



## CITATION ORDER

<p><b>Citation Issued To:</b>          Transportation Guidance &amp; Assistance Truck          Driving School          1115 S. Taylor Avenue          Montebello, CA 90640</p> <p><b>Institution Code:</b>          1922271</p>	<p><b>Citation Number:</b>          2324153</p> <hr/> <p><b>Total Fine Amount:</b>  <span style="color: red; font-weight: bold;">\$7,004.00</span></p> <hr/> <p><b>Order of Abatement          Included:</b> Yes</p>
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Elizabeth Elias issues this citation in her official capacity as Enforcement Chief of the Bureau for Private Postsecondary Education, California Department of Consumer Affairs (hereinafter referred to as the "Bureau").

### LICENSING HISTORY

1. On or about August 6, 2021, the Bureau renewed an Approval to Operate a Private Postsecondary Institution to Transportation Guidance & Assistance Truck Driving School (hereinafter referred to as the "Institution"). This Approval to Operate will expire on or about August 6, 2026, unless renewed.

### DISCIPLINE HISTORY

2. The Institution has the following discipline history:
  - [Citation No. 1819196, issued May 14, 2019](#)
    - Evidence of compliance; citation satisfied August 20, 2019
  - [Citation No. 2122096, issued December 1, 2021](#)
    - Evidence of compliance; citation satisfied January 20, 2022
  - [Citation No. 2223056, issued March 7, 2023](#)
  - [Citation No. 2324019, issued July 20, 2023](#)

### CITATION JURISDICTION

3. This administrative citation is issued to the Institution pursuant to California Education Code (CEC) section 94936; and Title 5 of the California Code of Regulations (5 CCR) section 75020 et seq. for the violation(s) described below.

### CAUSE FOR CITATION & ASSESMENT OF FINE AND/OR ORDER OF ABATEMENT

4. The Institution is in violation of the following Bureau laws and regulations:

**Violation #1:**

**5 CCR section 74112 (m)(3-8) – Uniform Data – Annual Report, Performance Fact Sheet and 5 CCR section 71930 (e) – Maintenance Records**

**Cause for Citation:** Prior to the announced inspection, Bureau staff requested a copy of the documentation supporting data reported on the 2020/2021 School Performance Fact Sheet (SPFS) for desk review; upon this review, Bureau staff noted that several key required data points were missing from the supporting data. On or about September 12, 2023, Bureau staff conducted an announced compliance inspection pursuant to CEC 94932.5 (a). During the announced compliance inspection, Bureau staff informed the Owner and Admissions Director that during the desk review, it was noted that required data points were missing from the Institution's supporting data. The Institution's Admission's Director showed Bureau staff where the supporting data was tracked and was able to place some of the missing data points, however by the end of the inspection, Bureau staff noted that several key required data points were still missing from the supporting data, as referred in 74112 (m)(3-8).

- m(3)- graduates place of employment and position, date employment began, date employment ended if applicable, hours per week, actual salary and the date employment was verified;
- m(4)- for each employer, the employers email address and general phone number;
- m(5)- for students who become self-employed, all documentation necessary to demonstrate self-employment;
- m(6) - a description of all attempts to contact each student. or employer;
- m(7) - any and all documentation used to provide data regarding license examinations and examination;
- results;
- m(8) - for each student determined to be unavailable for graduation or unavailable for employment, the identity of the student, the type of unavailability, the dates of unavailability, and the documentation of the unavailability;

Citation Number: 2324153

Institution: Transportation Guidance & Assistance Truck Driving School

Institution Code: 1922271

**Administrative Fine:** Pursuant to 5 CCR section 75030, the Bureau has determined this to be a "Class A" violation. The Institution is issued a fine of \$2,501.00.

**Order of Abatement:** Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Institution must submit a statement of attestation they have corrected the violation and will ensure that the substantiating data for SPFS is maintained and contains all required data pursuant to 5 CCR section 74112. The statement of attestation must be dated and signed by an authorized representative of the Institution.

**Violation #2:**

**5 CCR section 71745 (a)(6) – Financial Resources, in conjunction with CEC section 94885 (a)(6)(9) – Minimum Operating Standards**

**Cause for Citation:** On or about September 12, 2023, the Bureau conducted an announced compliance inspection pursuant to CEC 94932.5 (a). During the inspection, Bureau staff requested a copy of the Institution's current financial statements for review. Bureau staff reviewed the financial statements for year-end December 31, 2021, and determined that the Institution's current assets to current liabilities ratio is 1.05 to 1. The Institution failed to maintain a ratio of current assets to current liabilities of 1.25 to 1.00 or greater.

**Administrative Fine:** Pursuant to 5 CCR section 75030, the Bureau has determined this to be a "A" violation. The Institution is issued a fine of \$2,501.00.

**Order of Abatement:** Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to submit the following:

1. Current financial statements for year-end 2022 which demonstrates compliance with 5 CCR section 71745 (a)(c).
2. In an electronic format, a roster of all currently enrolled students that includes the student: (1) names, (2) addresses, (3) telephone numbers, (4) email addresses, (5) program in which they are enrolled, (6) date of

Citation Number: 2324153

Institution: Transportation Guidance & Assistance Truck Driving School

Institution Code: 1922271

enrollment, (7) total cost of the program and (8) the total amount the student has paid.

**Violation #3:**

**5 CCR section 71920 (b)(5) – Student Records and CCR, 5 CCR section 71930 (a), (e) – Maintenance Records in conjunction with CEC 94900 (b) – Required Student Records**

**Cause for Citation:** On or about September 12, 2023, the Bureau conducted an announced compliance inspection pursuant to CEC 94932.5(a). Bureau staff reviewed student files and determined that all 3 files reviewed for withdrawn/dropped students, did not contain a transcript.

**Administrative Fine:** Pursuant to 5, CCR 75030, the Bureau has determined this to be a "Class C" violation. The Institution is issued a fine of \$501.00.

**Order of Abatement:** Pursuant to 5, CCR 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to ensure all student records follow the law pursuant to CCR, Title 5, section 71920. The Institution must submit a statement of attestation they have corrected the violation and ensured that all student records contain a transcript. The statement of attestation must be dated and signed by an authorized representative of the Institution.

**Violation #4:**

**5 CCR section 71920 (b)(1) – Student Records and CCR, 5 CCR section 71930 (a), (e) – Maintenance Records in conjunction with CEC 94900 (b) – Required Student Records**

**Cause for Citation:** On or about September 12, 2023, the Bureau conducted an announced compliance inspection pursuant to CEC 94932.5(a). Bureau staff reviewed student files and determined that all 3 files reviewed for withdrawn/dropped students, did not contain written record of formal education.

**Administrative Fine:** Pursuant to 5, CCR 75030, the Bureau has determined this to be a "Class C" violation. The Institution is issued a fine of \$501.00.

Citation Number: 2324153

Institution: Transportation Guidance & Assistance Truck Driving School

Institution Code: 1922271

**Order of Abatement:** Pursuant to 5, CCR 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to ensure all student records follow the law pursuant to CCR, Title 5, section 71920. The Institution must submit a statement of attestation they have corrected the violation and ensured that all student records contain a transcript. The statement of attestation must be dated and signed by an authorized representative of the Institution.

**Violation #5:**

**5 CCR section 76130 – Collection and Submission of Assessments**

**Cause for Citation:** The Institution failed to submit the Student Tuition Recovery Fund (STRF) Assessment Reporting form and the collection of assessment fees as required for the 3<sup>rd</sup> and 4<sup>th</sup> quarter reporting period of 2023.

**Administrative Fine:** Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class C” violation. The Institution is issued a fine of \$1,000.00.

**Order of Abatement:** Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to submit the Student Tuition Recovery Fund (STRF) Assessment Reporting form and the collection of assessment fees as required for the 3<sup>rd</sup> and 4<sup>th</sup> quarter reporting period of 2023.

**COMPLIANCE WITH ORDER OF ABATEMENT**

5. In accordance with the provisions of CEC section 94936 and 5 CCR section 75020, the Bureau issues the order(s) of abatement described above. Evidence of compliance with the order of abatement must be submitted to the Bureau within 30 days from the date of issuance of this citation. Evidence of compliance with the order of abatement may sent by mail or email to:

- Mail: Bureau for Private Postsecondary Education  
Attn: Discipline Unit – Tessa Barron  
1747 North Market, Blvd., Suite 225

Citation Number: 2324153

Institution: Transportation Guidance & Assistance Truck Driving School

Institution Code: 1922271

Sacramento, CA 95834

- Email: [bppe.discipline@dca.ca.gov](mailto:bppe.discipline@dca.ca.gov)
  - In the subject line, please include the Institution name and citation number.

### **COMPLIANCE WITH ASSESSMENT OF FINE**

6. In accordance with the provisions of CEC section 94936, and 5 CCR sections 75020 and 75030, the Bureau hereby orders this assessment of fines in the total amount of \$7,004.00 for the violations described above. Payment of the fines must be made to the Bureau within 30 days from the date of service of this citation unless an informal conference or hearing is requested. To assist the Bureau in processing the payment of fines, please submit the enclosed *Payment of Fine – Waiver of Appeal* form.

Payment must be sent to the Bureau by mail at:

- Bureau for Private Postsecondary Education  
Attn: Discipline Unit – Tessa Barron  
1747 North Market, Blvd., Suite 225  
Sacramento, CA 95834

### **NOTICE OF APPEAL RIGHTS**

7. You have the right to contest this citation through an informal conference with the Bureau pursuant to 5 CCR section 75020 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 may submit a written request to the Bureau or submit the enclosed *Notice of Appeal of Citation – Request for Informal Conference and/or Administrative Hearing* form within 30 days from the date of issuance of this citation.

Failure to submit a written request for an informal conference and/or administrative hearing within 30 days from the date of issuance of this citation will forfeit your ability to appeal the citation.

If a hearing is requested, you are not required to comply with this citation until a final order is entered against you.

Citation Number: 2324153

Institution: Transportation Guidance & Assistance Truck Driving School

Institution Code: 1922271

### **COMPLIANCE WITH FINE AND/OR ORDER OR ABATEMENT DISCLOSURE**

8. Pursuant to BPC section 125.9 and 5 CCR 75050, payment of fine and/or compliance with any order of abatement does not constitute an admission of the violation charged and shall be represented as satisfactory resolution of the matter for the purposes of public disclosure.

Pursuant to 5 CCR 75050, failure to comply with this citation order, its order of abatement, and/or administrative fine by the required due date is grounds for denial or discipline of an approval to operate. Where a citation is not contested and fine is not paid, the full amount of the assessed fine shall be added to the fee for renewal of the approval to operate. An approval to operate shall not be renewed without payment of the renewal fee and fine.

### **BUREAU CONTACT INFORMATION**

9. If you have any questions regarding this Citation, please contact Tessa Barron, Citation Analyst by email at [Tessa.Barron@dca.ca.gov](mailto:Tessa.Barron@dca.ca.gov) or by phone at (916) 574-7791.

“Original Signature on File”

2/1/2024

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Elizabeth Elias  
Enforcement Chief

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Citation Date of Issuance

#### Enclosures:

- 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