



APPEAL OF CITATION INFORMAL CONFERENCE
DECISION: CITATION MODIFIED

August 12, 2022

Korean Center, Inc., Owner
 Intercultural Institute of California
 1362 Post Street
 San Francisco, CA 94109

Date of Issuance	Citation Number	Institution Code
August 12, 2022	2122143	3801931

On July 8, 2022, an informal telephone conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. 2122143 (Citation) against Korean Center, Inc., Owner of Intercultural Institute of California (Institution). In attendance were Daniel Rangel, Enforcement Chief, and John Tucker, Executive Director.

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. 2122143.

It is the decision of the Enforcement Chief that on August 4, 2022, Citation No. 2122143 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>Violation: CEC Section 94932.5 – Announced and Unannounced Compliance Inspections <i>“(a) As part of its compliance program, the bureau shall perform announced and unannounced inspections of institutions at least every five years.”</i></p> <p>5, CCR Section 71930 (e) – Maintenance of Records <i>“(e) All records that the institution is required to maintain by the Act or this chapter shall be made immediately available by the institution for inspection and copying during normal business hours by the Bureau and any entity authorized to conduct investigations.”</i></p>

On December 10, 2021, Bureau staff attempted to conduct an Unannounced Compliance Inspection at the Institution. Upon arriving at the Institution at 1362 Post Street, San Francisco, CA 94109, Bureau staff noticed that the front gate was locked and therefore were unable to enter the building. Bureau staff were unable to locate any signs with hours of operation or contact information.

Bureau staff attempted to call the Institution's phone number on file, ((415) 441-1884), however there was no answer. Bureau staff proceeded to the satellite location, located at 1610 Bush Street, San Francisco, CA 94109, and found that the building had a locked gate, therefore they could not gain access.

Bureau staff attempted to contact the Institution via a phone number ((415) 359-9099) that was listed on a sign that stated the Institution's name, however there was no answer.

Bureau staff noted that the Institution's website states that business hours are Monday-Friday 9:00 a.m. -5:00 p.m. Bureau staff was unable to conduct the Unannounced Compliance Inspection and left at approximately 12:30 pm.

Bureau staff was unable to review required documents, as documents were not made readily available due to the Institution being closed during their normal business hours.

Order of Abatement:

The Bureau orders the Institution to provide the Bureau with their operating hours for both the Main and Satellite locations, as well as submit a policy, or procedure, of how future compliance will be maintained per 5, CCR Section 71930.

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

Fine Amount: \$5,000.00

The administrative fine for this violation has been modified from \$5,000.00 to \$2,500.00.

TOTAL MODIFIED ADMINISTRATIVE FINE DUE: \$2,500.00

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:

Tessa Barron, 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 **August 12, 2022**. The payment is due by **September 11, 2022**.

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 Tessa Barron, Citation Analyst, at (916) 574-7791 or at Tessa.Barron@dca.ca.gov.

“Original Signature on File”

“8/12/2022”

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