BPPE
Bureau for Private Postsecondary Education

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
DEPARTMENT OF CONSUMER AFFAIRS • BUREAU FOR PRIVATE POSTSECONDARY EDUCATION
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CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT

To: Sterling Schools, L.L.C., Owner
Lu Ross Academy
470 East Thompson Blvd.
Ventura, CA 93001

INSTITUTION CODE: 5600751
CITATION NUMBER: 1819138
CITATION ISSUANCE/SERVICE DATE: March 7, 2019
DUE DATE: April 6, 2019
FINE AMOUNT: $ 5,000.00
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: Sterling Schools, L.L.C., Owner of Lu Ross Academy (Institution) located at 470 East Thompson Blvd., Ventura, CA 93001 pursuant to Business and Professions Code Section 125.9; California Education Code (CEC) Section 94936; and Title 5 of the California Code of Regulations (5, CCR) Section 75020 for the violations described below.

BACKGROUND

On April 12, 2018 an unannounced compliance inspection was conducted at the Institution. Bureau staff determined the Institution maintained supporting documentation to substantiate the data reported on the 2015-2016 School Performance Fact Sheet (SPFS), however it was missing some of the required information that should be maintained. The supporting documentation included areas to enter the student's hours worked, position and salary, however the information was not entered.

VIOLATION

#	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:** **5, CCR Section 74112(m)(2)(3)(7)(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: *(2) student name(s), address, phone number, email address, program completed, program start date, scheduled completion date, and actual completion dates;* *(3) graduate's place of employment and position, date employment began, date employment ended, if applicable, actual salary, hours per week, and the date employment was verified;* *(7) any and all documentation used to provide data regarding license examinations and examination results* *(9) the name, email address, phone number, and position or title of the institution's representative who was primarily responsible for obtaining the students' completion, placement, licensing, and salary and wage data, the date that the information was gathered, and copies of notes, letters or emails through which the information was requested and gathered.* The Institution failed to provide all of the required data on the supporting documentation as required by 5, CCR section 74112(m)(1-9). Specifically, Bureau staff identified the following: Missing data: • Student address • Phone number • Email address • Graduates employment position • Graduates salary • Graduates hours per week • Date employment was verified • Any and all documentation used to provide data regarding license examinations and results • Name, email address, phone number, position or title of the institution's representative who was primarily responsible for obtaining the students' completion, placement, licensing, and salary and wage data, the date that the information was gathered, and copies of notes, letters or emails through which the information was requested and gathered. **Order of Abatement:** The Bureau orders the Institution to provide the Bureau with a policy and procedure of how the Institution will maintain supporting documentation, per 5, CCR section 74112 (m). **Assessment of Fine** The fine for this violation is $5,000.00
	TOTAL ADMINISTRATIVE FINE DUE: $5,000.00

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 **$5,000.00** for the violations described above. **Payment must be made, to the Bureau, within 30 days from the date of service of the Citation.**

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 **April 6, 2019**, 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 **March 7,2019.** Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **April 6, 2019**. 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:

Cheryl Lardizabal, Discipline Citation Program
Bureau for Private Postsecondary Education
2535 Capitol Oaks Drive, Suite 400
Sacramento, CA 95833

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 Cheryl Lardizabal, Citation Analyst, at 916-621-2591 or Cheryl.Lardizabal@dca.ca.gov.

CV

Christina Villanueva
Discipline Manager

3/7/19

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