j). Bureau investigation into the complaint revealed that the allegations are unsubstantiated. However, the investigation revealed that PCS is in violation of CEC 94913(a)(2)(5), because it does not have a School Performance Fact Sheet and Annual Report posted to its website.

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 **May 10, 2016**, 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 **April 11, 2016**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **May 10, 2016**. 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:

Jody Wright, Discipline Citation Program
Bureau for Private Postsecondary Education
2535 Capitol Oaks Drive, Suite 400
Sacramento, CA 95833

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 Jody Wright, Enforcement Analyst, at 916-431-6940 or Jody.Wright@dca.ca.gov.



Elainea Shotwell
Enforcement Manager

April 11, 2016

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