

# Bureau for Private Postsecondary Education 1747 N. Market Blvd. Ste 225 Sacramento, CA 95834 P.O. Box 980818, West Sacramento, CA 95798-0818

DEPARTMENT OF CONSUMER AFFAIRS

P.O. Box 980818, West Sacramento, CA 95798-0818 P (916) 574-8900 F (916) 263-1897 www.bppe.ca.gov

# APPEAL OF CITATION INFORMAL CONFERENCE DECISION: CITATION MODIFIED

April 15, 2020

Alexander Training Institute of Los Angeles, Inc., Owner Alexander Training Institute of Los Angeles 1526 14th Street, #110 Santa Monica, CA 90404

Date of Issuance	Citation Number	Institution Code
April 15, 2020	1920211	1917381

On March 23, 2020, an informal telephone conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. 1920211 (Citation) against Alexander Training Institute of Los Angeles, Inc., Owner of Alexander Training Institute of Los Angeles (Institution). In attendance were Beth Danielson, Enforcement Chief, Sydney L. Harris, Co-Director/Board President and Frances Marsden.

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. 1920211.

It is the decision of the Enforcement Chief that on March 30, 2020, Citation No. 1920211 is <u>modified</u> 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. **Violation:** 
  - **CEC Section 94932.5 (a) Announced and Unannounced Compliance Inspections**(a) As part of its compliance program, the bureau shall perform announced and unannounced
  - 5, CCR Section 71930 (e) Maintenance of Records

inspections of institutions at least every five years.

(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.

On May 24, 2019, Bureau staff attempted to conduct an unannounced Compliance inspection at the Institution. There was no one at the Institution and the front door was locked. At approximately 10am, an instructor and students arrived at the Institution, however there were no personnel available to assist Bureau staff with obtaining the items needed for the inspection.

#### **Order of Abatement:**

The Bureau orders the Institution to submit a written policy of how with 5, CCR section 71930 (e) will be maintained.

#### **Assessment of Fine**

The fine for this violation is \$5,000.00

Reason for modification: New substantive facts were presented at the conference.

The administrative fine for this violation has been modified from \$5,000.00 to \$1,000.00.

# **TOTAL MODIFIED ADMINISTRATIVE FINE DUE: \$1,000.00**

# **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 <u>30 days</u> 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:

Cheryl Lardizabal, 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 <u>Withdrawal – Request for Administrative Hearing</u> within <u>30 Days</u> of the date of this decision.

#### EFFECTIVE DATE OF CITATION AND FINE ASSESSMENT

This modified Citation is effective on **April 15, 2020**. The Order of Abatement and payment are due by **May 15, 2020**.

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 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 Cheryl Lardizabal, Citation Analyst, at (916) 574-8968 or at Cheryl.Lardizabal@dca.ca.gov.

"Original signature on file"	"4/15/2020"
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