



CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT

To: Ceri Rich-Odeh, Owner
 Transworld Schools
 551 Sutter Street
 San Francisco, CA 94102

INSTITUTION CODE: 3805791
CITATION NUMBER: 1819227
CITATION ISSUANCE/SERVICE DATE: June 19, 2019
DUE DATE: July 19, 2019
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 Ceri Rich-Odeh, Owner of Transworld Schools (Institution) located at 551 Sutter Street, San Francisco, CA 94102 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.

BACKGROUND

On April 3, 2018, an unannounced Compliance inspection was conducted at the Institution. During the Compliance inspection, the Institution were unable to make the requested corrections to the 2015/2016 School Performance Fact Sheets (SPFS) prior to the conclusion of the inspection and failed to provide the supporting documentation to substantiate the information reported on the 2015/2016 SPFS.

In addition, the Institution did not provide SPFS for each approved program and the SPFS were not in the correct format. The SPFS did not have the required disclosure explaining why the newly approved programs did not contain two years' worth of data.

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>Violation: 5, CCR Section 74112(a)(b)(m)(1-9) - Uniform Data - Annual Report, Performance Fact Sheet <i>(a) Format. The format for the Performance Fact Sheet shall be in at least 12 pt. type, in an easily readable font, with 1.15 line spacing and all titles and column headings shall be in bold 14 pt. type,</i></p>

which shall also identify the program for which the Performance Fact Sheet pertains. The Performance Fact Sheet shall contain all and only the information required or specifically permitted by sections 94910 and 94929.5 of the Code or this chapter. A separate Performance Fact Sheet shall be prepared for each program.

(b) An institution offering educational programs that are too new to provide the required two years of data shall include the date the program began as well as the statement required by section 94910(e) of the Code. The Performance Fact Sheet shall also disclose the estimated date of availability for two full years of data for those programs.

"(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:

(1) the list of job classifications determined to be considered gainful employment for the educational program;

(2) student name(s), address, phone number, email address, program completed, program start date, scheduled completion date, and actual completion dates;

(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;

(5) for students who become self-employed, all documentation necessary to demonstrate self-employment;

(6) a description of all attempts to contact each student or employer;

(7) any and all documentation used to provide data regarding license examinations and examination results;

(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."

CEC Section 94910(e) – Minimum Requirements for School Performance Fact Sheet

(e) If a program is too new to provide data for any of the categories listed in this subdivision, the institution shall state on its fact sheet: "This program is new. Therefore, the number of students who graduate, the number of students who are placed, or the starting salary you can earn after finishing the educational program are unknown at this time. Information regarding general salary and placement statistics may be available from government sources or from the institution, but is not equivalent to actual performance data."

CEC Section 94929.7(a)(1)(2)

(a) The information used to substantiate the rates and information calculated pursuant to Sections 94929 and 94929.5 shall do both of the following:

(1) Be documented and maintained by the institution for five years from the date of the publication of the rates and information.

(2) Be retained in an electronic format and made available to the bureau upon request.

The Institution failed to prepare a SPFS for each approved program as required per 5, CCR

<p>Section 74112 (a).</p> <p>The Institution failed to provide the required statement and disclosures explaining why the SPFS did not contain two years of data for the new programs that were approved by the Bureau on July 24, 2017 as required per 5, CCR Section 74112 (b) and CEC Section 94910 (e).</p> <p>The Institution representative could not provide the supporting documentation to substantiate the rates reported in the 2015/2016 SPFS as required per 5, CCR Section 74112 (m) and CEC Section 94929.7 (a)(1)(2).</p> <p><u>Order of Abatement:</u> The Institution shall also electronically maintain, for at least five years from the last date reported, documentation supporting all data reported in the SPFS. The Institution shall submit a written policy of how compliance with the 5, CCR section 74112 will be maintained.</p> <p><u>Assessment of Fine</u> The fine for this violation is \$5,000.00</p>	
<p>TOTAL ADMINISTRATIVE FINE DUE: \$5,000.00</p>	

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 **July 19, 2019**, 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 **June 19, 2019**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **July 19, 2019**. 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.

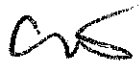
Payment of the administrative fine and/or written request for appeal must be mailed to:

Cheryl Lardizabal, Discipline Citation Program
Bureau for Private Postsecondary Education
2535 Capitol Oaks Drive, Suite 400
Sacramento, CA 95833

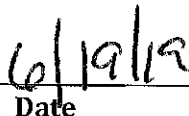
Failure for an applicant or institution to abate the violation(s) listed above or to pay the administrative fine within the time allowed may result in denial of an application for an approval or renewal to operate; disciplinary action, and/or collection action. The Bureau will promptly take all appropriate 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 Cheryl Lardizabal, Citation Analyst, at 916-621-2591 or Cheryl.Lardizabal@dca.ca.gov.



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