Bureau for Private Postsecondary Education
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APPEAL OF CITATION INFORMAL CONFERENCE DECISION: CITATION MODIFIED

December 3, 2014

Mohindar Janda, Owner
A-1 Truck Driving School
2977 Baumberg Ave.
Hayward, CA 94601

Date of Issuance	Citation Number	Institution Code
July 29, 2014	1314012	0106221

On October 10, 2014 an informal conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. 1314012 (Citation) against Mohindar Janda, Owner of A-1 Truck Driving School. In attendance were Joanne Wenzel, Bureau Chief; Kurt Heppler, DCA Legal; David Litman, Consultant; and Mohindar Janda, Owner.

Pursuant to Business and Professions Code, §125.9; California Education Code, §94936; and Title 5 of the California Code of Regulations, §75020 and §75040, the Bureau for Private Postsecondary Education (Bureau) renders the following decision relative to your appeal of the Citation No. 1314012.

It is the decision of the Bureau Chief that on December 3, 2014 Citation No. 1314012 is modified and makes the following change(s):

VIOLATION CODE SECTIONS

#	The California Education Code (CEC) and the California Code of Regulations (CCR). Below you will find the section(s) you are charged with violating.
1.	**MODIFED** Violation: of CEC 94894 (e) - Substantive Change *"The following changes to an approval to operate are considered substantive changes and require prior authorization:* *e) A change of location."*

	The Institution failed to obtain Bureau approval prior to moving from Hayward to Oakland. The change in location is more than 10 miles and requires the filing and approval of an application. **Order of Abatement:** The Bureau orders that the institution cease operations at 4901- A Coliseum Way as this location has not been approved by the Bureau. Submit an application for change of location authorization. Reason for modification: The Oakland location has been closed. The administrative fine for this violation has been modified from $2501.00 to $1000.00.
2.	**AFFIRMED** Violation of CEC 94900 (a) - Required Student Records *"(a) An institution shall maintain records of the name, address, e-mail address, and telephone number of each student who is enrolled in an educational program in that institution."* During the Informal Conference, the institution submitted a policy that is not compliant with CEC 94900 (a). **Order of Abatement:** The Bureau orders that the institution provide detailed information of how the institution will maintain student information records in the future and submit evidence of this policy to the Bureau. The fine for this violation is $501.00.
3.	**AFFIRMED** Violation of CEC 94900.5 (a)(b) - Required Institutional Records *"An institution shall maintain, for a period of not less than five years, at its principal place of business in this state, complete and accurate records of all of the following information:* *(a) The educational programs offered by the institution and the curriculum for each.* *(b) The names and addresses of the members of the institution's faculty and records of the educational qualifications of each member of the faculty."* During the Informal Conference, the institution submitted a policy that is not in compliance with CEC 94900 (a)(b). **Order of Abatement:** The Bureau orders that the institution provide detailed information of how the institution will maintain these records in the future in compliance with CEC 94900 (a)(b) and submit evidence of this policy to the Bureau. The fine for this violation is $501.00.

4.	**AFFIRMED** Violation of CEC 94902 (a)(b)(1)(3)(c) - General Enrollment Requirements *"(a) A student shall enroll solely by means of executing an enrollment agreement. The enrollment agreement shall be signed by the student and by an authorized employee of the institution.* *(b) An enrollment agreement is not enforceable unless all of the following requirements are met:* *(1) The student has received the institution's catalog and School Performance Fact Sheet prior to signing the enrollment agreement.* *(3) Prior to the execution of the enrollment agreement, the student and the institution have signed and dated the information required to be disclosed in the Student Performance Fact Sheet pursuant to subdivisions (a) to (d), inclusive, of Section 94910. Each of these items in the Student Performance Fact Sheet shall include a line for the student to initial and shall be initialed and dated by the student.* *(c) A student shall receive a copy of the signed enrollment agreement, in writing or electronically, regardless of whether total charges are paid by the student."* During the Informal Conference an enrollment agreement was submitted by the institution that is not in compliance with CEC 94902 (a)(b)(1)(3)(c). **Order of Abatement:** The Bureau orders that the institution provide detailed information of how the institution will maintain these procedures in the future and submit evidence of this policy to the Bureau. The fine for this violation is $2501.00.
5.	**AFFIRMED** Violation of CEC 94909 (a) - Minimum Requirements for School Catalog *"a) Prior to enrollment, an institution shall provide a prospective student, either in writing or electronically, with a school catalog..."* The institution submitted catalog that is not in compliance with CEC 94909 (a). **Order of Abatement:** The Bureau orders that the institution provide detailed information of how the institution will ensure all students receive a copy of a current school catalog in compliance with CEC 94909 (a). The fine for this violation is $501.00.
6.	**AFFIRMED** Violation CEC 94910- Minimum Requirements for School Performance Fact Sheet *"Prior to enrollment, an institution shall provide a prospective student with a School*

	Performance Fact Sheet containing, at a minimum, the following information, as it relates to the educational program: *(a) Completion rates, as calculated pursuant to Article 16 (commencing with Section 94928).* *(b) Placement rates for each educational program, as calculated pursuant to Article 16 (commencing with Section 94928), if the educational program is designed to lead to, or the institution makes any express or implied claim related to preparing students for, a recognized career, occupation, vocation, job, or job title.* *(c) License examination passage rates for programs leading to employment for which passage of a state licensing examination is required, as calculated pursuant to Article 16 (commencing with Section 94928).* *(d) Salary or wage information, as calculated pursuant to Article 16 (commencing with Section 94928).* *(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."* *(f) All of the following:* *(1) A description of the manner in which the figures described in subdivisions (a) to (d), inclusive, are calculated or a statement informing the reader of where he or she may obtain a description of the manner in which the figures described in subdivisions (a) to (d), inclusive, are calculated.* *(2) A statement informing the reader of where he or she may obtain from the institution a list of the employment positions determined to be within the field for which a student received education and training for the calculation of job placement rates as required by subdivision (b).* *(3) A statement informing the reader of where he or she may obtain from the institution a list of the objective sources of information used to substantiate the salary disclosure as required by subdivision (d).* *(g) The following statements:* *(1) "This fact sheet is filed with the Bureau for Private Postsecondary Education. Regardless of any information you may have relating to completion rates, placement rates, starting salaries, or license exam passage rates, this fact sheet contains the information as calculated pursuant to state law."* *(2) "Any questions a student may have regarding this fact sheet that have not been satisfactorily answered by the institution may be directed to the Bureau for Private Postsecondary Education at (address), Sacramento, CA (ZIP Code), (Internet Web site address), (telephone and fax numbers)."* *(h) If the institution participates in federal financial aid programs, the most recent three-year cohort default rate reported by the United States Department of Education for the institution and the percentage of enrolled students receiving federal student loans."* During the Informal Conference, the institution provided a Performance Fact Sheet that was not completed and not in compliance with CEC 94910.

	<u>Order of Abatement:</u> The Bureau orders that the institution provide detailed information of how the institution will provide all students with School Performance Fact Sheets and submit a completed Performance Fact Sheet in compliance with CEC 94910 to the Bureau. The fine for this violation is <u>$2501.00.</u>
7.	**AFFIRMED** Violation of CEC 94929 (a) - Reporting of Completion Rate *"(a) An institution shall annually report to the bureau, as part of the annual report, and publish in its School Performance Fact Sheet, the completion rate for each program. Except as provided in subdivision (b), the completion rate shall be calculated by dividing the number of graduates by the number of students available for graduation."* and Violation of CEC 94929.5 (a)(1)(2)(3)(4) - Reporting of Student Performance Data *"(a) An institution shall annually report to the bureau, as part of the annual report, and shall publish in its School Performance Fact Sheet, all of the following:* *(1) The job placement rate, calculated by dividing the number of graduates employed in the field by the number of graduates available for employment for each program that is either (1) designed, or advertised, to lead to a particular career, or (2) advertised or promoted with any claim regarding job placement.* *(2) The license examination passage rates for the immediately preceding two years for programs leading to employment for which passage of a state licensing examination is required, calculated by dividing the number of graduates who pass the examination by the number of graduates who take the licensing examination the first time that the examination is available after completion of the educational program. The institution shall use state agency licensing data to calculate license examination passage rates. If those data are unavailable, the institution shall calculate the license examination passage rate in a manner consistent with regulations adopted by the bureau.* *(3) Salary and wage information, consisting of the total number of graduates employed in the field and the annual wages or salaries of those graduates stated in increments of five thousand dollars ($5,000).* *(4) If applicable, the most recent official three-year cohort default rate reported by the United States Department of Education for the institution and the percentage of enrolled students receiving federal student loans."* *and* Violation of CEC 94929.7 (a)(1)(2)(b) - Documentation of Performance Data *"(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. *(b) An institution shall provide a list of employment positions used to determine the number of graduates employed in the field for purposes of calculating job placement rates pursuant to this article."* During the Informal Conference, the institution provided Student Performance Data for 2011 & 2012. The institution has failed to provide Performance Data for 2010. **Order of Abatement:** The Bureau orders that the institution provide a completed annual report for 2010. Furthermore, the Bureau orders that the institution provide information on how it plans to document and maintain this information in the future. The fine for this violation is $2550.00.
8.	**MODIFIED** **Violation:** CEC 94930.5 (d)(1)(A) - Fee Schedule *"An institution shall remit to the bureau for deposit in the Private Postsecondary Education Administration Fund the following fees, in accordance with the following schedule:* *(d) (1) In addition to any fees paid to the bureau pursuant to subdivisions (a) to (c), inclusive, each institution that is approved to operate pursuant to this chapter shall remit both of the following:* *(A) An annual institutional fee, in an amount equal to three-quarters of 1 percent of the institution's annual revenues derived from students in California, but not exceeding a total of twenty-five thousand dollars ($25,000) annually."* The institution failed to submit the required annual fee to the Bureau for 2010, 2011 and 2012. and Violation of CEC 94931 (b) - Late Payment *"(b) A fee that is not paid on or before the 90th calendar day after the due date for payment of the fee shall be subject to a 35 percent late payment penalty fee."* The institution failed to submit and pay penalty fees by the 90th calendar day after the due date for the payment. and Violation of CCR 74006 (a)(b)(c) - Annual Fee *"a) An institution's annual fee is due within 30 days of the date on which the institution originally receives its approval to operate and each year thereafter on the anniversary of the date of the original approval.* *(b) An institution shall pay its annual fee in addition to any other applicable fees.* *(c) The annual institutional fee is based on the institution's annual revenue. For purposes of*

	this article, annual revenue is annual gross revenue." The institution failed to submit to the Bureau the annual fees due for 2010, 2011 and 2012 by the due date established. **Order of Abatement:** The Bureau orders that the institution submit the required annual fee to the Bureau for years 2010, 2011, and 2012. Additionally, the Bureau orders that the institution pay all late and penalty fees for 2010, 2011, and 2012. Reason for modification: The Bureau has received all delinquent annual fees and late fees from the institution. The administrative fine for this violation has been modified from $2550.00 to $500.00.
9.	**AFFIRMED** Violation of CEC 94934 (a)(1-9) - Annual Report *"(a) As part of the compliance program, an institution shall submit an annual report to the bureau, under penalty of perjury, signed by a responsible corporate officer, by July 1 of each year, or another date designated by the bureau, and it shall include the following information for educational programs offered in the reporting period:* *(1) The total number of students enrolled by level of degree or for a diploma.* *(2) The number of degrees, by level, and diplomas awarded.* *(3) The degree levels and diplomas offered.* *(4) The Student Performance Fact Sheet, as required pursuant to Section 94910.* *(5) The school catalog, as required pursuant to Section 94909.* *(6) The total charges for each educational program by period of attendance.* *(7) A statement indicating whether the institution is, or is not, current in remitting Student Tuition Recovery Fund assessments.* *(8) A statement indicating whether an accrediting agency has taken any final disciplinary action against the institution.* *(9) Additional information deemed by the bureau to be reasonably required to ascertain compliance with this chapter."* At the Informal Conference, the institution provided incomplete Annual Reports for 2011 & 2012. Additionally, the institution has failed to provide the Annual Report for 2010. **Order of Abatement:** The Bureau orders that the institution revise the Annual Reports for 2011 and 2012 to be in compliance with CEC 94934 (a)(1-9). Additionally, provide the Bureau with the Annual Report for 2010. The fine for this violation is $2501.00.
10.	**AFFIRMED** **Violation:**

	CCR 71660 - Notification of Non-Substantive Change *"An institution shall notify the Bureau of a non-substantive change including: change of location of less than 10 miles; addition of a program related to the approved programs offered by the institution; addition of a new branch five miles or less from the main or branch campus; addition of a satellite; and change of mailing address. All such notifications shall be made within 30 days of the change and sent to the Bureau, in writing, to the address listed in section 70020."* The institution has not provided the Bureau with notification of a change in location of less than 10 miles from 2977 Baumberg Ave., Hayward, to 27910 Industrial Blvd. **Order of Abatement:** The Bureau orders that the institution properly notify the Bureau, in writing, of its change of location to 27910 Industrial Blvd. The fine for this violation is $50.00.
11.	**AFFIRMED** Violation of CCR 71735 (b) Facilities and Equipment *"(b) An institution's facilities, including heating and cooling, ventilation, lighting, classrooms, laboratories, and campus environs, shall be well-maintained. The institution shall maintain all valid permits required by any public agencies relating to the health and safety of the institution's facilities and equipment on file, and such permits shall be available to the Bureau upon request."* The institution has not provided copies of maintenance invoices, receipts and equipment and facility permits as requested by the Bureau. **Order of Abatement:** The Bureau orders that the institution repair the heating and air conditioning units and provide copies of maintenance invoices and receipts. In addition, the Bureau orders the institution to submit copies of valid equipment and required facility permits. The fine for this violation is $2500.00.
12.	**AFFIRMED** Violation of CCR 71760 - Self-Monitoring Procedures *"Each institution shall develop and maintain adequate procedures used by the institution to assure that it is maintained and operated in compliance with the Act and this Division."* The Bureau held the record open as requested by the institution to allow time for the institution to submit additional documentation-no documentation was ever received. **Order of Abatement:** The Bureau orders that the institution provide detailed information of how the institution

	will maintain these procedures in the future and submit evidence of this policy to the Bureau. The fine for this violation is <u>$501.00.</u>
13.	**AFFIRMED** Violation of CCR 71770 (a)(1) - Admissions Standards *"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."* During the Informal Conference, the admissions standards provided by the institution were not in compliance with CCR 71770 (a)(1). **<u>Order of Abatement:</u>** The Bureau orders that the institution provide detailed information of how the institution will ensure students are properly admitted, in the future, and submit evidence of this policy to the Bureau. The fine for this violation is <u>$501.00.</u>
14.	**AFFIRMED** Violation of CCR 71810 (a) - Catalog *"(a) Each institution shall provide a catalog pursuant to section 94909 of the Code, which shall be updated annually. Annual updates may be made by the use of supplements or inserts accompanying the catalog. If changes in educational programs, educational services, procedures, or policies required to be included in the catalog by statute or regulation are implemented before the issuance of the annually updated catalog, those changes shall be reflected at the time they are made in supplements or inserts accompanying the catalog."* During the Informal Conference, a catalog was presented by the institution that is not in compliance with CCR 71810 (a). **<u>Order of Abatement:</u>** The Bureau orders that the institution maintain a catalog in compliance with CCR 71810 (a). The fine for this violation is <u>$501.00.</u>
15.	**AFFIRMED**

	Violation of CCR 71920 (A) - Student Records *"(A) The institution shall maintain a file for each student who enrolls in the institution whether or not the student completes the educational service."* During the Informal Conference, the institution provided a student record policy that is not in compliance with CCR 71920 (A). **Order of Abatement:** The Bureau orders that the institution provide detailed information of how the institution will maintain these procedures in the future and submit evidence of this policy to the Bureau. The fine for this violation is $501.00.
16.	**AFFIRMED** Violation of CCR 71930 (a)(b)(1)(c)(4) - Maintenance of Records *"(a) An institution shall maintain all records required by the Act and this chapter. The records shall be maintained in this state.* *(b)(1) In addition to permanently retaining a transcript as required by section 94900(b) of the Code, the institution shall maintain for a period of 5 years the pertinent student records described in Section 71920 from the student's date of completion or withdrawal.* *(c) A record is considered current for three years following a student's completion or withdrawal. A record may be stored on microfilm, microfiche, computer disk, or any other method of record storage only if all of the following apply:* *(4) Any person authorized by the Act or this chapter to inspect and copy records shall be given immediate access to the document reproduction devices for the purpose of inspecting and copying stored records and shall, upon request, reimburse the institution for the reasonable cost of using the institution's equipment and material to make copies at a rate not to exceed ten cents ($0.10) per page."* During the Informal Conference, the institution provided a student record policy that is not in compliance with CCR 71930 (a)(b)(1)(c)(4). **Order of Abatement:** The Bureau orders that the institution provide detailed information of how the institution will maintain these procedures in the future and submit evidence of this policy in compliance with CCR 71930 (a)(b)(1)(c)(4) to the Bureau. The fine for this violation is $5,000.00.
17.	**AFFIRMED** **Violation:** CCR 74110 (a)(c)(d) - Annual Report *"(a) The annual report required by Section 94934 of the Code shall include the information*

	required by section 94934 for all educational programs offered in the prior calendar year. *(c) An institution shall file its annual report by September 1st. The Bureau may extend the period for filing if the institution demonstrates evidence of substantial need but in no case longer than 60 days. The institution shall not change the date of its filing its annual report because of a change in the fiscal year without the Bureau's approval.* *(d) The annual report shall be electronically filed by submitting the information required by section 94934 of the Code via the Bureau's website, electronically attaching, as directed, the School Performance Fact Sheet and the school catalog. An institution without the capability to submit the information electronically shall inform the Bureau not less than 45 days prior to the date the information is required by subdivision (c), and receive direction on alternative means of submission."* At the Informal Conference, the institution provided incomplete Annual Reports for 2011 & 2012. Additionally, the institution has failed to provide the Annual Report for 2010. **Order of Abatement:** The Bureau orders that the institution revise the Annual Reports for 2011 and 2012 to be in compliance with CCR 74110 (a)(c)(d). Additionally, provide the Bureau with the Annual Report for 2010. The fine for this violation is $2,501.00.
18.	**AFFIRMED** Violation of CCR 74140 - Retention of Advertisements *"Every institution shall retain, for a minimum of five years, copies of all advertising, including* *(a) flyers, brochures, newspaper, and other print advertisements,* *(b) scripts for, and audio and video recordings of, broadcast advertisements, and* *(c) internet content, and* *(d) scripts for telephone solicitations.* *The institution shall make these records immediately available for inspection and copying during normal business hours to site visit teams and the Bureau."* The institution has failed to provide the Bureau with evidence of how the institution will retain all advertisements in accordance with CCR 74140. **Order of Abatement:** The Bureau orders that the institution retain all advertisements according to CCR 74140. Provide evidence to the Bureau of how the institution will comply with the requirement. Additionally, the institution must remove the State of California Seal from its website. The fine for this violation is $50.00.
19.	**AFFIRMED** **Violation:** CCR 76120 (a) - Amount of STRF Assessments

	"(a) Each qualifying institution shall collect an assessment of fifty cents ($.50) per one thousand dollars ($1,000) of institutional charges, rounded to the nearest thousand dollars, from each student in an educational program who is a California resident or is enrolled in a residency program. For institutional charges of one thousand dollars ($1,000) or less, the assessment is fifty cents ($.50)." During the Informal Conference, the institution failed to submit evidence of how the institution will assess STRF in accordance with CCR 76120 (a). The STRF policy provided is not sufficient and the enrollment agreement does not contain the required language. **Order of Abatement:** The Bureau orders that the institution assess STRF accordingly for each qualified student and provide detailed information of how the institution will comply with this requirement in the future. The fine for this violation is $2550.00.
20.	**MODIFIED** Violation of CCR 76130 - Collection and Submission of Assessments *"(a) A qualifying institution shall collect the assessment from each student in an educational program at the time it collects the first payment from or on behalf of the student at or after enrollment. The assessment shall be collected for the entire period of enrollment, regardless of whether the student pays the institutional charges in increments.* *(b) A qualifying institution shall complete the STRF Assessment Reporting Form (Rev. 2/10) and remit it with the STRF assessments collected from students to be received by the Bureau no later than the last day of the month following the close of the quarter as follows:* *(1) April 30 for the first quarter,* *(2) July 31 for the second quarter,* *(3) October 31 for the third quarter, and* *(4) January 31 for the fourth quarter. If the due date falls on a Saturday, Sunday or State or federal holiday, the due date shall be extended to the next regular business day for the Bureau.* *If the due date falls on a Saturday, Sunday, or State or federal holiday, the due date shall be extended to the next regular business day for the Bureau.* *(c) The STRF Assessment Reporting Form shall contain the following information:* *(1) Total number of students who signed enrollment agreements for educational programs during the reporting period; and* *(2) Total number of students eligible for STRF who signed enrollment agreements for educational programs during the reporting period; and* *(3) The total number of students who signed their enrollment agreement during the reporting period, were eligible for STRF, and who made their first payment during the reporting period; and* *(4) The total number of students who signed their enrollment agreement in a previous reporting period, were eligible for STRF, and who made their first payment during the current reporting period; and*

	(5) Total amount of institutional charges after rounding each student's institutional charges to the nearest $1,000, for all eligible STRF students whose STRF assessment was collected in the reporting period; and *(6) Current contact telephone number of the person preparing the form; and* *(7) A declaration dated and signed under penalty of perjury by the person preparing the form that the form and any attachments are true and correct.* *(d) In the event of a school closure, any collected assessments shall be remitted to the Bureau within seven days following the cessation of instruction.* *(e) Submission of all prior reports and assessments required by this section is a condition of renewal."* The Institution failed to submit STRF assessments to the Bureau for 2010, 2011, 2012 and QTR-1 of 2013. **Order of Abatement:** The Bureau orders that the institution collect and submit STRF assessments according to CCR 76130 and pay the delinquent STRF for 2010, 2011, 2012 and QTR-1 of 2013. In addition the Bureau orders that the institution pay all future STRF assessments in a timely manner. Reason for modification: The Bureau has received the delinquent STRF payments, however, the institution did not provide evidence of how the STRF was collected from each student. The administrative fine for this violation has been modified from $2550.00 to $2050.00.
21.	**AFFIRMED** Violation of CCR 76140 - Record Keeping Requirements *"(a) A qualifying institution shall collect and maintain records of student information to substantiate the data reported on the STRF Assessment Reporting Form and records of the students' eligibility under the Fund. Such records shall include the following for each student:* *(1) Student identification number,* *(2) First and last names,* *(3) Email address,* *(4) Local or mailing address,* *(5) Address at the time of enrollment,* *(6) Home address,* *(7) Date enrollment agreement signed,* *(8) Courses and course costs,* *(9) Amount of STRF assessment collected,* *(10) Quarter in which the STRF assessment was remitted to the Bureau,* *(11) Third-party payer identifying information,* *(12) Total institutional charges charged, and* *(13) Total institutional charges paid.* *(b) The qualifying institution shall maintain the data required under this section in an*

	electronic format that is readily available and open to inspection by the Bureau upon request. The institution shall make the records immediately available to a Bureau representative conducting a site inspection or, upon written request, shall provide a copy within 14 calendar days of the request. All records shall be provided to the Bureau in an intelligible and orderly manner and in an electronic format." The institution failed to submit evidence to the Bureau of how it will maintain student records that substantiate the STRF assessments and invoices submitted to the Bureau. **Order of Abatement:** The Bureau orders that the institution maintain and submit evidence of the student records that substantiate the STRF assessments and invoices submitted to the Bureau. The fine for this violation is $550.00.
	TOTAL MODIFIED ADMINISTRATIVE FINE DUE: $30,311.00

ORDER OF ABATEMENT

The Bureau orders that you comply with the orders described in the 'Violation Code Sections' of this document and submit evidence of compliance within 30 days from the date of this decision.

PENALTY – ASSESSMENT OF A FINE

Payment of the administrative fine is due within 30 days from the date of this decision. Please complete the Payment of Fine form. Payment must be made to the Bureau by check, or money order. Please include the citation number on the payment of the fine assessment. Payment of the administrative fine shall not constitute an admission of the violation(s) charged and shall be represented as satisfactory resolution of the matter for purposes of public disclosure. Payments may be mailed to:

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

APPEAL OF CITATION

You *do not* have the right to request another Informal Conference to appeal this modified Citation. You *do*, however, have the right to appeal this modified Citation through an Administrative Hearing, *only if* you initially requested one within 30 days from the issuance date of the original citation. A hearing before an Administrative Law Judge will be scheduled and you will be notified of the hearing date. The hearing will be held pursuant to Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. If you did not initially request an Administrative Hearing within 30 days from when the original citation was issued, you can no longer request one.

If you do not wish to appeal this modified Citation you must withdraw your initial request for an Administrative Hearing, if one was made. Please complete and mail the enclosed Withdrawal – Request for Administrative Hearing within **30 Days** of the date of this decision.

EFFECTIVE DATE OF CITATION AND FINE ASSESSMENT

This modified Citation is effective on December 3, 2014. The order of abatement and payment are due by **January 2, 2014.**

Failure to abate the violation or to pay the administrative fine within the time allowed is grounds for denial of an application for an approval to operate or discipline. The Bureau will promptly take all appropriate action to enforce the Affirmed 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 decision or desire further information, please contact Renee Campos, Enforcement Analyst, at (916) 576-2398 or at Renee.Campos@dca.ca.gov.

December 3, 2014

JOANNE WENZEL **Date**
BUREAU CHIEF

Enclosures

- Payment of Fine – Waiver of Appeal Rights
- Withdrawal – Request for Administrative Hearing
- Notice of Appeal
- Statement of Rights
- Copy of Citation Order Number 1314012