



Bureau for Private Postsecondary Education
2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833
P.O. Box 980818, West Sacramento, CA 95798-0818
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CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT

To: Frank Quattro, Owner
Moler Barber College of San Pablo
14330 San Pablo Ave., Suite C
San Pablo, CA 94806

INSTITUTION CODE: 32801867
CITATION NUMBER: 1213013
CITATION ISSUANCE DATE: 02/26/2013
DUE DATE: 03/28/2013
FINE AMOUNT: \$2,000.00

Connie Bouvia issues this Citation: Assessment of Fine and Order of Abatement (Citation) in her official capacity as Enforcement Chief of the Bureau for Private Postsecondary Education (Bureau) of the California Department of Consumer Affairs.

BACKGROUND

On July 10, 2012 an unannounced compliance inspection was conducted at Moler Barber College of San Pablo (Institution), Institution Code No. 32801867. During the unannounced compliance inspection violations were detected. While the compliance inspector was on-site, the institution was unable to achieve compliance with all identified violations.

CITATION

A Citation is hereby issued to Frank Quattro, owner of Moler Barber College of San Pablo located at 14330 San Pablo Ave., Suite C, San Pablo, California 94806 in accordance with Section 125.9 of the Business and Professions Code; Section 94936 of the California Education Code; and Section 75020 of the California Code of Regulations for the violations described in the 'Violation Code Sections' of this document.

PENALTY – ASSESSMENT OF A FINE

In accordance with California Education Code section 94936; and California Code of Regulations Sections 75020 and 75030, the Bureau hereby orders the issuance of a Citation and the assessment of a fine in the amount of **\$2,000.00** for the violations described in the 'Violation Code Sections' of this document.

You are hereby notified that you are in violation of the California Education Code and California Code of Regulations and cause for issuance of a citation and assessment of an administrative fine exists.

ORDER OF ABATEMENT

The Bureau orders that you comply with the orders described in the 'Violation Code Sections' of this document and submit evidence of compliance within 30 days from the date of this Citation.

VIOLATION CODE SECTIONS

#	The California Education Code (CEC) and the California Code of Regulations (CCR). Below you will find the section(s) you are charged with violating.
1.	<p>Violation of CEC §94900.5(c) – Required Institutional Records <i>“An institution shall maintain, for a period of not less than five years, at its principal place of business in this state, complete and accurate records of all of the following information: (c) Any other records required to be maintained by this chapter, including, but not limited to, records maintained pursuant to Article 16 (commencing with Section 94928).”</i></p> <p>The Institution failed to maintain the required records at its principle place of business. Student records were observed being carted into the institution. Per the institution owner, Frank Quattro’s own admission, the student records were maintained at the non-affiliated, Moler Barber College located in Oakland, California.</p> <p>The Bureau orders that the institution maintain, for a period of not less than five years, at its principle place of business, complete and accurate records that are required to be maintained by this chapter. In addition, the Bureau orders that the institution submit a written policy of how compliance with this code section will be maintained. Please submit evidence of compliance to the Bureau.</p> <p>The fine for this violation is <u>\$1,000.00</u></p>
2.	<p>Violation of CEC §71920(b)(5)(A)-(E) – Student Records. <i>“(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records: (5) In addition to the requirements of section 94900(b) of the Code, a transcript showing all of the following: (A) The courses or other educational programs that were completed, or were attempted but not completed, and the dates of completion or withdrawal; (B) Credit awarded for prior experiential learning, including the course title for which credit was awarded and the amount of credit; (C) Credit for courses earned at other institutions; (D) Credit based on any examination of academic ability or educational achievement used for admission or college placement purposes; (E) The name, address, website address, and telephone number of the institution.”</i></p> <p>The Institution’s student records did not contain student transcripts. The institution was unable to remedy the non-compliance during the on-site unannounced compliance inspection.</p> <p>The Bureau orders that the institution’s student records contain student transcripts with all requirements required by this code section. The Bureau orders that the institution submit a written policy of how compliance with this code section will be maintained. Please submit evidence of compliance to the Bureau.</p> <p>The fine for this violation is <u>\$1,000.00</u></p>
<p>TOTAL ADMINISTRATIVE FINE DUE: <u>\$2,000.00</u></p>	

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 enclosed 'Notice of Appeal of Citation – Request for Informal Conference and/or Administrative Hearing' form 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. Deliver or mail your written request to:

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

Unless a written request for an informal conference and/or an administrative hearing is signed by you or on behalf of City Beauty College and delivered to the Bureau by **March 28, 2013**, you will be deemed to have waived or forfeited your right to appeal this matter.

EFFECTIVE DATE OF CITATION AND FINE ASSESSMENT

If you do not request an informal conference and/or an administrative hearing, this Citation shall become effective on **February 26, 2013** and the payment is due by **March 28, 2013**. 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 ADMINISTRATIVE FINE

Payment of the administrative fine must be made to the Bureau for Private Postsecondary Education by check or money order. Please include the Citation number on the payment of the fine assessment. Payments may be mailed to:

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

CONTACT INFORMATION

If you have any questions regarding this Citation, or desire further information, please contact Janel Quayle, Enforcement Analyst, at (916) 431-6940 or Janel.Quayle@dca.ca.gov.

Connie Bouvia
Connie Bouvia
Enforcement Chief

2-26-13
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 – Wavier of Appeal
- Declaration of Service by Certified and First Class Mail