



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

September 10, 2020

EEEM Power LLC, Owner  
Southern California College of Barber and Beauty  
641 N. Broadway  
Escondido, CA 92025

Date of Issuance	Citation Number	Institution Code
September 10, 2020	1920318	74309352

On July 17, 2020, an informal telephone conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. [1920318 (Citation) against EEEM Power LLC., Owner of Southern California College of Barber and Beauty (Institution). In attendance were Beth Scott, Enforcement Chief, Mohamed Bondugjie, Owner, Mohmoud Bondugjie, Co-owner and Mustafa Bondugjie, Co-owner.

Pursuant to Business and Professions Code, section 125.9; California Education Code, section 94936; and Title 5 of the California Code of Regulations, section 75020 and section 75040, the Bureau for Private Postsecondary Education (Bureau) renders the following decision relative to your appeal of the Citation No. 1920318.

It is the decision of the Enforcement Chief that on July 24, 2020, Citation No. 1920318 is modified and makes the following change(s):

**VIOLATION CODE SECTIONS**

#	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><b><u>DISMISSED</u></b></p> <p><b><u>Violation:</u></b></p> <p><b>CEC Section 94902(a) – General Enrollment Requirements</b> “(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”</p> <p><b>CEC Section 94905(a) – Professions Requiring Licensure, Internships</b> “(a) During the enrollment process, an institution offering educational programs designed to lead to positions in a profession, occupation, trade, or career field requiring licensure in this state shall exercise reasonable care to determine if the student will not be eligible to obtain licensure in the profession, occupation, trade, or career field at the time of the student’s graduation and shall provide all students enrolled in those programs with a written copy of the requirements for licensure established by the state, including any applicable course requirements established by the state. If the minimum course requirements of the institution exceed the minimum requirements for state licensure,</p>

*the institution shall disclose this information, including a list of those courses that are not required for state licensure. The institution shall not execute an enrollment agreement with a student that is known to be ineligible for licensure, unless the student's stated objective is other than licensure."*

**CEC Section 94911(c) – Minimum Requirements for Enrollment Agreements**

*"An enrollment agreement shall include, at a minimum, all of the following:*

*(c) In underlined capital letters on the same page of the enrollment agreement in which the student's signature is required, the total charges for the current period of attendance, the estimated total charges for the entire educational program, and the total charges the student is obligated to pay upon enrollment."*

**CEC Section 71800(d) – Enrollment Agreement**

*"(d) Date by which the student must exercise his or her right to cancel or withdraw, and the refund policy, including any alternative method of calculation if approved by the Bureau pursuant to section 94921 of the Code."*

**Violation: CEC Section 94902(a):** Student files failed to contain an Enrollment Agreement signed by the student and/or an authorized employee of the Institution.

**Violation: CEC Section 94905(a):** Student files did not contain verification that students would be eligible to sit for the California State Board License Exam for Barbering or Cosmetology. The Institution stated that they were not familiar with the requirements and did not verify this information prior to enrollment for some students enrolled at the school.

- The Institution also failed to contain a copy of the student's social security number or Internal Transaction Number which would demonstrate the student meets the requirements to be eligible to sit for licensure.,

**Violation: CEC Section 94911(c):** The Institution's Enrollment Agreement failed to identify the total charges for a period of attendance.

**Violation: CEC Section 71800(d):** The Institution failed to include in the Enrollment Agreement the date by which a student must exercise their right to cancel.

**Order of Abatement:**

The Bureau orders the Institution to submit a policy, or procedure, of how future compliance with CEC sections 94902, 94905, 94911, and 5, CCR Section 71800 will be maintained.

**Assessment of Fine**

The fine for this violation is \$2,000.00

2.

**Violation:**

**CEC Section 94900(b)(1)(2)(3) – Required Student Records**

*"(b) An institution shall maintain, for each student granted a degree or certificate by that institution, permanent records of all of the following:*

- (1) The degree or certificate granted and the date on which that degree or certificate was granted.*
- (2) The courses and units on which the certificate or degree was based.*
- (3) The grades earned by the student in each of those courses."*

**5, CCR Section 71920(b)(5)(a-e) – Student Records**

*“(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:*

*(5) In addition to the requirements of section 94900(b) of the Code, a transcript showing all of the following:*

*(A) The courses or other educational programs that were completed, or were attempted but not completed, and the dates of completion or withdrawal;*

*(B) Credit awarded for prior experiential learning, including the course title for which credit was awarded and the amount of credit;*

*(C) Credit for courses earned at other institutions;*

*(D) Credit based on any examination of academic ability or educational achievement used for admission or college placement purposes;*

*(E) The name, address, website address, and telephone number of the institution.”*

**5, CCR Section 71930(b)(1) – Maintenance of Records**

*“(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.”*

The Institution failed to maintain permanent records of the date’s certificates were granted, a copy of the granted certificate, and the courses and grades for which the certificate was based on. In addition, student files failed to contain a transcript or a record of the dates of attendance and/or withdrawal/completion.

**Order of Abatement:**

The Bureau orders the Institution to submit a policy, or procedure, of how future compliance with CEC section 94900, and 5, CCR sections 71920 and 71930 will be maintained.

**Reason for modification:** New substantive facts were presented at the conference. The Order of Abatement has been satisfied.

**Assessment of Fine**

The fine for this violation is \$2,500.00

The administrative fine for this violation has been modified from \$2,500.00 to \$100.00.

3. **Violation:**

**5, CCR Section 71920(b)(10) – Student Records**

*“(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:*

*(10) A document specifying the amount of a refund, including the amount refunded for tuition and the amount for other itemized charges, the method of calculating the refund, the date the refund was made, and the name and address of the person or entity to which the refund was sent;”*

The Institution failed to maintain a refund calculation sheet in student files.

**Order of Abatement:**

The Bureau orders the Institution to submit a policy, or procedure, of how future compliance with 5, CCR section 71920 will be maintained.

**Reason for modification:** New substantive facts were presented at the conference. The Order of

	<p>Abatement has been satisfied.</p> <p><b><u>Assessment of Fine</u></b>  The fine for this violation is <u>\$500.00</u></p> <p>The administrative fine for this violation has been modified from <u>\$500.00</u> to <u>\$250.00</u>.</p>
<p><b>TOTAL MODIFIED ADMINISTRATIVE FINE DUE: <u>\$350.00</u></b></p>	

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:

Gabriella Perez, Discipline Citation Program  
Bureau for Private Postsecondary Education  
1747 N. Market Blvd., Suite 225  
Sacramento, CA 95834

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 affirmed or modified Citation through an Administrative Hearing. 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 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 **September 10, 2020**. Payment of the administrative fine is due by **October 10, 2020**.

Failure 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 Modified 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 Gabriella Perez, Citation Analyst, at (916) 574-8969 or at Gabriella.Perez@dca.ca.gov.

“Original signature on file”

“9/10/2020”

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**Christina Villanueva**  
**Discipline Manager**

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**Date**

Enclosures

- Payment of Fine – Waiver of Appeal Rights
- Withdrawal- Request for Administrative Hearing
- Declaration of Service by Certified and First-Class Mail