



CITATION ORDER

Citation Issued To: East Valley College 11081 Cherry Avenue Fontana, CA 92337 Institution Code: 90285787	Citation Number: 24250279
	Total Fine Amount: \$15,504.00
	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 September 17, 2018, the Bureau renewed an Approval to Operate a Private Postsecondary Institution, Institution Code 90285787, to East Valley College, hereinafter referred to as the "Institution." This Approval to Operate expired on or about September 17, 2023, and is pending renewal. An application for renewal of the Institution's Approval to Operate a Private Postsecondary Institution was received on September 18, 2023, and is under review.

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

Cause for Citation On or about June 28, 2024, 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 94913(a)(4); (a)(5) – Institutional Web Site Requirements
- 5 CCR section 71760 - Self-Monitoring Procedures

The Institution failed 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.

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.

Violation #2:

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

Cause for Citation: On or about June 28, 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 4th quarter reporting period of 2023 and the 1st quarter reporting period of 2024. The Institution was unable to provide the required STRF supporting documents upon request 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 in an electronic format and readily available to a Bureau representative upon request per 5 CCR 76140. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Violation #3:

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 June 28, 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 #4:

CEC 94900.5(b) – Required Institutional Records and 5 CCR section 71930(a) and (e) – Maintenance of Records

Cause for Citation: On or about June 28, 2024, the Bureau conducted an announced compliance inspection pursuant to CEC 94932.5(a). Bureau staff reviewed faculty records and determined that that the Institution did not maintain faculty records regarding continuing education (CE) courses in the subject area, classroom management or other courses related to teaching.

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a "Class C" violation. The Institution is issued a fine of \$1,000.00.

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 faculty records follow the law pursuant to CEC 94900.5(b) and 5 CCR section 71930(a) and (e). The Institution must submit a statement of attestation they have corrected the violation and ensured that all faculty records are compliant with the law. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Violation #5:

5 CCR Section 71770(a)(1) – Admission Standards and Transferred Credits Policy

Cause for Citation: On or about June 28, 2024, the Bureau conducted an announced compliance inspection pursuant to CEC section 94932.5 (a). Bureau staff reviewed three current, three graduated, and three withdrawn/dropped student files. The Institution failed to maintain admissions documentation (i.e., high school diploma or its equivalent, or otherwise meet the institution's criteria for a qualified candidate for admission, including minimum levels of prior education, preparation, skills, or training) indicating the student had a reasonable prospect of completing the program.

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 have corrected the violation and will maintain admissions documentation pursuant to 5 CCR section 71770. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Violation #6:

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

Cause for Citation: On or about June 28, 2024, the Bureau conducted an announced compliance inspection pursuant to CEC section 94932.5 (a). Bureau staff reviewed three current, three graduated, and three withdrawn/dropped student files. Bureau staff determined that none of the files reviewed contained a signed School Performance Fact Sheet (SPFS), a general enrollment requirement. The Institution stated that they were unaware of the requirement.

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 are maintained pursuant to 5 CCR sections 71920, 71930 and CEC sections 94900.5 and 94902. The Institution must submit a statement of attestation that they have corrected the violation and will ensure that all student records contain signed and dated SPFS prior to the execution of the enrollment agreement. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Violation #7:

5 CCR section 74110 – Annual Report and CEC section 94934 – Annual Report

Cause for Citation: A review of the Bureau's records confirm the Institution failed to submit a 2023 Annual Report. The report was due to the Bureau by December 1, 2024.

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 Bureau orders the Institution to submit the 2023 Annual Report pursuant to 5 CCR section 74110 and CEC section 94934.

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 – Aspen Grambusch
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 \$15,504.00 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 – Aspen Grambusch
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 – Aspen Grambusch
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 Aspen Grambusch, Citation Analyst by email at Aspen.Grambusch@dca.ca.gov or by phone at (279) 895-6005.

Citation Number: 24250279
Institution: East Valley College
Institution Code: 90285787

"Original Signature on File"

5/13/2025

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