



CITATION ORDER

<p>Citation Issued To: The Montessori Institute of San Diego 8660 Gilman Drive La Jolla, CA 92037</p> <p>Institution Code: 3709731</p>	<p>Citation Number: 24250164</p>
	<p>Total Fine Amount: \$6,003.00</p>
	<p>Order of Abatement Included: Yes</p>

Elizabeth Elias issues this citation in her official capacity as Deputy Bureau Chief of Enforcement at the Bureau for Private Postsecondary Education, California Department of Consumer Affairs (hereinafter referred to as the “Bureau”).

LICENSING HISTORY

1. On or about December 22, 2023, the Bureau renewed an Approval to Operate an Accredited Private Postsecondary Institution, Institution Code 3709731, to The Montessori Institute of San Diego hereinafter referred to as the “Institution”. This Approval to Operate will expire on or about June 29, 2029, unless renewed.

DISCIPLINE HISTORY

2. The Institution has no prior discipline history.

CITATION JURISDICTION

3. This administrative citation is issued to the Institution pursuant to California Education Code (CEC) section 94936; and Title 5 of the California Code of Regulations (5 CCR) section 75020 et seq. for the violation(s) described below.

CAUSE FOR CITATION & ASSESSMENT OF FINE AND/OR ORDER OF ABATEMENT

4. The Institution is in violation of the following Bureau laws and regulations:

Violation #1:

CEC 94900 – Required Student Records, 5 CCR 71920 – Student Records and 5 CCR 71930(e) – Maintenance of Records

Cause for Citation: On or about January 16, 2024, the Bureau conducted an unannounced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff requested to review three dropped/withdrawn student records. The Institution was unable to provide one of the requested dropped/withdrawn student files for inspection.

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class B” violation. The Institution is issued a fine of \$1,001.00.

Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to ensure all student records follow the law pursuant to CEC 94900 and 5 CCR sections 71920 and 71930. The Institution must submit a statement of attestation they have corrected the violation and ensured that all student records contain refund information. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Violation #2:

5 CCR section 74112(m)(1-9) – Uniform Data – Annual Report, Performance Fact Sheet and 5 CCR section 71930(e) – Maintenance of Records

Cause for Citation: On or about January 16, 2024, the Bureau conducted an unannounced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff requested documentation supporting all data reported on the Institutions 2021/2022 School Performance Fact Sheet (SPFS). Bureau staff found that the Institution failed to collect the required data pursuant to 5 CCR section 74112 and therefore was unable to make the documentation immediately available for inspection.

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class A” violation. The Institution is issued a fine of \$2,501.00.

Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to correct the violation by providing an electronic copy of the template used by the Institution to document supporting data for SPFS, for the Bureau to verify the Institution is collecting the required data points pursuant to 5 CCR section 74112.

In addition, the Institution must submit a statement of attestation they have corrected the violation and will ensure that the supporting data for SPFS is maintained and immediately available during an inspection. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Violation #3:

CEC section 94896(a) and (b) - Substantive Change for Institution’s Approved by Means of Accreditation and 5 CCR section 71600 - Application for Significant Change in Method of Instructional Delivery

Cause for Citation: On or about January 16, 2024, the Bureau conducted an unannounced compliance inspection pursuant to CEC section 94932.5(a). During the inspection, it was determined that the Institution was offering distance education prior to notifying the Bureau of the substantive change. An incomplete Application for Change in Method of Instructional Delivery was received on March 5, 2024, and is pending review. The Institution failed to include approval documentation from their accreditor for the Significant Change in Method of Instructional Delivery pursuant to 5 CCR 5 section 71600.

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class A” violation. The Institution is issued a fine of \$2,501.00.

Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

The Bureau orders the Institution to submit a statement of attestation they agree to notify the Bureau of any future substantive changes in accordance with 5 CCR section 71600 and CEC 94896. The statement of attestation must be signed and dated by an authorized representative of the Institution.

COMPLIANCE WITH ORDER OF ABATEMENT

5. In accordance with the provisions of CEC section 94936 and 5 CCR section 75020, the Bureau issues the order(s) of abatement described above. Evidence of compliance with the order of abatement must be submitted to the Bureau within 30 days from the date of issuance of this citation. Evidence of compliance with the order of abatement may be sent by mail or email to:
- Mail: Bureau for Private Postsecondary Education
Attn: Discipline Unit – Nicole Pedersen
1747 North Market, Blvd., Suite 225
Sacramento, CA 95834
 - Email: bppe.discipline@dca.ca.gov
 - In the subject line, please include the Institution name and citation number.

COMPLIANCE WITH ASSESSMENT OF FINE

6. In accordance with the provisions of CEC section 94936, and 5 CCR sections 75020 and 75030, the Bureau hereby orders this assessment of fines in the total amount of \$6,003.00 for the violations described above. Payment of the fines must be made to the Bureau within 30 days from the date of service of this citation unless an informal conference or hearing is requested. To assist the Bureau in processing the payment of fines, please submit the enclosed *Payment of Fine – Waiver of Appeal* form.

Payment must be sent to the Bureau by mail at:

- Bureau for Private Postsecondary Education
Attn: Discipline Unit – Nicole Pedersen
1747 North Market, Blvd., Suite 225
Sacramento, CA 95834

NOTICE OF APPEAL RIGHTS

7. You have the right to contest this citation through an informal conference with the Bureau pursuant to 5 CCR section 75020 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 may submit a written request to the Bureau or submit the enclosed *Notice of Appeal of Citation – Request for Informal Conference and/or Administrative Hearing* form within 30 days from the date of issuance of this citation.

Failure to submit a written request for an informal conference and/or administrative hearing within 30 days from the date of issuance of this citation will forfeit your ability to appeal the citation.

If a hearing is requested, you are not required to comply with this citation until a final order is entered against you.

COMPLIANCE WITH FINE AND/OR ORDER OR ABATEMENT DISCLOSURE

8. Pursuant to BPC section 125.9 and 5 CCR section 75050, payment of fine and/or compliance with any order of abatement does not constitute an admission of the violation charged and shall be represented as satisfactory resolution of the matter for the purposes of public disclosure.

Pursuant to 5 CCR section 75050, failure to comply with this citation order, its order of abatement, and/or administrative fine by the required due date is grounds for denial or discipline of an approval to operate. Where a citation is not contested and fine is not paid, the full amount of the assessed fine shall be added to the fee for renewal of the approval to operate. An approval to operate shall not be renewed without payment of the renewal fee and fine.

BUREAU CONTACT INFORMATION

9. If you have any questions regarding this Citation, please contact Nicole Pedersen, Citation Analyst by email at Nicole.Pedersen@dca.ca.gov or by phone at (916) 232-0510.

Citation Number: 24250164
Institution: The Montessori Institute of San Diego
Institution Code: 3709731

“Original Signature on File”

12/30/2024

Elizabeth Elias
Deputy Bureau Chief of Enforcement

Citation Date of Issuance

Enclosures:

- 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