



Bureau for Private Postsecondary Education
1747 N. Market Blvd. Ste 225 Sacramento, CA 95834
P.O. Box 980818, West Sacramento, CA 95798-0818
P (916) 574-8900 F (916) 263-1897 www.bppe.ca.gov



CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT

To: Aberdeen College, Owner
Aberdeen College
3251 W 6th Street, #300
Los Angeles, CA 90020

INSTITUTION CODE: 12682629
CITATION NUMBER: 2021215
CITATION ISSUANCE/SERVICE DATE: April 1, 2021
DUE DATE: May 1, 2021

FINE AMOUNT: \$ 2,000.00

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 Aberdeen College, Owner of Aberdeen College (Institution) located at 251 W 6th Street, #30, Los Angeles, CA 90020, 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 5, 2021, the Bureau received information alleging that the Institution was offering unapproved programs. On March 16, 2021, Bureau staff reviewed the Institution’s school catalog for calendar years 2020-2021. Through the course of the investigation and evidence obtained, Bureau staff found material violations related to changes in educational objectives, programs leading to licensed professions, and changes in method of instructional delivery.

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>Violation: 5, CCR Section 71650(a) - Application for a Change in Educational Objectives <i>“(a) An institution seeking to change its educational objectives shall complete the “Change in Educational Objectives” form (OBJ rev. 2/10) to obtain prior authorization. The form shall be submitted to the Bureau along with the appropriate fee as provided in Section 94930.5(c) of the Code. For an institution approved under section 94885 of the Code it shall be signed and dated by the signatory(ies) required by section 71380, and for an instituion approved under section 94890 of the Code it shall be signed and dated by the signatory(ies) required by section 71390, and each fact stated</i></p>

therein and each attachment thereto shall be declared to be true under penalty of perjury, in the following form:

"I declare

(Date)

(Signature)"

CEC Section 94899 - Approval Required for Programs Leading to Licensed Professions

"If an institution offers an educational program in a profession, occupation, trade, or career field that requires licensure in this state, the institution shall have an educational program approval from the appropriate state licensing agency to conduct that educational program in order that a student who completes the educational program, except as provided in Section 94905, is eligible to sit for any required licensure examination."

On March 16, 2021, Bureau staff reviewed the Institution's 2020-2021 school catalog posted on their website and found that the Institution was offering the Certified Nurse Assistant and Home Health Aide programs to the public, however, the Institution did not obtain Bureau approval prior to offering the programs. In addition, Bureau staff found that the Institution has not obtained approval from the California Department of Public Health (CDPH) to offer the programs mentioned above. Therefore, the Institution is also in violation of CEC Section 94899 as the programs mentioned above also require approval by the CDPH.

Order of Abatement:

The Bureau orders the Institution to submit an Application for a Change in Educational Objectives if they wish to offer the programs referenced above. Furthermore, the Institution shall not offer the programs referenced above until approval from the Bureau is obtained. In addition, the Bureau orders the Institution to apply for the appropriate program approval from the appropriate state licensing agency. The Institution shall provide evidence of compliance to the Bureau.

Assessment of Fine

The fine for this violation is \$1,500.00

2.

Violation:

5, CCR Section 71600(a) - Application for Significant Change in Method of Instructional Delivery

"(a) An institution seeking to make a significant change in its method of instructional delivery shall complete the "Significant Change in Method of Instructional Delivery" form (INS rev. 2/10) to obtain prior authorization. For the purposes of this section a "significant change in instructional delivery" is any change that alters the way students interact with faculty or access significant equipment. The form shall be submitted to the Bureau along with the appropriate fee as provided in Section 94930.5(c) of the Code. For an institution approved under section 94885 of the Code, it shall be signed and dated by the signatory(ies) required by section 71380, and for an institution approved under section 94890 of the Code, it shall be signed and dated by the signatory(ies) required by section 71390, and each fact stated therein and each attachment thereto shall be declared to be true under penalty of perjury, in the following form: "I declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct."

(Date)

(Signature)"

CEC Section 94893 – Authorization Required for Substantive Change

"If an institution intends to make a substantive change to its approval to operate, the institution shall receive prior authorization from the bureau. Except as provided in subdivision (a) of Section 94896, if the institution makes the substantive change without prior bureau authorization, the institution's approval to operate may be suspended or revoked."

On March 16, 2021, Bureau staff reviewed the Institution's 2020-2021 school catalog posted on their website and found that the Institution was offering courses in the Massage Therapy Program in Chinese (Mandarin) and Korean. The Institution has not obtained Bureau approval in order to offer the programs to be taught in any language other than English.

Order of Abatement:

The Bureau orders the Institution to submit an Application for a Change in Method of Instructional Delivery if they wish to teach in a language other than English. The Institution shall not offer instruction in a language other than English until approval from the Bureau is obtained. The Institution shall submit evidence of compliance to the Bureau.

Assessment of Fine

The fine for this violation is \$500.00

TOTAL ADMINISTRATIVE FINE DUE: \$2,000.00

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 **\$2,000.00** 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 **May 1, 2021**, 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 1, 2021**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **May 1, 2021**. 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.

“Original signature on file”

“4/1/2021”

Christina Villanueva
Discipline Manager

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