



APPEAL OF CITATION INFORMAL CONFERENCE
DECISION: CITATION MODIFIED

March 16, 2022

ENC Schools, Inc., Owner
 Language Pacifica
 1528 South El Camino Real, Suite 104
 San Mateo, CA 94402

Date of Issuance	Citation Number	Institution Code
March 16, 2022	2122107	4306791

On March 4, 2022 an informal telephone conference was held in the matter of Citation: Order of Abatement No. 2122085 (Citation) against ENC Schools, Inc., Owner of Language Pacifica (Institution). In attendance were Jason Alley, Acting Enforcement Chief and Sophia Zhang Ellithorpe, CEO.

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. 2122107.

It is the decision of the Acting Enforcement Chief that on March 4, 2022, Citation No. 2122107 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 74006(a) and (b) - Annual Fee <i>“(a) An institution's annual fee is due within 30 days of the date on which the institution originally receives its approval to operate and each year thereafter on the anniversary of the date of the original approval. (b) An institution shall pay its annual fee in addition to any other applicable fees.</i></p> <p>CEC Section 94930.5 (g)- Fee Schedule <i>(g) Notwithstanding subdivision (d), effective July 1, 2018, the annual fee for each campus described in subparagraphs (A) and (B) of paragraph (1) of subdivision (d) shall be in an amount equal to 0.55 percent of that campus' total gross revenue derived from students in California, but not to be less than</i></p>

two thousand five hundred dollars (\$2,500) and not to exceed sixty thousand dollars (\$60,000) for each campus.

CEC Section 94931(a)- Late Payment

“(a) A fee that is not paid on or before the 30th calendar day after the due date for payment of the fee shall be subject to a 25 percent late payment penalty fee.”

The Institution has failed to pay its 30-day late payment fees for calendar years 2020 and 2021.

On June 3, 2020, the Institution was notified, Invoice # 900349986, via mail at, 1528 South El Camino Real, Suite 104, San Mateo, CA 94402, stating that the annual fee for calendar year 2020 was due on July 1, 2020.

On August 17, 2020, the Institution was notified, Invoice # 900351952, via mail at, 1528 South El Camino Real, Suite 104, San Mateo, CA 94402, stating that the annual fee for calendar year 2020 was due on July 1, 2020.

On September 2, 2020, the Bureau received payment for the 2020 annual fee in the amount of \$4,220.67.

On June 1, 2021, the Institution was notified, Invoice # 900357875, via mail at, 1528 South El Camino Real, Suite 104, San Mateo, CA 94402, stating that the annual fee for calendar year 2021 was due on July 1, 2021.

On August 16, 2021, the Institution was notified, Invoice # 900359650, via mail at, 1528 South El Camino Real, Suite 104, San Mateo, CA 94402, stating that the annual fee for calendar year 2021 was due on July 1, 2021.

On September 22, 2021, the Bureau received payment for the 2021 annual fee in the amount of \$3,335.65.

As of December 15, 2021, the Bureau has not received the 30-day late payment penalty fees from the Institution for the 2020 and 2021 calendar years.

Order of Abatement:

In accordance with 5, CCR section 74006(a)(b) and CEC section 94930.5(g), the Institution must pay all late payment penalty fees

Modified Order of Abatement: New substantive facts were presented through the appeal process. The Order of Abatement has been resolved.

Assessment of Fine

The fine for this violation is \$00.00

TOTAL MODIFIED ADMINISTRATIVE FINE DUE: \$00.00

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.

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”

“3/16/2022”

Christina Villanueva
Discipline Manager

Date

Enclosures

- Declaration of Service by Certified and First-Class Mail