



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

To: Centro De Estudio Tecnico Automotriz, Owner
Centro De Estudio Tecnico Automotriz
555 North Glendale Blvd.
Los Angeles, CA 90026

INSTITUTION CODE: 1939551

CITATION NUMBER: 2021275

CITATION ISSUANCE/SERVICE DATE: June 24, 2021

DUE DATE: July 24, 2021

FINE AMOUNT: \$ 3,000.00

ORDER OF ABATEMENT INCLUDED: No

Christina Villanueva issues this Citation: Assessment of Fine and Order of Abatement (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 Centro De Estudio Tecnico Automotriz, Owner of Centro De Estudio Tecnico Automotriz(Institution) located at 555 North Glendale Blvd., Los Angeles, CA 90026, 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 February 17, 2021, Bureau staff conducted an unannounced Compliance inspection at the Institution. Bureau staff reviewed student files and found potential material violations related to supporting documentation to substantiate the data reported on the Institution's Student Tuition Recovery Fund (STRF) Assessment Reporting Forms, supporting documentation to substantiate the data reported on the School Performance Fact Sheet (SPFS), and student files.

In addition, the Institution was unable to clear twenty minor violations before the end of the inspection. The Institution was issued Notice to Comply #CU 1929551 0221 (NTC). The Institution was given thirty days from the date of the inspection to either remedy all violations listed in the NTC or submit a written Notice of Disagreement. A Notice of Disagreement was not received, and the Institution was only able to clear seventeen of the twenty violations within thirty days.

VIOLATION(S)

| # | 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. |
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| 1. | <p><u>Violation:</u> 5, CCR Section 76140 (a)(1-13)(b) – Record Keeping Requirements <i>“(a) A qualifying institution shall collect and maintain records of student information to substantiate the data reported on the STRF Assessment Reporting Form and records of the students' eligibility under the Fund. Such records shall include the following for each student: (1) Student identification number, (2) First and last names, (3) Email address, (4) Local or mailing address, (5) Address at the time of enrollment, (6) Home address, (7) Date enrollment agreement signed, (8) Courses and course costs, (9) Amount of STRF assessment collected, (10) Quarter in which the STRF assessment was remitted to the Bureau, (11) Third-party payer identifying information, (12) Total institutional charges charged, and (13) Total institutional charges paid. (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.”</i></p> <p>During the Inspection, Bureau reviewed the supporting documentation to substantiate the data reported on the 4th Quarter of 2020 STRF Assessment Reporting Form. Bureau staff reviewed the spreadsheet provided by Institution staff and found that the spreadsheet did not contain information for all of the data points. Institution staff stated that they were not tracking data for all of the required data points.</p> <p><u>Order of Abatement:</u> The Bureau orders the Institution to submit a written policy, or procedure, of how future compliance with 5, CCR Section 76140 will be maintained.</p> <p><u>Assessment of Fine</u> The fine for this violation is <u>\$1,000.00</u></p> |
| 2. | <p><u>Violation:</u> 5, CCR Section 74112(m)(1-9) – Uniform Data – Annual Report, Performance Fact Sheet <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></p> <p>During the Inspection, Bureau staff requested supporting documentation to substantiate the data reported on the 2018-2019 SPFS. Institution staff stated that the Institution completed its reporting of the SPFS by reviewing each student file and marking the data by hand, therefore the Institution</p> |

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| | <p>did not maintain the documentation in an electronic format that could be provided to Bureau staff upon request.</p> <p>Order of Abatement: The Bureau orders the Institution to submit the supporting documentation to substantiate the data reported on the 2018-2019 SPFS. In addition, the Bureau orders the Institution to submit a written policy, or procedure of how future compliance will be maintained per 5, CCR Section 74112.</p> <p>Assessment of Fine The fine for this violation is <u>\$1,000.00</u></p> |
| 3. | <p>Violation: CEC Section 94902(b)(1) – General Enrollment Requirements <i>“(b) An enrollment agreement is not enforceable unless all of the following requirements are met: (1) The student has received the institution’s catalog and School Performance Fact Sheet prior to signing the enrollment agreement.”</i></p> <p>During the Inspection, Bureau staff reviewed current, graduated, and withdrawn student files and found that student files included SPFS from calendar years 2010 and 2011 which were not the most recent version of SPFS for the calendar years the students were enrolled. Institution staff confirmed that students were required to review and sign the SPFS for calendar years 2010 and 2011 prior to enrollment and not the current SPFS.</p> <p>Order of Abatement: The Bureau orders the Institution to submit a written policy, or procedure of how future compliance will be maintained with CEC Section 94902.</p> <p>Assessment of Fine The fine for this violation is <u>\$1,000.00</u></p> |
| TOTAL ADMINISTRATIVE FINE DUE: \$3,000.00 | |

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 **\$3,000.00** for the violations described above. **Payment must be made, to the Bureau, within 30 days from the date of service of the Citation.**

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 **July 24, 2021**, 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 **June 24, 2021**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **July 24, 2021**. 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:

Gabriella Perez, 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 Gabriella Perez, Citation Analyst, at (916) 574-8969 or Gabriella.Perez@dca.ca.gov.

“Original signature on file”

“6/24/2021”

Christina Villanueva
Discipline Manager

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