BEFORE THE DEPARTMENT OF CONSUMER AFFAIRS FOR THE BUREAU FOR PRIVATE POSTSECONDARY EDUCATION STATE OF CALIFORNIA

In the Matter of the Accusation Against:	Case No. 1002536
JOHN RIDGEL'S ACADEMY OF BEAUTY, INC.	
5809 Primrose Avenue	
Temple City CA 91780	

Approval to Operate Institution Code No. 1909211

Respondents.

DECISION AND ORDER

The attached Stipulated Surrender of Approval to Operate and Order is hereby adopted by the Director of the Department of Consumer Affairs as the Decision and Order in the above-entitled matter.

This Decision shall become effective on APR 6 2019

IT IS SO ORDERED this 24⁺¹ day of Februar 7, 2019

RYAN MARCROFT

Deputy Director, Legal Affairs

Department of Consumer Affairs

1 2 3 4 5 6 7	XAVIER BECERRA Attorney General of California ARMANDO ZAMBRANO Supervising Deputy Attorney General WILLIAM D. GARDNER Deputy Attorney General State Bar No. 244817 300 So. Spring Street, Suite 1702 Los Angeles, CA 90013 Telephone: (213) 269-6292 Facsimile: (213) 897-2804 Attorneys for Complainant		
8 9 10 11	BEFORE THE DEPARTMENT OF CONSUMER AFFAIRS FOR THE BUREAU FOR PRIVATE POSTSECONDARY EDUCATION STATE OF CALIFORNIA		
12 13	In the Matter of the Accusation Against:	Case No. 1002536	
14 15	JOHN RIDGEL'S ACADEMY OF BEAUTY, INC. 5809 Primrose Avenue Temple City, CA 91780	STIPULATED SURRENDER OF APPROVAL TO OPERATE AND ORDER	
1617	Approval to Operate Institution Code No. 1909211		
18	Respondent.	er .	
19 20			
21	IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above- entitled proceedings that the following matters are true:		
22	PARTIES		
23	1. Dr. Michael Marion, Jr. (Complainant) is the Chief of the Bureau for Private		
24	Postsecondary Education (Bureau). He brought this action solely in his official capacity and is		
25	represented in this matter by Xavier Becerra, Attorney General of the State of California, by		
26	William D. Gardner, Deputy Attorney General.		
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2. John Ridgel's Academy of Beauty, Inc. ("Respondent") is representing itself in this proceeding and has chosen not to exercise its right to be represented by counsel.

3. On or about May 1, 1984, the Bureau for Private Postsecondary Education issued Approval to Operate Institution Code Number 1909211 to Respondent. The Approval to Operate Institution Code expired on June 11, 2013. Respondent submitted an application for renewal on November 20, 2013, which was denied on July 7, 2017. Respondent appealed the denial on July 31, 2017. Statement of Issues was filed by the Bureau on April 6, 2018. On July 10, 2018, the Bureau issued a Notice and Emergency Decision effective upon close of business on July 18, 2018, ordering Respondent to cease enrollment of any new students in all programs; and cease the collection of tuition and fees for all institutional programs. Following a hearing on July 17, 2018, on July 18, 2018, the Department of Consumer Affairs issued its Decision affirming the Bureau's Emergency Decision.

JURISDICTION

4. Accusation No. 1002536 was filed before the Director and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on July 20, 2018. Respondent timely filed its Notice of Defense contesting the Accusation. A copy of Accusation No. 1002536 is attached as Exhibit A and incorporated by reference.

ADVISEMENT AND WAIVERS

- Respondent has carefully read, and understands the charges and allegations in
 Accusation No. 1002536. Respondent also has carefully read, and understands the effects of this
 Stipulated Surrender of Approval to Operate and Order.
- 6. Respondent is fully aware of its legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at its own expense; the right to confront and cross-examine the witnesses against them; the right to present evidence and to testify on its own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and

court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

- 8. Respondent understands that the charges and allegations in Accusation No. 1002536, if proven at a hearing, constitute cause for imposing discipline upon its Approval to Operate.
- 9. For the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual basis for the charges in the Accusation and that those charges constitute cause for discipline. Respondent hereby gives up its right to contest that cause for discipline exists based on those charges.
- 10. Respondent understands that by signing this stipulation it enables the Director to issue his order accepting the surrender of Respondent's Approval to Operate without further process.

CONTINGENCY

11. This stipulation shall be subject to approval by the Director or the Director's designee. Respondent understands and agrees that counsel for Complainant and the staff of the Bureau for Private Postsecondary Education may communicate directly with the Director and staff regarding this stipulation and surrender, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that it may not withdraw its agreement or seek to rescind the stipulation prior to the time the Director considers and acts upon it. If the Director fails to adopt this stipulation as the Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Director shall not be disqualified from further action by having considered this matter.

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- 12. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Surrender of Approval to Operate and Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.
- 13. This Stipulated Surrender of Approval to Operate and Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Surrender of Approval to Operate and Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.
- 14. In consideration of the foregoing admissions and stipulations, the parties agree that the Director may, without further notice or formal proceeding, issue and enter the following Order:

ORDER

IT IS HEREBY ORDERED that Approval to Operate Institution Code No. 1909211, issued to Respondent John Ridgel's Academy of Beauty is surrendered and accepted by the Bureau.

- 1. The surrender of Respondent's Approval to Operate and the acceptance of the surrendered Approval to Operate by the Bureau shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's approval history with the Bureau. The acceptance of the stipulated surrender of approval shall not preclude the filing of any civil claims against Respondent related to the allegations in Accusation No. 1002536.
- 2. Respondent shall lose all rights and privileges as an approved school in California as of the effective date of the Director's Decision and Order.
- 3. If Respondent ever files an application for school approval in the State of California, the Bureau shall treat it as a new application. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked or surrendered approval to operate in effect at the time the petition is filed, and all of the charges and allegations contained in

Stipulated Surrender of Approval to Operate (Case No. 1002536)

1	ENDORSEMENT	
2	The foregoing Stipulated Surrender of Approval to Operate and Order is hereby respectfully	
3	submitted for consideration by the Director of Consumer Affairs.	
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5	Dated: 1/23/19	Respectfully submitted,
6	/	XAVIER BECERRA
7	*	Attorney General of California ARMANDO ZAMBRANO
8	×	Supervising Deputy Attorney General
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10	*	WILLIAM D. GARDNER Deputy Attorney General
11		Deputy Attorney General Attorneys for Complainant
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