



APPEAL OF CITATION INFORMAL CONFERENCE
DECISION: CITATION MODIFIED

February 26, 2019

Ed Ibarra, Owner
 Master Truck School
 110 Broadway
 Chula Vista, CA 91910

Date of Issuance	Citation Number	Institution Code
February 26, 2019	1819072	27726172

On February 21, 2019, an informal telephone conference was held in the matter of Citation: Assessment of Fine No. 1819072 (Citation) against Ed Ibarra, Owner of Master Truck School. In attendance were Beth Scott, Enforcement Chief; and Ed Ibarra, Owner.

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. 1819072

It is the decision of the Enforcement Chief that on February 20, 2019, Citation No. 1819072 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>MODIFIED</p> <p><u>Violation:</u></p> <p>94926(a)(b)(c)(d) - Procedures Prior to Closing, Teach-Out Plans</p> <p>“At least 30 days prior to closing, the institution shall notify the bureau in writing of its intention to close. The notice shall be accompanied by a closure plan, which shall include, but not necessarily be limited to, all of the following:</p> <p>(a) A plan for providing teach-outs of educational programs, including any agreements with any other postsecondary educational institutions to provide teach-outs.</p> <p>(b) If no teach-out plan is contemplated, or for students who do not wish to participate in a teach-out, arrangements for making refunds within 45 days from the date of closure, or for institutions that participate in federal student financial aid programs arrangements for making refunds and returning federal student financial aid program funds.</p>

- (c) If the institution is a participant in federal student financial aid programs, it shall provide students information concerning these programs and institutional closures.
- (d) A plan for the disposition of student records.”

76240(a)(1)(2)(3)(4)(A)(B)(5)(6)(b)(1)(2) - Required Notices and Teach-Out Plan.

“All institutions, including those exempts from Bureau regulation pursuant to the Code, shall do the following prior to closing:

(a) At least 30 days prior to closing, the institution shall notify the Bureau in writing of its intention to close and provide a closure plan. The closure plan shall include:

- (1) The exact date and reason for the closure.
- (2) The last date of instruction for each educational service or program.
- (3) A list of students who were enrolled at any time during the 60 days prior to closure.
- (4) If any student will not be provided complete educational services or the educational program, the institution shall provide:
 - (A) A plan for providing teach-outs or transfers, including the details of any agreements with other institutions.
 - (B) If no teach-out is contemplated, or for students who do not wish to participate in a teach-out, arrangements for making refunds within 45 days from the date of closure, or for institutions that participate in federal student financial aid programs arrangements for making refunds and returning federal student financial aid program funds.
- (5) A plan for the disposition of student records.
- (6) A plan to notify students of their rights and options under the Act and this chapter.

- (b) The institution shall notify the students of the following:
 - (1) If the institution is a participant in federal student financial aid programs, it shall provide students information concerning those programs and institutional closures.
 - (2) If any student will not be provided complete educational services or the educational program, information regarding the Student Tuition Recovery Fund and the Bureau's physical and Internet addresses.”

The Institution failed to provide written notice of closure to the Bureau at least 30 days prior to closing.

Reason for modification: New substantive facts were presented at the conference.

The administrative fine for this violation has been modified from \$5,000.00 to \$0.00.

TOTAL MODIFIED ADMINISTRATIVE FINE DUE: \$0.00

APPEAL OF CITATION

You *do not* have the right to request another Informal Conference to appeal this modified Citation. You *do*, however, have the right to appeal this modified Citation through an Administrative Hearing, *only if* you initially requested one within 30 days from the issuance date of the original citation. A hearing before an Administrative Law Judge will be scheduled and you will be notified of the hearing date. The hearing will be held pursuant to Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. 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.

If you do not wish to appeal this modified Citation you must withdraw your initial request for an Administrative Hearing, if one was made. Please complete and mail the enclosed Withdrawal - Request for Administrative Hearing within **30 Days** of the date of this decision.

EFFECTIVE DATE OF CITATION AND FINE ASSESSMENT

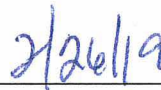
This modified Citation is effective on February 26, 2019.

CONTACT INFORMATION

If you have any questions regarding this decision or desire further information, please contact Gurinder Sandhu, Citation Analyst, at (916) 431-6940 or at Gurinder.Sandhu@dca.ca.gov.



Christina Villanueva
Discipline Manager



Date