



**Bureau for Private Postsecondary Education**  
1747 N. Market Blvd. Ste 225 Sacramento, CA 95834  
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**CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT**

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

**INSTITUTION CODE: 78865079**  
**CITATION NUMBER: 2021147**  
**CITATION ISSUANCE/SERVICE DATE: November 12, 2020**  
**DUE DATE: December 12, 2020**  
**FINE AMOUNT: \$ 5,750.00**  
**ORDER OF ABATEMENT INCLUDED: Yes**

Christina Villanueva issues this Citation: Assessment of Fine (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 Tengda Li, Owner of Washington College (Institution) located at 670 Monterey Pass Rd. Suite 111, Monterey Park, CA 91754, 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 January 15, 2020, Bureau staff conducted an Unannounced Compliance Inspection at the Institution. Through the course of the inspection, Bureau staff found multiple material violations.

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.	<p><b>Violation:</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></p>

- (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;
- (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 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 4<sup>th</sup> 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 4<sup>th</sup> 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

<p>2.</p>	<p><b>Violation:</b>  <b>CEC Section 94900.5 (b)(c) – Required Institutional Records</b>  <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:</i>  <i>(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.</i>  <i>(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><b>5, CCR Section 71930 (e) – Maintenance of Records</b>  <i>“(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.”</i></p> <p>The Institution failed to provide the faculty records and the chief academic officer educational qualifications when requested by Bureau staff.</p> <p><b>Order of Abatement:</b>  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.</p> <p><b>Assessment of Fine</b>  The fine for this violation is <u>\$250.00</u></p>
<p>3.</p>	<p><b>Violation:</b>  <b>5, CCR Section 74112 (e)(2)(f)(k) – Uniform Data – Annual Report; Performance Fact Sheet</b>  <i>“(e) Reporting periods:</i>  <i>(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).</i>  <i>(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 on-time.</i>  <i>(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....”</i></p> <p><b>Violation 5, CCR Section 74112 (e)(2)(f):</b> The Institution failed to report two years of data for total charges for each educational program on the 2016/2017 SPFS.</p> <p><b>Violation 5, CCR Section 74112 (k):</b> The Institution failed to report complete and accurate Salary and Wage data on the 2016/2017 SPFS for the following programs:</p> <ul style="list-style-type: none"> <li>• Intermediate Massage Therapist 750 Hours</li> <li>• Junior Massage Therapist 600 Hours</li> </ul> <p>The total reported salary collected/reported by the graduates does not total the “Graduates Employed in the Field.”</p>

	<p><b><u>Order of Abatement:</u></b> 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.</p> <p><b><u>Assessment of Fine</u></b> The fine for this violation is \$500.00</p>
<b>TOTAL ADMINISTRATIVE FINE DUE: \$5,750.00</b>	

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 **\$5,750.00** 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 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 **December 12, 2020**, 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 **November 12, 2020**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by. 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:**

Nicole Mitchell, 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 Nicole Mitchell, Citation Analyst, at (916) 574-8995 or Nicole.Mitchell@dca.ca.gov.

“Original Signature on File”

“11/12/2020”

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

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**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