

**BEFORE THE DIRECTOR**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
**BUREAU FOR PRIVATE POSTSECONDARY EDUCATION**  
**STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**ADVANCED VOCATIONAL INSTITUTE**

**RASHAD M. SAID**, 50% Owner

1925 S. Winchester Blvd., Suite 205

Campbell, CA 95008

**JOANNE WINTERBERG**, 50% Owner

1925 S. Winchester Blvd., Suite 205

Campbell, CA 95008

Institution Code No. 65686922

Respondents.

Case No. 1002902

**DECISION**

The attached Stipulated Surrender of Approval to Operate and Order is hereby adopted by the Director of the Department of Consumer Affairs as the Decision in the above entitled

///

///

///

matter.

The Decision shall become effective July 24, 2020.

DATED: June 12, 2020

"Original Signature on File"

RYAN MARCROFT

Deputy Director, Legal Affairs

Department of Consumer Affairs

1 XAVIER BECERRA  
Attorney General of California  
2 JOSHUA A. ROOM  
Supervising Deputy Attorney General  
3 CHRISTOPHER M. YOUNG  
Deputy Attorney General  
4 State Bar No. 238532  
455 Golden Gate Avenue, Suite 11000  
5 San Francisco, CA 94102-7004  
Telephone: (415) 510-3554  
6 Facsimile: (415) 703-5480  
*Attorneys for Complainant*  
7

8 **BEFORE THE**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **FOR THE BUREAU FOR PRIVATE POSTSECONDARY EDUCATION**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:  
13 **ADVANCED VOCATIONAL INSTITUTE;**  
**RASHAD M. SAID, 50% Owner**  
14 **1925 S. Winchester Blvd., Suite 205**  
**Campbell, CA 95008**  
15 **JOANNE WINTERBERG, 50% Owner**  
16 **1925 S. Winchester Blvd., Suite 205**  
**Campbell, CA 95008**  
17 **Institution Code No. 65686922**  
18  
19 Respondents.

Case No. 1002902  
**STIPULATED SURRENDER OF  
APPROVAL TO OPERATE AND  
ORDER**

20  
21 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
22 entitled proceedings that the following matters are true:

23 **PARTIES**

24 1. Dr. Michael Marion, Jr. (Complainant) is the Chief of the Bureau for Private  
25 Postsecondary Education (Bureau). He brought this action solely in his official capacity and is  
26 represented in this matter by Xavier Becerra, Attorney General of the State of California, by  
27 Christopher M. Young, Deputy Attorney General.

28 ///



1 CULPABILITY

2 8. Respondent understands and agrees that the charges and allegations in Accusation  
3 No. 1002902, if proven at a hearing, constitute cause for imposing discipline on Respondent's  
4 Approval to Operate. Respondent hereby surrenders the Approval to Operate Institution Code  
5 No. 65686922 for the Director's formal acceptance.

6 9. Respondent understands that by signing this stipulation Respondent enables the  
7 Director to issue his order accepting the surrender of the Approval to Operate Institution Code  
8 No. 65686922 without further process.

9 CONTINGENCY

10 10. This stipulation shall be subject to approval by the Director or the Director's designee.  
11 Respondent understands and agrees that counsel for Complainant and the staff of the Bureau for  
12 Private Postsecondary Education may communicate directly with the Director and staff regarding  
13 this stipulation and surrender, without notice to or participation by Respondent. By signing the  
14 stipulation, Respondent understands and agrees that it may not withdraw its agreement or seek to  
15 rescind the stipulation prior to the time the Director considers and acts upon it. If the Director  
16 fails to adopt this stipulation as the Decision and Order, the Stipulated Surrender and Disciplinary  
17 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal  
18 action between the parties, and the Director shall not be disqualified from further action by  
19 having considered this matter.

20 11. The parties understand and agree that Portable Document Format (PDF) and facsimile  
21 copies of this Stipulated Surrender of Approval to Operate and Order, including PDF and  
22 facsimile signatures thereto, shall have the same force and effect as the originals.

23 12. This Stipulated Surrender of Approval to Operate and Order is intended by the parties  
24 to be an integrated writing representing the complete, final, and exclusive embodiment of their  
25 agreement. It supersedes any and all prior or contemporaneous agreements, understandings,  
26 discussions, negotiations, and commitments (written or oral). This Stipulated Surrender of  
27 Approval to Operate and Order may not be altered, amended, modified, supplemented, or  
28

1 otherwise changed except by a writing executed by an authorized representative of each of the  
2 parties.

3 13. In consideration of the foregoing admissions and stipulations, the parties agree that  
4 the Director may, without further notice or formal proceeding, issue and enter the following  
5 Order:

6 **ORDER**

7 IT IS HEREBY ORDERED that Approval to Operate Institution Code No. 65686922,  
8 issued to Respondent Advanced Vocational Institute, is surrendered and accepted by the Director  
9 of the Department of Consumer Affairs.

10 1. The surrender of Respondent's Approval to Operate and the acceptance of the  
11 surrendered approval by the Director shall constitute the imposition of discipline against  
12 Respondent. This stipulation constitutes a record of the discipline and shall become a part of  
13 Respondent's approval history with the Bureau.

14 2. Respondent shall lose all rights and privileges as a school in California as of the  
15 effective date of the Director's Decision and Order.

16 3. If Respondent ever files an application for an Approval to Operate in the State of  
17 California, the Bureau shall treat it as a new application. Respondent must comply with all the  
18 laws, regulations and procedures for the approval in effect at the time the application is filed, and  
19 all of the charges and allegations contained in Accusation No. 1002902 shall be deemed to be  
20 true, correct and admitted by Respondent when the Bureau determines whether to grant or deny  
21 the application.

22 4. Respondent shall pay the agency its costs of investigation and enforcement in the  
23 amount of \$11,923.32 prior to issuance of a new Approval to Operate.

24 5. Respondent shall provide a school closure plan within 30 days of the effective date of  
25 the surrender.

26 6. Respondent shall provide the Bureau with the name of the school's Custodian of  
27 Records responsible for student records.

28



1 7. Respondent shall provide the Bureau with a student roster containing the contact,  
2 mailing, program, and payment information for students who attended Respondent school within  
3 the last 120 days, if applicable.

4 8. Respondent shall provide the Bureau with evidence of refunds provided to current  
5 enrolled students or financial aid, if applicable, per California Education Code section 94927.

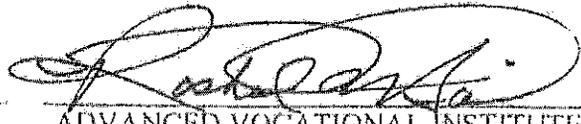
6 9. Acceptance of the Stipulated Surrender of the Approval to Operate does not preclude  
7 the filing of civil claims against Respondent arising from the allegations in the Accusation.

8 ACCEPTANCE

9 I have carefully read the Stipulated Surrender of Approval to Operate and Order. I  
10 understand the stipulation and the effect it will have on the Approval to Operate. I enter into this  
11 Stipulated Surrender of Approval to Operate and Order voluntarily, knowingly, and intelligently,  
12 and agree to be bound by the Decision and Order of the Director of the Department of Consumer  
13 Affairs.

14  
15 DATED:

2/22/2020



ADVANCED VOCATIONAL INSTITUTE;  
RASHAD M. SAID, 50% OWNER  
*Respondent*

16  
17  
18  
19 DATED:

2-22-2020



ADVANCED VOCATIONAL INSTITUTE;  
JOANNE WINTERBERG, 50% OWNER  
*Respondent*

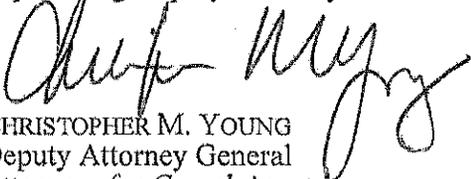
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

ENDORSEMENT

The foregoing Stipulated Surrender of Approval to Operate and Order is hereby respectfully submitted for consideration by the Director of the Department of Consumer Affairs.

DATED: 2/24/2020

Respectfully submitted,  
XAVIER BECERRA  
Attorney General of California  
JOSHUA A. ROOM  
Supervising Deputy Attorney General



CHRISTOPHER M. YOUNG  
Deputy Attorney General  
*Attorneys for Complainant*

OK2019900142  
21725591.docx