



**Bureau for Private Postsecondary Education**  
 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833  
 P.O. Box 980818, West Sacramento, CA 95798-0818  
 P (916) 431-6959 F (916) 263-1897 [www.bppe.ca.gov](http://www.bppe.ca.gov)



**CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT**

To: San Diego Beauty College  
 Trang Le, Owner  
 3501 El Cajon Boulevard  
 San Diego, CA 92104

**INSTITUTION CODE: 3709511**  
**CITATION NUMBER: 1516065**  
**CITATION ISSUANCE/SERVICE DATE: March 24, 2016**  
**DUE DATE: April 23, 2016**  
**FINE AMOUNT: \$ 5,000.00**  
**ORDER OF ABATEMENT INCLUDED: YES**

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

CITATION

A Citation is hereby issued to Trang Le, Owner of San Diego Beauty College located at 3501 El Cajon Boulevard, San Diego, CA 92104, 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><b><u>Violation:</u></b>  <b>5, CCR 71770(a)(1): Admissions Standards and Transferred Credits Policy.</b>  <i>“(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:                      (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.”</i></p> <p><b>Bureau staff conducted an announced compliance inspection on December 16, 2014. The institution’s catalog provided at the time of inspection failed to contain the policy indicated in (a)(1), above. The following statement appeared under “Admission Requirements” on page 8 of the catalog: “All students must have completed the 10<sup>th</sup> grade, or its equivalent as required by the California State Board of Barbering and Cosmetology to be eligible to take the State Board</b></p>

examination, or Applicant must have a High School Diploma or its equivalent (GED, California State Proficiency Test, etc.). This statement does not make it clear that enrollees must have a high school diploma or equivalent, or pass an ATB test to be admitted. The institution's response to the NTC, received on January 20, 2015, resulted in no change to its statement regarding completion of 10<sup>th</sup> grade or equivalent.

**Order of Abatement:**

The Bureau orders the institution to submit revised admissions requirements to clearly state that prospective students must have a high school diploma or its equivalent, or have taken and passed an approved ability-to-benefit examination as required by section 94904 of the Code, in order to be admitted.

**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.**

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

San Diego Beauty College (Institution), Institution Code 3709511, was issued Notice to Comply #CA 3709511 1214 (NTC) on December 16, 2014 as a result of minor violations detected during the desk review and on-site compliance inspection. The institution was given 30 days from the date of the inspection to either remedy the violations or submit a written notice of disagreement. The Bureau did not receive documents from the Institution to remedy the violations listed on the NTC or a written notice of disagreement. Outstanding violations remain.

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 **April 23, 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 **March 24, 2016**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **April 23, 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.

  
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**Elainea Shotwell**  
**Enforcement Manager**

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March 24, 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