



Bureau for Private Postsecondary Education
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CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT

To: Hash Map Labs, Inc., Owner
App Academy
825 Battery St., 3rd Floor
San Francisco, CA 94111

INSTITUTION CODE: 87411331
CITATION NUMBER: 1920276
CITATION ISSUANCE/SERVICE DATE: April 15, 2020
DUE DATE: May 15, 2020
FINE AMOUNT: \$ 7,000.00
ORDER OF ABATEMENT INCLUDED: Yes

Christina Villanueva issues this Citation: Assessment of Fine and Order of Abatement (Citation) in her official capacity as Discipline Manager of the Bureau for Private Postsecondary Education (Bureau) of the California Department of Consumer Affairs.

CITATION

A Citation is hereby issued to Hash Maps Labs, Inc., Owner of App Academy (Institution) located at 825 Battery St., 3rd Floor, San Francisco, CA 94111, pursuant to Business and Professions Code section 125.9; California Education Code (CEC) sections 94936 and 94932; and Title 5 of the California Code of Regulations (5, CCR) section 75020 for the violations described below.

BACKGROUND

On July 16, 2019, Bureau staff conducted an unannounced Compliance inspection at the Institution. As a result, material violations were found related to current, graduate, and dropped/withdrawn student files. In addition, the Institution was unable to provide Bureau staff with complete supporting documentation to substantiate the data reported on the 2017 School Performance Fact Sheet (SPFS).

VIOLATION(S)

#	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: 5, CCR Section 71920(b)(1)(A) – Student Records <i>“(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:</i> <i>(1) Written records and transcripts of any formal education or training, testing, or experience that are relevant to the student's qualifications for admission to the institution or the institution's award of credit or acceptance of transfer credits including the following:</i> <i>(A) Verification of high school completion or equivalency or other documentation establishing the</i></p>

student's ability to do college level work, such as successful completion of an ability-to-benefit test;"

5, CCR Section 71770(a)(1) – Admissions Standards and Transferred Credits Policy

"(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."

Violation: 5, CCR Section 71920(b)(1)(A) and 71770(a)(1): The Institution failed to collect high school transcripts and/or diplomas from students during the application process.

Violation: 5, CCR Section 71920(b)(1)(A): The Institution failed to maintain official transcripts in student files. Institution staff stated that the Institution does not have official transcripts for students because they provide the students with "progress trackers."

Order of Abatement:

The Bureau orders the Institution to submit a policy, or procedure, of how future compliance with 5, CCR sections 71920(b)(1)(A) and 71770(a)(1) will be maintained.

Assessment of Fine

The fine for this violation is \$1,500.00

2.

Violation:

5, CCR Section 74112(a)(i)(1)(2)(3)(4)(j)(k) – Uniform Data – Annual Report, Performance Fact Sheet

"(a) Format. The format for the Performance Fact Sheet shall be in at least 12 pt. type, in an easily readable font, with 1.15 line spacing and all titles and column headings shall be in bold 14 pt. type, which shall also identify the program for which the Performance Fact Sheet pertains. The Performance Fact Sheet shall contain all and only the information required or specifically permitted by sections 94910 and 94929.5 of the Code or this chapter. A separate Performance Fact Sheet shall be prepared for each program

(i) Job Placement Rates

(1) Any placement data required by sections 94910(b) and 94929.5(a) of the Code shall be reported for the number of students who began the program as defined in subdivision (d)(1) of this section for each reported calendar year.

(2) Placement is measured six months from the graduation date of each student. For programs that require passage of a licensing examination, placement shall be measured six months after the announcement of the examination results for the first examination available after a student completes an applicable educational program. Reporting of placement rates shall include for each educational program: the number of students who began the program, the number of graduates as defined in subdivision (b) section 94842 of the Code, the graduates available for employment, graduates employed in the field and job placement rate(s).

(3) If the institution makes any claim related to preparing students for a job or regarding job placement, the list required by section 94910(f)(2) of the Code shall identify the employment positions by using the Detailed Occupation or six-digit level of the Standard Occupational Classification codes.

(4) Placement rate shall be calculated as follows: the number of graduates employed in the field as defined in section 94928(e)(1) of the Code in conjunction with section 74112(d)(3) divided by the number of graduates available for employment as defined in section 94928(d) of the Code.

Job Placement rates and related disclosures shall be included in the Performance Fact Sheet in a format substantially similar to the charts below, (dates, numbers, and other data shown are for example only):

Job Placement Rates (includes data for the two calendar years prior to reporting)

Name of Educational Program (Program Length)

Calendar Year	Number of Students Who Began the Program	Number of Graduates	Graduates Available for Employment	Graduates Employed in the Field	Placement Rate % Employed in the Field
20XX	100	70	70	55	79%
20XY	80	55	55	20	36%

Gainful Employment Categories (includes data for the two calendar years prior to reporting)

Name of Educational Program (Program Length)

Part Time vs. Full Time Employment

Calendar Year	Graduates Employed in the Field 20 to 29 hours per week	Graduates Employed in the Field at least 30 hours per week	Total Graduates Employed in the Field
20XX	100	98	55
20XY	80	80	20

Single Position vs. Concurrent Aggregated Positions

Calendar Year	Graduates Employed in the Field in a single position	Graduates employed in the field in concurrent aggregated positions	Total Graduates Employed in the Field
20XX	52	3	55
20XY	19	1	20

Self-Employed/Freelance Positions

Calendar Year	Graduates Employed Who are Self-Employed or working freelance	Total Graduates Employed in the Field
20XX	3	55
20XY	5	20

Institutional Employment

Calendar Year	Graduates Employed in the field who are employed by the institution, an employer owned by the institution, or an employer who shares ownership with the institution	Total Graduates Employed in the Field
20XX	15	55
20XY	5	20

Student's Initials: _____ Date: _____

Initial only after you have had sufficient time

to read and understand the information.

(j) License Examination Passage Rates. If license examination passage rates are not available from the appropriate state agency, an institution shall collect the information directly from its graduates. If an institution demonstrates that, after reasonable efforts, it is unable to obtain the examination passage information from its graduates, the institution shall report the number of students it could not contact and note in a font the same size as the majority of the data on the Performance Fact Sheet, "License examination passage data is not available from the state agency administering the examination. We were unable to collect data from [enter the number] graduates."

Reporting of license examination passage rates for the Annual Report and the Performance Fact Sheet shall include, for each educational program: the number of graduates in the reported year, the number of documented graduates who passed the first available examination, number of documented graduates who failed the first available examination, the number of graduates for whom data is not available. An optional column may be added to separately report licensing examination data for graduates who take and pass the exam after failing initially. The Annual Report shall also include a description of the processes for attempting to contact those students.

For licensing examinations that are not continuously administered, license examination passage rates shall be included in the Performance Fact Sheet in a format substantially similar to the chart below, (dates, numbers, and other data shown are for example only):

License Examination Passage Rates (includes data for the two calendar years prior to reporting)
Name of Educational Program (Program Length)

First Available Exam Date	Date Exam Results Announced	Number of Graduates in Calendar Year	Number of Graduates Taking Exam	Number Who Passed Exam	Number Who Failed Exam	Passage Rate
2/1/20XX	3/15/20XX	277	80	40	40	50%
6/1/20XY	7/15/20XX	277	100	75	25	75%
10/1/20XX	11/15/20XX	277	82	68	14	76%
2/1/20XY	3/20/20XY	304	60	40	40	50%
6/1/20XY	7/10/20XY	304	100	70	30	70%
10/1/20XY	11/19/20XY	304	92	62	30	67%

License examination passage data is not available from the state agency administering the examination. We were unable to collect data from 32 graduates.

Student's Initials: _____ Date: _____
 Initial only after you have had sufficient time to read and understand the information.

For licensing examinations that are continuously administered, license examination passage rates shall be included in the Performance Fact Sheet in a format substantially similar to the chart below (dates, numbers, and other data shown are for example only):

License Examination Passage Rates (includes data for the two calendar years prior to reporting)
Name of Educational Program (Program Length)

Calendar Year	Number of Graduates in Calendar Year	Number of Graduates Taking Exam	Number Who Passed First Available Exam	Number Who Failed First Available Exam	Passage Rate
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20XX	95	80	40	40	50%
20XY	109	100	75	25	75%

License examination passage data is not available from the state agency administering the examination. We were unable to collect data from 10 graduates.

Student's Initials: _____ Date: _____
Initial only after you have had sufficient time to read and understand the information.

(k) Salary and Wage Information.

All Salary and Wage Information shall be reported to the Bureau pursuant to sections 94910(d) and 94929.5(a)(3) of the Code and shall be included in the Performance Fact Sheet, for each educational program, in a format substantially similar to the chart below (dates, numbers, salaries, and other data shown are for example only).

Salary and Wage Information (includes data for the two calendar years prior to reporting)

Name of Educational Program (Program Length)

Annual Salary and Wages Reported for Graduates Employed in the Field

Calendar Year	Graduates Available for Employment	Graduates Employed in the Field	\$15,001	\$20,001	\$25,001	\$30,001	No Salary Information Reported
			- \$20,000	- \$25,000	- \$30,000	- \$35,000	
20XX	100	70	5	40	6	3	16
20XY	80	55	5	7	3	5	35

Violation: 5, CCR Section 74112(a): The Institution failed to prepare separate SPFS for each program offered. The Institution has Bureau approval to offer Bootcamp Prep Online (Standard), Bootcamp Prep Online (Plus), and Bootcamp Prep Online (Premium). However, it is not clear which Bootcamp Prep Online program is represented on the SPFS posted to the Institution's website.

In addition, the program hours identified on the following SPFS are inconsistent with Bureau records: Fulltime Software Engineering Program, Bootcamp Prep, and Bootcamp Prep Online. According to Bureau records, the Institution's Fulltime Software Engineering Program is approved for 525 hours, whereas the SPFS posted on the Institution's website identifies 510 hours. Additionally, Bootcamp Prep and Bootcamp Prep Online programs are Bureau approved for 70 hours, while the Institution's website identifies 40 hours.

Violation: 5, CCR Section 74112(i)(1)(2)(3)(4): The Institution failed to include the required Job Placement Rate and Gainful Employment Tables on the Bootcamp Prep Online and Bootcamp Prep program SPFS.

Violation: 5, CCR Section 74112(j): The Institution failed to include the required License Examination Passage Rate table on the Fulltime Software Engineering Program, Bootcamp Prep Online, and Bootcamp Prep SPFS.

Violation: 5, CCR Section 74112(k): The Institution failed to include the required Salary and Wage table on the Bootcamp Prep Online and Bootcamp Prep program SPFS.

In addition, the Institution failed to include a "No Salary Information Reported" column on the Salary and Wage Information table for the Fulltime Software Engineering Program SPFS.

	<p><u>Order of Abatement:</u> The Bureau orders the Institution to submit a policy, or procedure, of how all required supporting documentation will be maintained for compliance with 5, CCR section 74112.</p> <p><u>Assessment of Fine</u> The fine for this violation is <u>\$5,000.00</u></p>
TOTAL ADMINISTRATIVE FINE DUE: \$7,000.00	

ASSESSMENT OF A FINE

In accordance with CEC section 94936; and 5, CCR sections 75020 and 75030, the Bureau hereby orders this assessment of fine in the amount of **\$7,000.00** for the violations described above. **Payment must be made, to the Bureau, within 30 days from the date of service of the Citation.**

COMPLIANCE WITH ORDER OF ABATEMENT

In accordance with the provisions of CEC section 94936 and 5, CCR section 75020 the Bureau hereby issues the order(s) of abatement described above. **Evidence of compliance with the order(s) of abatement must be submitted, to the Bureau, within 30 days from the date of service of the Citation.**

APPEAL OF CITATION

You have the right to contest this Citation through an informal conference with the Bureau; and/or through an administrative hearing in accordance with Chapter 5 (Commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

If you wish to contest this Citation, you must submit the 'Notice of Appeal of Citation – Request for Informal Conference and/or Administrative Hearing' form (enclosed) within 30 days from the date of service of the Citation. *If you do not request an informal conference and/or an administrative hearing within 30 days from the service of the Citation, you will not be able to request one at a later time.*

Unless a written request for an informal conference and/or an administrative hearing is signed by you and delivered to the Bureau by **May 15, 2020**, you will be deemed to have waived or forfeited your right to appeal this matter.

EFFECTIVE DATE OF CITATION

If you do not request an informal conference and/or an administrative hearing, this Citation shall become effective on **May 15, 2020**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **May 15, 2020**. Your payment of the administrative fine shall not constitute an admission of the violation(s) charged.

If a hearing is requested, you will not be required to comply with this Citation until 30 days after a final order is entered against you.

Payment of the administrative fine and/or written request for appeal must be mailed to:

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

Failure for an applicant or institution to abate the violation(s) listed above or to pay the administrative fine within the time allowed may result in denial of an application for an approval or renewal to operate; disciplinary action, and/or collection action. The Bureau will promptly take all appropriate action to enforce this 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 Citation, or desire further information, please contact Gabriella Perez, Citation Analyst, at (916) 574-8969 or Gabriella.Perez@dca.ca.gov.

“Original signature on file”

“4/15/2020”

Christina Villanueva
Discipline Manager

Date

Enclosures

- Applicable Laws Violated
- Statement of Rights: Appeal Process Information Sheet
- Notice of Appeal of Citation: Request for Informal Conference and/or Administrative Hearing
- Payment of Fine – Waiver of Appeal
- Declaration of Service by Certified and First- Class Mail