



**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](http://www.bppe.ca.gov)



**APPEAL OF CITATION INFORMAL CONFERENCE**  
**DECISION: CITATION MODIFIED**

January 28, 2021

Tengda Li, Owner  
Washington College  
670 Monterey Pass Rd. Suite 111  
Monterey Park, CA 91754

<b>Date of Issuance</b>	<b>Citation Number</b>	<b>Institution Code</b>
January 28, 2021	2021147	78865079

On January 7, 2021, an informal telephone conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. 2021147 (Citation) against Tengda Li, Owner of Washington College (Institution). In attendance were Beth Danielson, Enforcement Chief, Tengda Li, Owner/Director, and Bei Zhang, Chief Operation Officer.

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. 2021147.

It is the decision of the Enforcement Chief that on January 19, 2021, Citation No. 2021147 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><b><u>MODIFIED</u></b></p> <p><b><u>Violation:</u></b>  <b>5, CCR Section 74112 (m) (1-9) – Uniform Data – Annual Report; Performance Fact Sheet</b>  <i>“(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:</i>  <i>(1) the list of job classifications determined to be considered gainful employment for the educational program;</i>  <i>(2) student name(s), address, phone number, email address, program completed, program start date, scheduled completion date, and actual completion dates;</i>  <i>(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;</i>  <i>(4) for each employer from which employment or salary information was obtained, the employer name(s) address and general phone number, the contact person at the employer and the contact’s</i></p>

phone number and email address, and all written communication with employer verifying student's employment or salary;  
(5) for students who become self-employed, all documentation necessary to demonstrate selfemployment;  
(6) a description of all attempts to contact each student. or employer;  
(7) any and all documentation used to provide data regarding license examinations and examination results;  
(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; and  
(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.

**CEC Section 94929.7 (a)(2) – Documentation of Performance Data**

“(a) The information used to substantiate the rates and information calculated pursuant to Sections 94929 and 94929.5 shall do both of the following:

(2) Be retained in an electronic format and made available to the bureau upon request.”

**5, CCR Section 76140 (b) – Record-Keeping Requirements**

“(b) The qualifying institution shall maintain the data required under this section in an electronic format that is readily available and open to inspection by the Bureau upon request. The institution shall make the records immediately available to a Bureau representative conducting a site inspection or, upon written request, shall provide a copy within 14 calendar days of the request. All records shall be provided to the Bureau in an intelligible and orderly manner and in an electronic format.”

**5, CCR Section 71930 (e) – Maintenance of Records**

“(e) All records that the institution is required to maintain by the Act or this chapter shall be made immediately available by the institution for inspection and copying during normal business hours by the Bureau and any entity authorized to conduct investigations.”

The Institution failed to provide the supporting documentation used to substantiate the data reported on the 4th quarter of 2019 Student Tuition Recovery Fund (STRF) Assessment Reporting Form as well as the data reported on the 2017/2018 School Performance Fact Sheets (SPFS). In addition, Institution staff stated the supporting documentation was not maintained electronically.

**Order of Abatement**

The Bureau orders the Institution to submit the supporting documentation to substantiate the data reported on the 4th quarter of 2019 STRF and the 2017/2018 SPFS in accordance with 5, CCR section 74112 (m)(1-9) and CEC section 94929.7 (a)(2). In addition, the Institution shall maintain the required supporting documentation in an electronic format per 5, CCR section 76140 (b) and CEC section 94929.7 (2).

**Assessment of Fine**

The fine for this violation is \$5,000.00

The administrative fine for this violation has been modified from \$5,000.00 to \$500.00.

2. **MODIFIED**

**Violation:**

**CEC Section 94900.5 (b)(c) – Required Institutional Records**

*“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:*

*(b) The names and addresses of the members of the institution’s faculty and records of the educational qualifications of each member of the faculty.*

*(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).”*

**5, CCR Section 71930 (e) – Maintenance of Records**

*“(e) All records that the institution is required to maintain by the Act or this chapter shall be made immediately available by the institution for inspection and copying during normal business hours by the Bureau and any entity authorized to conduct investigations.”*

**The Institution failed to provide the faculty records and the chief academic officer educational qualifications when requested by Bureau staff.**

**Order of Abatement:**

The Bureau orders the Institution to submit a written policy, or procedure, of how future compliance with CEC section 94900.5 (b)(c) and 5, CCR section 71930 (e) will be maintained.

**Assessment of Fine**

The fine for this violation is \$250.00

**The administrative fine for this violation has been modified from \$250.00 to \$50.00.**

3. **DISMISSED**

**Violation:**

**5, CCR Section 74112 (e)(2)(f)(k) – Uniform Data – Annual Report; Performance Fact Sheet**

*“(e) Reporting periods:*

*(2) A Performance Fact Sheet shall be current and available not later than December 1st, and shall report data for the previous two calendar years based upon the “number of students who began the program,” as defined in subdivision (d)(1) of this section and were scheduled to graduate in the reported year(s).*

*(f) Total Charges. The institution’s Annual Report and Performance Fact Sheet shall include the total charges for a student to complete the program within 100% of the program length. The institution must include the disclosure that there may be additional charges if the program is not completed ontime.*

*(k) Salary and Wage Information All Salary and Wage Information shall be reported to the Bureau pursuant to sections 94910(d) and 94929.5(a)(3) of the Code and shall be included in the Performance Fact Sheet, for each educational program....”*

**Violation 5, CCR Section 74112 (e)(2)(f): The Institution failed to report two years of data for total charges for each educational program on the 2016/2017 SPFS.**

**Violation 5, CCR Section 74112 (k): The Institution failed to report complete and accurate Salary and Wage data on the 2016/2017 SPFS for the following programs:**

- Intermediate Massage Therapist 750 Hours
- Junior Massage Therapist 600 Hours

The total reported salary collected/reported by the graduates does not total the "Graduates Employed in the Field."

**Order of Abatement:**

The Bureau orders the Institution to submit a written policy, or procedure, of how future compliance with 5, CCR section 74112 (e)(2)(f)(k) will be maintained.

**Assessment of Fine**

The fine for this violation is \$500.00

**TOTAL MODIFIED ADMINISTRATIVE FINE DUE: \$550.00**

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 decision.

PENALTY – ASSESSMENT OF A FINE

Payment of the administrative fine is due within 30 days from the date of this decision. Please complete the Payment of Fine form. Payment must be made to the Bureau by check, or money order. Please include the citation number on the payment of the fine assessment. Payment of the administrative fine shall not constitute an admission of the violation(s) charged and shall be represented as satisfactory resolution of the matter for purposes of public disclosure. Payments may be mailed to:

Nicole Mitchell, Discipline Citation Program  
Bureau for Private Postsecondary Education  
1747 N. Market Blvd., Suite 225  
Sacramento, CA 95834

APPEAL OF CITATION

You *do not* have the right to request another Informal Conference to appeal this modified Citation. You *do*, however, have the right to appeal this affirmed or modified Citation through an Administrative Hearing. A hearing before an Administrative Law Judge will be scheduled and you will be notified of the hearing date. The hearing will be held pursuant to Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

If you do not wish to appeal this modified Citation you must withdraw your initial request for an Administrative Hearing, if one was made. Please complete and mail the enclosed Withdrawal – Request for Administrative Hearing within 30 Days of the date of this decision.

EFFECTIVE DATE OF CITATION AND FINE ASSESSMENT

This modified Citation is effective on January 28, 2021. The Order of Abatement and payment are due by **February 27, 2021**.

Failure to abate the violation or to pay the administrative fine within the time allowed is grounds for denial of an application for an approval to operate or discipline. The Bureau will promptly take all appropriate action to enforce the Modified 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 decision or desire further information, please contact Nicole Mitchell, Citation Analyst, at [Nicole.Mitchell@dca.ca.gov](mailto:Nicole.Mitchell@dca.ca.gov).

“Original Signature on File”

“1/28/2021”

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**Christina Villanueva**  
**Discipline Manager**

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**Date**

Enclosures

- Payment of Fine – Waiver of Appeal Rights
- Withdrawal- Request for Administrative Hearing
- Declaration of Service by Certified and First-Class Mail