



**Bureau for Private Postsecondary Education**  
1747 N. Market Blvd. Ste 225 Sacramento, CA 95834  
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**CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT**

To: Northern California School of Construction, LLC, Owner  
Heavy Equipment Colleges of America  
1955 West 9th Street  
San Bernardino, CA 92411

**INSTITUTION CODE: 90323941**  
**CITATION NUMBER: 1920188**  
**CITATION ISSUANCE/SERVICE DATE: January 29, 2020**  
**DUE DATE: February 28, 2020**  
**FINE AMOUNT: \$ 5,000.00**

**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 Northern California School of Construction, LLC, Owner of Heavy Equipment Colleges of America (Institution) located at 1955 West 9th Street, San Bernardino, CA 92411, 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 March 19, 2019, Bureau staff conducted an unannounced Compliance inspection at the Institution. During the Compliance inspection, the Institution provided Bureau staff with the 2015/2016 School Performance Fact Sheet (SPFS). Bureau staff reviewed the SPFS and found that the Institution failed to maintain all elements of the supporting documentation required for the SPFS.

VIOLATION

#	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>  <b>5, CCR Section 74112 (m)(3)(4)(6)(8)(9) - Uniform Data - Annual Report, Performance Fact Sheet</b>  (m) Documentation supporting all data reported shall be maintained electronically by the institution for at least five years from the last time the data was included in either an Annual Report or a Performance Fact Sheet, and shall be provided to the Bureau upon request; and the data for each program shall include at a minimum:</p>

(3) graduate's place of employment and position, date employment began, date employment ended, if applicable, actual salary, hours per week, and the date employment was verified;  
(4) for each employer from which employment or salary information was obtained, the employer name(s) address and general phone number, the contact person at the employer and the contact's phone number and email address, and all written communication with employer verifying student's employment or salary;  
(6) a description of all attempts to contact each student. or employer;  
(8) for each student determined to be unavailable for graduation or unavailable for employment, the identity of the student, the type of unavailability, the dates of unavailability, and the documentation of the unavailability; and  
(9) the name, email address, phone number, and position or title of the institution's representative who was primarily responsible for obtaining the students' completion, placement, licensing, and salary and wage data, the date that the information was gathered, and copies of notes, letters or emails through which the information was requested and gathered.

**The Institution failed to maintain all elements of the supporting documentation required for the SPFS.**

**Order of Abatement:**

The Bureau orders the Institution to submit a written policy to the Bureau of how the Institution will maintain the supporting documentation for all future SPFS, per 5, CCR section 74112 (m)(3)(4)(6)(8)(9).

**Assessment of Fine**

The fine for this violation is \$5,000.00

**TOTAL ADMINISTRATIVE FINE DUE: \$5,000.00**

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 **\$5,000.00** 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 **February 28, 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 **January 29, 2020**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **February 28, 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"  
**Christina Villanueva**  
**Discipline Manager**

1/29/2020  
**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