



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

February 12, 2021

California Institute of Science and Technology, Inc., Owner
California Institute of Science and Technology, dba South Bay Job Institute
25835 Narbonne Avenue, Suite 280
Lomita, CA 90717

Date of Issuance	Citation Number	Institution Code
February 12, 2021	2021059	82931970

On December 30, 2020, an informal telephone conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. 2021059 (Citation) against California Institute of Science and Technology, Inc., Owner of California Institute of Science and Technology, dba South Bay Job Institute (Institution). In attendance were Beth Scott, Enforcement Chief and Rohullah Nowaid, Trustee of Record.

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. 2021059

It is the decision of the Enforcement Chief that on February 12, 2021, Citation No. 2021059 is affirmed for the following reason(s):

- No new substantive facts were presented at the conference.

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><u>AFFIRMED</u></p> <p>Violation: 5, CCR Section 76130 (a-e)– Collection and Submission of Assessments <i>“(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.</i> <i>(b) A qualifying institution shall complete the STRF Assessment Reporting Form (Rev. 2/10) and remit</i></p>

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 has failed to submit STRF Assessment Reporting Forms for the following quarters:

- Second, Third, and Fourth Quarters for 2018
- First, Second, Third, and Fourth Quarters for 2019
- Second Quarter for 2020

On June 18, 2018, the Institution was notified via mail at, 25835 Narbonne Avenue, Suite 280, Lomita, CA 90717, that the STRF Assessment Reporting Form for the 2nd quarter of 2018 was due. As of August 26, 2020, the Bureau has not received the STRF Assessment Reporting Form from the Institution.

On September 18, 2018, the Institution was notified via mail at, 25835 Narbonne Avenue, Suite 280, Lomita, CA 90717, that the STRF Assessment Reporting Form for the 3rd quarter of 2018 was due. As of August 26, 2020, the Bureau has not received the STRF Assessment Reporting Form from the Institution.

On December 20, 2018, the Institution was notified via mail at, 25835 Narbonne Avenue, Suite 280, Lomita, CA 90717, that the STRF Assessment Reporting Form for the 4th quarter of 2018 was due. As of August 26, 2020, the Bureau has not received the STRF Assessment Reporting Form from the Institution.

On March 27, 2019, the Institution was notified via mail at, 25835 Narbonne Avenue, Suite 280, Lomita, CA 90717, that the STRF Assessment Reporting Form for the 1st quarter of 2019 was due. As of August 26, 2020, the Bureau has not received the STRF Assessment Reporting Form from the Institution.

On June 24, 2019, the Institution was notified via mail at, 25835 Narbonne Avenue, Suite 280, Lomita, CA 90717, that the STRF Assessment Reporting Form for the 2nd quarter of 201, was due. As of August 26, 2020, the Bureau has not received the STRF Assessment Reporting Form from the Institution.

On September 18, 2019, the Institution was notified via mail at, 25835 Narbonne Avenue, Suite 280, Lomita, CA 90717, that the STRF Assessment Reporting Form for the 3rd quarter of 2019 was due. As of August 26, 2020, the Bureau has not received the STRF Assessment Reporting Form from the Institution.

On December 17, 2019, the Institution was notified via mail at, 25835 Narbonne Avenue, Suite 280, Lomita, CA 90717, that the STRF Assessment Reporting Form for the 4th quarter of 2019 was due. As of August 26, 2020, the Bureau has not received the STRF Assessment Reporting Form from the Institution.

On July 29, 2020, the Institution was notified via email at, R.Nowaid@SJI.Training, that the STRF Assessment Reporting Form for the 2nd quarter of 2020 was due. As of August 26, 2020, the Bureau has not received the STRF Assessment Reporting Form from the Institution.

Order of Abatement:

The Bureau orders that the Institution submit the delinquent STRF Assessment Reporting Forms with the STRF Assessments collected from students for the quarters listed above. The information provided shall comply with "Record Keeping Requirements" Pursuant to 5, CCR section 76140.

Assessment of Fine

The fine for this violation is \$50.00

2. **AFFIRMED**

Violation:

5, CCR Section 74006(a) and (b) - 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."

CEC Section 94930.5 (g)- Fee Schedule

"(g) Notwithstanding subdivision (d), effective July 1, 2018, the annual fee for each campus described in subparagraphs (A) and (B) of paragraph (1) of subdivision (d) shall be in an amount equal to 0.55 percent of that campus' total gross revenue derived from students in California, but not to be less than two thousand five hundred dollars (\$2,500) and not to exceed sixty thousand dollars (\$60,000) for each campus."

CEC Section 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 has failed to pay its annual fee for calendar year 2020.

On December 2, 2019, the Institution was notified, Invoice # 900346097, via mail at, 25835 Narbonne Avenue, Suite 280, Lomita, CA 90717, stating that the annual fee for calendar year 2020 was due on January 1, 2020.

On February 18, 2020, the Institution was notified, Invoice # 900347835, via mail at, 25835 Narbonne Avenue, Suite 280, Lomita, CA 90717, stating that the annual fee for calendar year 2020 was due on January 1, 2020.

On April 15, 2020, the Institution was notified, Invoice # 900347835, via mail at, 25835 Narbonne Avenue, Suite 280, Lomita, CA 90717, stating that the annual fee for calendar year 2020 was due on January 1, 2020.

As of August 26, 2020, the Bureau has not received the annual fee from the Institution.

Order of Abatement:

The Bureau orders the Institution to submit its annual fees for calendar year 2020 in accordance with 5, CCR section 74006(a)(b) and CEC section 94930.5(g). In addition, the Institution must pay all late payment penalty fees.

Assessment of Fine

The fine for this violation is \$00.00

TOTAL MODIFIED ADMINISTRATIVE FINE DUE: \$50.00

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:

Nicole Mitchell, 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 affirmed Citation. You *do*, however, have the right to appeal this affirmed 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 affirmed 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 affirmed Citation is effective on **February 12, 2021**. The order of abatement and payment are due by **March 14, 2021**.

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 Nicole Mitchell, Citation Analyst, at Nicole.Mitchell@dca.ca.gov.

“Original Signature on File”

“2/12/2021”

Christina Villanueva
Discipline Manager

Date

Enclosures

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