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9 **BEFORE THE**
DEPARTMENT OF CONSUMER AFFAIRS
10 **FOR THE BUREAU FOR PRIVATE POSTSECONDARY EDUCATION**
STATE OF CALIFORNIA

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12 In the Matter of the Accusation Against:

Case No. 999780

13 **NORTHERN CALIFORNIA INSTITUTE**
OF COSMETOLOGY
14 **601 East 14th St.**
San Leandro, CA 94577

OAH No. 2016060417

15 **Accredited Institution Approval to Operate**
16 **No. 0107101**

STIPULATED SURRENDER OF
APPROVAL TO OPERATE AND
ORDER

17 Respondent.

18
19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
20 entitled proceedings that the following matters are true:

21 PARTIES

22 1. Joanne Wenzel ("Complainant") is the Chief of the Bureau for Private Postsecondary
23 Education. She brought this action solely in her official capacity and is represented in this matter
24 by Kamala D. Harris, Attorney General of the State of California, by Carter Ott, Deputy Attorney
25 General.

26 2. Respondent Northern California Institute of Cosmetology ("Respondent") is
27 representing itself in this proceeding and has chosen not to exercise its right to be represented by
28 counsel.

1 discussions, negotiations, and commitments (written or oral). This Stipulated Surrender of
2 Approval to Operate and Order may not be altered, amended, modified, supplemented, or
3 otherwise changed except by a writing executed by an authorized representative of each of the
4 parties.

5 13. In consideration of the foregoing admissions and stipulations, the parties agree that
6 the Director may, without further notice or formal proceeding, issue and enter the following
7 Order:

8 **ORDER**

9 IT IS HEREBY ORDERED that Accredited Institution Approval to Operate Number
10 0107101, issued to Respondent Northern California Institute of Cosmetology is surrendered and
11 accepted by the Director of the Department of Consumer Affairs.

12 1. The surrender of Respondent's Accredited Institution Approval to Operate and the
13 acceptance of the surrendered approval by the Bureau shall constitute the imposition of discipline
14 against Respondent. This stipulation constitutes a record of the discipline and shall become a part
15 of Respondent's license history with the Bureau for Private Postsecondary Education.

16 2. Respondent shall lose all rights and privileges as a private post-secondary education
17 institution in California as of the effective date of the Director's Decision and Order.

18 3. If Respondent ever files an application for approval to operate or a petition for
19 reinstatement in the State of California, the Bureau shall treat it as a petition for reinstatement.
20 Respondent must comply with all the laws, regulations and procedures for reinstatement of a
21 revoked approval to operate in effect at the time the petition is filed, and all of the charges and
22 allegations contained in Accusation No. 999780 shall be deemed to be true, correct and admitted
23 by Respondent when the Director determines whether to grant or deny the petition.

24 4. Respondent shall pay the agency its costs of investigation and enforcement pursuant
25 to California Education Code section 94937 and Business and Professions Code section 125.3 in
26 the amount of \$5,657.50 prior to issuance of a new or reinstated approval to operate.

27 5. If Respondent should ever apply or reapply for a new approval to operate or
28 certification, or petition for reinstatement of an approval to operate, all of the charges and

1 allegations contained in Accusation No. 999780 shall be deemed to be true, correct, and admitted
2 by Respondent and/or any of Respondents' officers and/or agents for the purpose of any
3 Statement of Issues or any other proceeding seeking to deny or restrict approval to operate.

4 6. Respondent hereby understands that, because it is approved by means of
5 accreditation, the Bureau cannot approve any change of ownership until Respondent's accrediting
6 entity certifies that that change was completed in accordance with the accreditor's standards.
7 (Cal. Code Regs., title 5, § 71640, subd. (e)),

8 7. Within 30 days of the effective date of the Decision and Order, Respondent shall
9 provide to the Bureau its School Closure Plan, inclusive of the names, addresses, phone numbers,
10 email addresses, programs of study and the amount of tuition collected from students who were
11 enrolled at Respondent's institution at any time between 120 days prior to the Bureau's issuance
12 of its Emergency Decision against Respondent (on April 13, 2016) until the effective date of the
13 closure of Respondent's institution.

14 8. Respondent shall provide official Northern California Institute of Cosmetology
15 transcripts to all students that attended Respondent's institution and/or completed their education
16 at Northern California Institute of Cosmetology at any time between 120 days prior to the
17 Bureau's issuance of its Emergency Decision against Respondent (on April 13, 2016) until the
18 effective date of the closure of Respondent's institution. Respondent shall provide proof to the
19 Bureau that Respondent has provided transcripts to students.

20 9. Within 30 days of the effective date of the Decision and Order, Respondent shall
21 provide to the Bureau a list of all students who have been provided official transcripts, including
22 their contact information and the date the transcript was provided to the students.

23 10. Respondent shall provide to the Bureau proof of refunds made to those students
24 enrolled at Respondent's institution that were unable to complete their education due to
25 Respondent's closure.

26 11. Respondent shall provide the Bureau a list of all students to whom a refund was
27 provided including a list of student names, current contact information, the amount of the refund,
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1 dates the student was provided the refund and copies of cancelled checks within 30 days after the
2 effective date of the Decision and Order.

3 12. Acceptance of the stipulated surrender of approval to operate in no way precludes the
4 filing of civil claims against Respondents by individuals arising from the charges and allegations
5 in Accusation No. 999780.

6 13. Respondent shall comply with the California Education Code section 94927.5
7 including providing the Bureau with all records in a readable electronic format for all students
8 who attended Respondent's institution from, and including, January 1, 2010 to the date of its
9 closure.

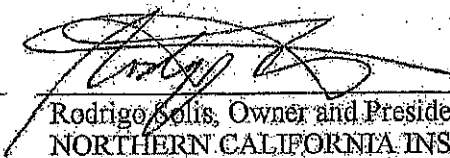
10 14. Any failure to comply with these terms shall nullify this stipulation, and the Bureau
11 may continue to prosecute any disciplinary action against Accredited Institution Approval to
12 Operate Number 0107101, including the causes for discipline alleged in Accusation No. 999780.

13 ACCEPTANCE

14 I have carefully read the Stipulated Surrender of Approval to Operate and Order. I
15 understand the stipulation and the effect it will have on my Accredited Institution Approval to
16 Operate. I enter into this Stipulated Surrender of Approval to Operate and Order voluntarily,
17 knowingly, and intelligently, and agree to be bound by the Decision and Order of the Director of
18 the Department of Consumer Affairs.

19
20 DATED:

9/28/16



Rodrigo Solis, Owner and President
NORTHERN CALIFORNIA INSTITUTE OF
COSMETOLOGY

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25 DATED:

9/28/16



Rosalinda Solis, Owner and Assistant Director
NORTHERN CALIFORNIA INSTITUTE OF
COSMETOLOGY

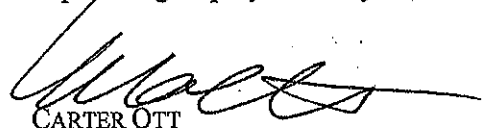
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ENDORSEMENT

The foregoing Stipulated Surrender of Approval to Operate and Order is hereby respectfully submitted for consideration by the Director of the Department of Consumer Affairs.

Dated: 9/28/10

Respectfully submitted,
KAMALA D. HARRIS
Attorney General of California
DIANN SOKOLOFF
Supervising Deputy Attorney General


CARTER OTT
Deputy Attorney General
Attorneys for Complainant

SF2016900264

**BEFORE THE
DEPARTMENT OF CONSUMER AFFAIRS
FOR THE BUREAU FOR PRIVATE POSTSECONDARY EDUCATION
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**NORTHERN CALIFORNIA INSTITUTE
OF COSMETOLOGY**
601 East 14th St.
San Leandro, CA 94577

Accredited Institution Approval to Operate
No. 0107101

Respondent.

Case No. 999780

OAH No. 2016060417

DECISION AND ORDER

The attached Stipulated Surrender of Approval to Operate and Order is hereby adopted by the Director of the Department of Consumer Affairs and the Bureau for Private Postsecondary Education as the Decision and Order in the above entitled matter.

This Decision shall become effective on JAN 13 2017.

It is so ORDERED December 7, 2016



DOREATHEA JOHNSON

Deputy Director

Division of Legal Affairs

Department of Consumer Affairs