



**APPEAL OF CITATION INFORMAL CONFERENCE**  
**DECISION: CITATION MODIFIED**

April 29, 2019

Ding King Training Institute Inc., Owner  
 Ding King Training Institute  
 3186 Airway Ave, Bldg. L  
 Costa Mesa, CA 92626

Date of Issuance	Citation Number	Institution Code
April 29, 2019	1819134	3013591

On April 18, 2019, an informal telephone conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. 1819134 (Citation) against Ding King Training Institute, Inc., Owner of Ding King Training Institute. In attendance were Beth Scott, Enforcement Chief; and Michelle Scher, School Director.

Pursuant to Business and Professions Code, section 125.9; California Education Code, section 94936; and Title 5 of the California Code of Regulations, section 75020 and section 75040, the Bureau for Private Postsecondary Education (Bureau) renders the following decision relative to your appeal of the Citation No. 1819134.

It is the decision of the Enforcement Chief that on April 18, 2019, Citation No. 1819134 is modified and makes the following change(s):

**VIOLATION CODE SECTIONS**

#	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><u>Violation:</u></b></p> <p><b>5, CCR Section 71770. Admissions Standards and Transferred Credits Policy.</b></p> <p>(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:</p>

(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.

**CEC Section 94904. 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.

The Institution failed to adhere to their own admission requirements. The Institution has not been requiring prospective students to submit proof of a high school diploma or its equivalent, or proof of taking and passing the relevant approved Ability to Benefit Test (ATB).

**Order of Abatement:**

The Bureau orders the Institution to submit an established policy and procedure of how the Institution will stay in compliance with, CCR section 71770 and CEC section 94904.

Reason for modification: Compliance obtained; Abatement satisfied.

**Assessment of Fine**

The fine for this violation is \$5000.00

The administrative fine for this violation has been modified from \$5000.00 to \$00.00.

**TOTAL MODIFIED ADMINISTRATIVE FINE DUE: \$00.00**

**APPEAL OF CITATION**

You *do not* have the right to request another Informal Conference to appeal this Modified Citation. If you did not initially request an Administrative Hearing within 30 days from when the original citation was issued, you can no longer request one.

**EFFECTIVE DATE OF CITATION**

This Modified Citation is effective on April 29, 2019.

**CONTACT INFORMATION**

Should you have any questions regarding this decision or desire further information, please contact Ray Delaney, Citation Analyst, at (916) 431-6946 or at [Ray.Delaney@dca.ca.gov](mailto:Ray.Delaney@dca.ca.gov).

*CV*

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

*4/29/19*

**Date**

Enclosures

- Declaration of Service by Certified and First-Class Mail