



Bureau for Private Postsecondary Education
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CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT

To: Sima Dermishya
 Sacramento Ultrasound Institute
 3490 Ponzi Court
 Rancho Cordova, CA 95670

INSTITUTION CODE: 3402661
CITATION NUMBER: 1516093
CITATION ISSUANCE/SERVICE DATE: May 5, 2016
DUE DATE: June 4, 2016
FINE AMOUNT: \$5,000.00
ORDER OF ABATEMENT INCLUDED: YES

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

CITATION

A Citation is hereby issued to Sima Dermishyan, Owner of Sacramento Ultrasound Institute (SUI) located at 3490 Ponzi Court, Rancho Cordova, CA 95670 pursuant to Business and Professions Code section 125.9; California Education Code (CEC) section 94936; and Title 5 of the California Code of Regulations (5 CCR) section 75020 for the violations described below.

VIOLATION

#	The California Education Code (CEC) and the California Code of Regulations (CCR). Below you will find the code section(s) of law you are charged with violating.
1.	<p>Violation: CEC 94913 (a)(5) – Required Web Site Information <i>“(a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following: (5) The institution’s most recent annual report submitted to the bureau.”</i></p> <p>During the course of an investigation on November 18, 2015, Bureau Staff reviewed SUI’s web site at http://sui.edu/. SUI did not provide an Annual Report on its web site. Bureau Staff reviewed SUI’s web site again on April 25, 2016, and found that SUI’s web site was still lacking SUI’s most recent Annual Report submitted to the Bureau. As of May 4, 2016, SUI’s web site still lacked the most recent Annual Report.</p>

	<p><u>Order of Abatement:</u> The Bureau orders that SUI provide its most recent Annual Report to its web site.</p> <p><u>Assessment of Fine</u> The fine for this violation is <u>\$2,500.00</u></p>
2	<p><u>Violation:</u> CEC 94913 (a)(4) – Required Web Site Information <i>“(a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following: (4) A link to the bureau’s Internet Web site.”</i></p> <p>On November 18, 2015, Bureau Staff reviewed SUI’s web site at http://sui.edu/. SUI did not have a link to the Bureau’s web site on its web site. Bureau Staff reviewed SUI’s web site again on April 25, 2016, and found that SUI’s web site was still lacking a link to the Bureau’s website. As of May 4, 2016, SUI’s website continued to lack a link to the Bureau’s web site.</p> <p><u>Order of Abatement:</u> The Bureau orders that SUI update its web site to include a link to the Bureau’s web site.</p> <p><u>Assessment of Fine</u> The fine for this violation is <u>\$2,500.00</u></p>
3.	<p><u>Violation:</u> CEC 94913 (a)(2) – Required Web Site Information <i>“(a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following: (2) A School Performance Fact Sheet for each educational program offered by the institution”</i></p> <p>On November 18, 2015, Bureau Staff reviewed SUI’s web site. SUI had not attached School Performance Fact Sheets to its web site. However, upon reviewing SUI’s web site again on April 25, 2016, Bureau Staff found that SUI has since updated its web site to include its School Performance Fact Sheets.</p> <p><u>Order of Abatement:</u> The Bureau orders that SUI maintain its web site to continue compliance with CEC 94913 (a)(2).</p> <p><u>Assessment of Fine</u> The fine for this violation is <u>\$0.00</u></p>
<p>TOTAL ADMINISTRATIVE FINE DUE: \$5,000.00</p>	

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 **\$5,000.00** for the violations described above. **Payment must be made, to the Bureau, within 30 days from the date of service of the Citation.**

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.**

BACKGROUND

As a result of an anonymous complaint against the institution, on November 18, 2015, Bureau Staff accessed SUI's web site at <http://sui.edu/>. Bureau Staff found that SUI has a School Catalog posted to its web site but is missing School Performance Fact Sheets, a link to the Bureau's web site, and its most recent Annual Report.

On April 25, 2016, Bureau Staff again reviewed SUI's web site and found that SUI has since provided School Performance Fact Sheets to its web site; however, the most recent Annual Report and the link to the Bureau's web site are still missing from SUI's web site.

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 **June 4, 2016**, 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 **May 5, 2016**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **June 4, 2016**. 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:

Jody Wright, Discipline Citation Program
Bureau for Private Postsecondary Education
2535 Capitol Oaks Drive, Suite 400

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 Jody Wright, Enforcement Analyst, at 916-431-6940 or Jody.Wright@dca.ca.gov.



Elainea Shotwell
Enforcement Manager

May 5, 2016
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