

### Bureau for Private Postsecondary Education 1747 N. Market Blvd. Ste 225 Sacramento, CA 95834 P.O. Box 980818, West Sacramento, CA 95798-0818 P (916) 574-8900 F (916) 263-1897 www.bppe.ca.gov



# **CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT**

To: Londo Welding, Inc., Owner Welding Certification Center 2701 N. Towne Ave, Unit C Pomona, CA 91767

INSTITUTION CODE: 15556909 CITATION NUMBER: 2021266

CITATION ISSUANCE/SERVICE DATE: June 10, 2021

**DUE DATE: July 10, 2021** 

**FINE AMOUNT: \$ 501.00** 

**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 Londo Welding, Inc., Owner of Welding Certification Center (Institution) located at 2701 N. Towne Ave, Unit C, Pomona, CA 91767, 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 March 17, 2021, Bureau staff conducted an announced Compliance inspection at the Institution. As a result, Bureau staff reviewed faculty staff files and found a potential material violation.

### **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 71720(b)(1) Faculty
  - "(b) Instructors in an Educational Program Not Leading to a Degree.
  - (1) An institution shall employ instructors who possess the academic, experiential and professional qualifications to teach, including a minimum of three years of experience, education and training in current practices of the subject area they are teaching. If an instructor does not possess the required three years of experience, education and training in the subject area they are teaching, the institution shall document the qualifications the instructor possesses that are equivalent to the minimum qualifications."

During the Inspection, Bureau staff reviewed faculty staff files and found that faculty staff received only one year of training in the welding industry prior to being hired by the Institution.

Institution staff stated that faculty staff received the equivalent of three years or more of training after taking an accelerated set of welding programs at the Institution. In addition, Institution staff stated that as an assistant instructor, the faculty staff in question only provides practical training and does not provide training in theory.

Furthermore, Institution staff stated that the Institution's Owner and main instructor supervises all work and the students assigned to the faculty staff in question.

As the Institution hired faculty prior to having three years or more of training, the Institution is in violation of 5, CCR section 71720 (b)(1).

# **Order of Abatement:**

The Bureau orders the Institution to submit a written policy, or procedure, of how the Institution will maintain future compliance with 5, CCR Section 71720.

#### **Assessment of Fine**

The fine for this violation is \$501.00

# **TOTAL ADMINISTRATIVE FINE DUE: \$501.00**

#### 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 \$501.00 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 <u>30 days</u> 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 **July 10, 2021**, 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 **June 10, 2021**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **July 10, 2021**. 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 <a href="mailto:Gabriella.Perez@dca.ca.gov">Gabriella.Perez@dca.ca.gov</a>.

"Original signature on file"	"6/10/2021"
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