



CITATION ORDER

Citation Issued To: Fountainhead Montessori Adult Education 6690 Amador Plaza Road, Suite 225 Dublin, CA 94568 Institution Code: 0703141	Citation Number: 24250282
	Total Fine Amount: \$13,506.00
	Order of Abatement Included: Yes

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 January 21, 2025, the Bureau renewed an Approval to Operate an Accredited Private Postsecondary Institution, Institution Code 0703141, to Fountainhead Montessori Adult Education hereinafter referred to as the "Institution". This Approval to Operate will expire on or about November 1, 2031, 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:

5 CCR section 76140 - Record-Keeping Requirements and 5 CCR section 71930(e) – Maintenance of Records

Cause for Citation: On or about March 4, 2024, the Bureau conducted an announced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff requested the Institution's Student Tuition Recovery Fund (STRF) substantiating data for the 3rd and 4th quarter reporting period of 2023. By the end of the inspection, the Institution was not able to provide the required STRF supporting documents pursuant to 5 CCR section 76140.

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 correct the violation by providing an electronic copy of the template used by the Institution to document its STRF substantiating documentation, for the Bureau to verify the Institution is collecting the required data points pursuant to 5 CCR section 76140.

In addition, The Institution must submit a statement of attestation they have corrected the violation and will ensure that the substantiating data for STRF is maintained accurately in an electronic format and readily available to a Bureau representative upon request pursuant to 5 CCR section 76140 and 71930. 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, 5 CCR section 71930(e) – Maintenance of Records and CEC section 94929.7(a)(1) and (a)(2) – Documentation of Performance Data

Citation Number: 24250282

Institution: Fountainhead Montessori Adult Education

Institution Code: 0703141

Cause for Citation: On or about March 4, 2024, 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 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:

5 CCR section 71920(b)(1)(A) - Student Records and 5 CCR section 71930(e) – Maintenance of Records

Cause for Citation: On or about March 4, 2024, the Bureau conducted an announced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff reviewed six student files and found that one student file reviewed failed to contain verification of high school completion or equivalency or other documentation establishing the student's ability to do college level work, a requirement of their admissions policy.

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 that they will maintain required student records pursuant to 5 CCR section 71920 and 71930. The statement of attestation must be signed and dated by an authorized representative of the Institution.

Violation #4:
CEC section 94897(u) – Prohibited Business Practices

Cause for Citation: On or about March 4, 2024, the Bureau conducted an announced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff reviewed six student files and found that the Institution failed to adhere to its own admissions policy requiring proof of either a college degree, high school diploma, or GED, as stated in the School Catalog. Bureau staff found that one student file reviewed failed to contain verification of high school completion, equivalency or other documentation establishing the student’s ability to do college level work.

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 that they will follow their admissions policy pursuant to CEC 94897. The statement of attestation must be signed and dated by an authorized representative of the Institution.

Violation #5:

CEC section 94902(b)(3) – General Enrollment Requirements, 5 CCR section 71920(b)(3) – Student Records, 5 CCR section 71930(a) and (e) – Maintenance of Records and CEC section 94900.5(c) – Required Institutional Records

Cause for Citation: On or about March 4, 2024, the Bureau conducted an announced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff reviewed six student files and found that all student files reviewed failed to contain a School Performance Fact Sheet (SPFS), which is a required institutional record.

As a result, the Bureau concluded the institution failed to properly enroll the students as there were no records to confirm the institution and student signed, initialed, and dated the SPFS, a general enrollment requirement.

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 ensure all student records are maintained pursuant to 5 CCR section 71920, 71930 and CEC section 94900.5. The Institution must submit a statement of attestation that they have corrected the violation and will ensure that all SPFS's are signed and dated prior to the execution of the enrollment agreement pursuant to CEC section 94902(b)(3), and a copy is maintained within the file. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Violation #6:

CEC section 94893 – Authorization Required for Substantive Change and CEC section 94894(a) – Substantive Change Defined

Cause for Citation: On or about March 4, 2024, the Bureau conducted an announced compliance inspection pursuant to CEC section 94932.5(a). During the inspection, the Bureau determined that the Institution is offering two unapproved programs to the public - Montessori Early Childhood Teacher Assistant Certificate and Montessori Infant/Toddler Teacher Assistant Certificate - without Bureau approval.

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 cease offering Montessori Early Childhood Teacher Assistant Certificate and Montessori Infant/Toddler Teacher Assistant Certificate programs. The Institution shall submit a statement of attestation it has ceased to offer and advertise the Montessori Early Childhood Teacher Assistant Certificate and Montessori Infant/Toddler Teacher Assistant Certificate programs and the date it ceased operating. The statement of attestation must be dated and signed 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 \$13,506.00 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, 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 – 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.

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.

“Original Signature on File”

4/23/2025

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