

BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR

DEPARTMENT OF CONSUMER AFFAIRS • BUREAU FOR PRIVATE POSTSECONDARY EDUCATION

1747 N. Market Blvd., Suite 225, Sacramento, CA 95834

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# **CITATION ORDER**

Citation Issued To:	Citation Number:
C. R. England, Inc. DBA Premier Truck Driving School	24250149
2250 S. Riverside Avenue	
Colton, CA 92324	Total Fine Amount:
	\$7,500.00
	Order of Abatement
Institution Code:	Included: Yes
3303871	moidaed. 103

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

 On or about December 20, 2023, the Bureau renewed an Approval to Operate a Private Postsecondary Institution, Institution Code 3303871, to C. R. England, Inc. DBA Premier Truck Driving School (hereinafter referred to as the "Institution"). This Approval to Operate will expire on or about December 19, 2028, unless renewed.

### **DISCIPLINE HISTORY**

- 2. The Institution has the following discipline history:
  - Modified Citation No. 1920027, issued August 30, 2019
    - Evidence of compliance; citation satisfied September 20, 2019
  - Modified Citation No. 2021127 issued on January 28, 2021
    - o Evidence of compliance; citation satisfied March 10, 2021
  - Citation No. 24250034, issued on August 5, 2024
    - o Evidence of compliance; citation satisfied October 7, 2024
  - Citation No. 24250095, issued on October 3, 2024
    - Evidence of compliance; citation satisfied November 8, 2024

## 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

Institution: C. R. England, Inc. DBA Premier Truck Driving School

Institution Code: 3303871

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 section 94897(j) – Prohibited Business Practices

**Cause for Citation** On or about October 25, 2023, the Bureau conducted an announced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff requested documentation supporting all data reported on the Institutions 2019/2020 and 2020/2021 School Performance Fact Sheets (SPFS). Bureau staff identified the backup documentation is inconsistent with the data reported on the Institutions 2020/2021 SPFS.

The Institution's 2020 SPFS listed 1,311 graduates available for employment and 1,266 graduates employed in the field for the Professional Truck Driving Program. However, the 2020 SPFS supporting data only showed 881 graduates employed in the field.

Additionally, the Institutions 2021 SPFS listed 1,217 graduates available for employment and 1,176 graduates employed in the field for the Professional Truck Driving Program. However, the 2021 SPFS supporting data only showed 1,093 graduates employed in the field.

**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 \$5,000.00.

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

The Institution must submit a statement of attestation they have corrected the violation and will ensure that the Institution accurately reports information on its SPFS consistent with its backup documentation. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Institution: C. R. England, Inc. DBA Premier Truck Driving School

Institution Code: 3303871

#### Violation #2:

CEC section 94935(b) – Notice to Comply and 5 CCR section 75010(h) - Notice to Comply; Informal Appeal Process

**Cause for Citation** On or about October 25, 2023, the Bureau conducted an announced compliance inspection pursuant to CEC section 94932.5(a). At the conclusion of the inspection, Bureau staff issued a Notice to Comply for the following violations:

- CEC section 94909(a)(3)(A) Minimum Requirements for School Catalog
- CEC section 94909(a)(8)(B) in conjunction with CEC Section 94920(d)
   Minimum Requirements for School Catalog and Mandatory
   Cancellation, Withdrawal, and Refund Policies
- CEC section 94909(a)(9) Minimum Requirements for School Catalog
- CEC Section 94913(a)(4) Institutional Web Site Requirements
- CEC section 94913(a)(5) in conjunction with 5 CCR section 74112 (e)(2) Institutional Web Site Requirements and Uniform Data – Annual Report, Performance Fact Sheet
- 5 CCR section 71800(c) Enrollment Agreement
- 5 CCR section 71810(b)(1) Catalog
- 5 CCR section 76215(b) Student Tuition Recovery Fund Disclosures

The Institution failed to remedy the noncompliance as noted in the Notice to Comply within 30 days.

**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 \$2,500.00.

Institution: C. R. England, Inc. DBA Premier Truck Driving School

Institution Code: 3303871

**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 violations identified in the Notice to Comply and submit proof of compliance pursuant to CEC section 94935.

#### 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 – Tessa Barron 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 \$7,500.00 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 – Tessa Barron 1747 North Market, Blvd., Suite 225 Sacramento, CA 95834

**NOTICE OF APPEAL RIGHTS** 

Institution: C. R. England, Inc. DBA Premier Truck Driving School

Institution Code: 3303871

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, the Bureau must receive a written request within 30 days from the date of issuance of this citation asking for an informal conference and/or administrative hearing or you may also submit the enclosed Notice of Appeal of Citation – Request for Informal Conference and/or Administrative Hearing form.

The written request may be sent by email or mail to the addresses below:

- Mail: Bureau for Private Postsecondary Education Attn: Discipline Unit – Tessa Barron 1747 North Market, Blvd., Suite 225 Sacramento, CA 95834
- Email: <u>bppe.discipline@dca.ca.gov</u>
  - In the subject line, please include the Institution name and citation number.

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

Institution: C. R. England, Inc. DBA Premier Truck Driving School

Institution Code: 3303871

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 Tessa Barron, Citation Analyst by email at <a href="mailto:Tessa.Barron@dca.ca.gov">Tessa.Barron@dca.ca.gov</a> or by phone at (916) 574-7791

"Original Signature on File"	2/25/2025
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