



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

September 2, 2021

Centro De Estudio Tecnico Automotriz, Owner
Centro De Estudio Tecnico Automotriz
555 North Glendale Blvd.
Los Angeles, CA 90026

Date of Issuance	Citation Number	Institution Code
September 2, 2021	2021275	1939551

On August 5, 2021, an informal telephone conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. 2021275 (Citation) against Centro De Estudio Tecnico Automotriz, Owner of Centro De Estudio Tecnico Automotriz (Institution). In attendance were Leeza Rifredi, Deputy Bureau Chief, Martin Ramirez, Owner and Adrienne Jackson-Wright, Compliance Consultant.

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. 2021275.

It is the decision of the Deputy Bureau Chief that on August 10, 2021, Citation No. 2021275 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: 5, CCR Section 76140 (a)(1-13)(b) – Record Keeping Requirements <i>“(a) A qualifying institution shall collect and maintain records of student information to substantiate the data reported on the STRF Assessment Reporting Form and records of the students' eligibility under the Fund. Such records shall include the following for each student:</i> <i>(1) Student identification number,</i> <i>(2) First and last names,</i> <i>(3) Email address,</i> <i>(4) Local or mailing address,</i> <i>(5) Address at the time of enrollment,</i> <i>(6) Home address,</i> <i>(7) Date enrollment agreement signed,</i> <i>(8) Courses and course costs,</i></p>

(9) Amount of STRF assessment collected,
(10) Quarter in which the STRF assessment was remitted to the Bureau,
(11) Third-party payer identifying information,
(12) Total institutional charges charged, and (13) Total institutional charges paid. (b) The qualifying institution shall maintain the data required under this section in an electronic format that is readily available and open to inspection by the Bureau upon request. The institution shall make the records immediately available to a Bureau representative conducting a site inspection or, upon written request, shall provide a copy within 14 calendar days of the request. All records shall be provided to the Bureau in an intelligible and orderly manner and in an electronic format.”

During the Inspection, Bureau reviewed the supporting documentation to substantiate the data reported on the 4th Quarter of 2020 STRF Assessment Reporting Form. Bureau staff reviewed the spreadsheet provided by Institution staff and found that the spreadsheet did not contain information for all of the data points. Institution staff stated that they were not tracking data for all of the required data points.

Order of Abatement: The Bureau orders the Institution to submit a written policy, or procedure, of how future compliance with 5, CCR Section 76140 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 \$1,000.00

The administrative fine for this violation has been modified from \$1,000.00 to \$500.00

2.

Violation:

5, CCR Section 74112(m)(1-9) – Uniform Data – Annual Report, Performance Fact Sheet

“(m) Documentation supporting all data reported shall be maintained electronically by the institution for at least five years from the last time the data was included in either an Annual Report or a Performance Fact Sheet, and shall be provided to the Bureau upon request; and the data for each program shall include at a minimum:”

During the Inspection, Bureau staff requested supporting documentation to substantiate the data reported on the 2018-2019 SPFS. Institution staff stated that the Institution completed its reporting of the SPFS by reviewing each student file and marking the data by hand, therefore the Institution did not maintain the documentation in an electronic format that could be provided to Bureau staff upon request.

Order of Abatement: The Bureau orders the Institution to submit the supporting documentation to substantiate the data reported on the 2018-2019 SPFS. In addition, the Bureau orders the Institution to submit a written policy, or procedure of how future compliance will be maintained per 5, CCR Section 74112.

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 <u>\$1,000.00</u>
	The administrative fine for this violation has been modified from \$1,000.00 to <u>\$500.00</u>
3.	<p>Violation: CEC Section 94902(b)(1) – General Enrollment Requirements <i>“(b) An enrollment agreement is not enforceable unless all of the following requirements are met: (1) The student has received the institution’s catalog and School Performance Fact Sheet prior to signing the enrollment agreement.”</i></p> <p>During the Inspection, Bureau staff reviewed current, graduated, and withdrawn student files and found that student files included SPFS from calendar years 2010 and 2011 which were not the most recent version of SPFS for the calendar years the students were enrolled. Institution staff confirmed that students were required to review and sign the SPFS for calendar years 2010 and 2011 prior to enrollment and not the current SPFS</p> <p>Order of Abatement: The Bureau orders the Institution to submit a written policy, or procedure of how future compliance will be maintained with CEC Section 94902.</p> <p>Reason for modification: New substantive facts were presented at the conference. The Order of Abatement has been satisfied.</p> <p>Assessment of Fine The fine for this violation is <u>\$1,000.00</u></p> <p>The administrative fine for this violation has been modified from \$1,000.00 to <u>\$500.00</u></p>
TOTAL MODIFIED ADMINISTRATIVE FINE DUE: <u>\$1,500.00</u>	

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. If you did not initially request an Administrative Hearing within 30 days from when the original citation was issued, you can no longer request one.

EFFECTIVE DATE OF CITATION AND FINE ASSESSMENT

This modified Citation is effective on **September 2, 2021**. The payment is due by **October 2, 2021**. 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”

“9/1/2021”

Christina Villanueva
Discipline Manager

Date

Enclosures

- Payment of Fine – Waiver of Appeal Rights
- Declaration of Service by Certified and First-Class Mail