



## CITATION ORDER

<b>Citation Issued To:</b> Divina Cosmetology & Barbering Academy 1011 Mason Street, Units 5 & 6 Vacaville, CA 95688  <b>Institution Code:</b> 78865145	<b>Citation Number:</b> 24250310
	<b>Total Fine Amount:</b> <b>\$26,010.00</b>
	<b>Order of Abatement Included:</b> 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

- On or about March 18, 2020, the Bureau issued an Approval to Operate a Private Postsecondary Institution, Institution Code 78865145, to Divina Cosmetology & Barbering Academy hereinafter referred to as the "Institution". This Approval to Operate expired on or about March 18, 2025. An application for renewal of the Institution's Approval to Operate a Private Postsecondary Institution was received on March 17, 2025, and is under review.

### DISCIPLINE HISTORY

- The Institution has the following discipline history:
  - [Citation No. 2021144, issued on November 12, 2020](#)
    - Evidence of compliance; citation satisfied May 5, 2021
  - [Citation No. 2122062, issued on September 20, 2021](#)
    - Evidence of compliance; citation satisfied June 14, 2022
  - [Modified Citation No. 2122146, issued on September 16, 2022](#)
    - Evidence of compliance; citation satisfied April 4, 2024
  - [Modified Settlement of Citation 2223106, issued on January 10, 2024](#)
    - Evidence of compliance; citation satisfied June 25, 2024

### CITATION JURISDICTION

- This administrative citation is issued to the Institution pursuant to California Education Code (CEC) section 94936; and Title 5 of the California Code of

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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 71770(a)(1) – Admission Standards and Transferred Credits Policy, 5 CCR section 71920(b)(1)(A) – Student Records and 5 CCR section 71930(e) – Maintenance of Records**

**Cause for Citation:** On or about June 13, 2024, the Bureau conducted an unannounced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff inspected a random sampling of current, graduated, and withdrawn student records. Bureau staff found that the Institution failed to follow their admission policy requiring a high school diploma for admission as three student files failed to contain a high school diploma.

**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 written policy, or procedure, of how the Institution will maintain future compliance with 5, CCR sections 71770, 71920, and 71930.

**Violation #2:**

**CEC section 94902(a) – General Enrollment Requirements and 5 CCR section 71920(b)(3) – Student Records**

**Cause for Citation:** On or about June 13, 2024, the Bureau conducted an unannounced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff inspected a random sampling of current, graduated, and withdrawn student records. Bureau staff identified three student files contained enrollment agreements that were not fully executed. The enrollment agreements did not contain a signature of an authorized employee of the institution and/or student, a general enrollment requirement.

Additionally, one of the graduated student files reviewed only contained the first page of the enrollment agreement, and not the fully executed enrollment agreement.

**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 ensure all student records follow the law pursuant to CEC section 94902 and 5 CCR section 71920. The Institution must submit a statement of attestation that they have corrected the violation and will ensure that all student records contain signed enrollment agreements. The statement of attestation must be signed and dated by an authorized representative of the Institution.

**Violation #3:**

**CEC section 94902(b)(1) and (b)(3) – General Enrollment Requirements and CEC section 94912 – Signature, Initials Required**

**Cause for Citation:** On or about June 13, 2024, the Bureau conducted an unannounced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff inspected a random sampling of current, graduated, and withdrawn student records. Bureau staff identified four student files contained a School Performance Fact Sheet (SPFS) that were not signed by both the institution and student.

**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 sections 94902 and 94912. 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. The statement of attestation must be dated and signed by an authorized representative of the Institution.

**Violation #4:**

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

**Cause for Citation:** On or about June 13, 2024, the Bureau conducted an unannounced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff inspected a random sampling of current, graduated, and withdrawn student records. Bureau staff identified two student files did not 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.

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**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 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 #5:**

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

**Cause for Citation:** On or about June 13, 2024, the Bureau conducted an unannounced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff requested a random sampling of three current, three graduated, and three withdrawn students. The Institution failed to provide student records for two withdrawn students.

**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 will maintain required student records pursuant to CEC section 94900 and 5 CCR sections 71920 and 71930. The statement of attestation must be signed and dated by an authorized representative of the Institution.

**Violation #6:**

**5 CCR section 71920(b)(10) – Student Records and CCR, 5 CCR section 71930 (a) – Maintenance of Records**

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**Cause for Citation:** On or about June 13, 2024, the Bureau conducted an unannounced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff reviewed one withdrawn student file and found that it failed to include a refund document consistent with 5 CCR section 71920(b)(10).

**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 submit a statement of attestation that they will maintain required student records pursuant to CEC sections 94900 and 5 CCR section 71920. The statement of attestation must be signed and dated by an authorized representative of the Institution.

**Violation #7:**

**5 CCR section 71720(b)(1) and (2) – Faculty, 5 CCR section 71930(e) – Maintenance of Records and CEC section 94900.5(b) – Required Institutional Records**

**Cause for Citation:** On or about June 13, 2024, the Bureau conducted an unannounced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff reviewed three faculty files and found that the Institution did not provide any faculty records that verify faculty possess a minimum three years' experience and completing 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 B" 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 faculty records follow the law pursuant to 5 CCR sections 71720, 71930 and CEC section 94900.5. The Institution must submit a statement of attestation they have corrected the violation and ensured that all faculty records are in compliance with the law. The statement of attestation must be dated and signed by an authorized representative of the Institution.

**Violation #8:**

**5 CCR section 71730(e)(f) - Administration and 5 CCR section 71930(e) – Maintenance of Records and CEC section 94900.5 (b) Required Institutional Records**

**Cause for Citation:** On or about June 13, 2024, the Bureau conducted an unannounced compliance inspection pursuant to CEC section 94932.5(a). The Bureau was unable to determine whether the Institution's Chief Academic Officer (CAO) possesses a degree or equivalent experience equal to the highest qualifications required of the institution's faculty, or whether the CAO has the expertise necessary to ensure the achievement of the institution's mission and objectives, due to the Institution's failure to provide the CAO's faculty records for review.

**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 faculty records follow the law pursuant to 5 CCR sections 71730. The Institution must submit a statement of attestation they have corrected the violation and ensured that all faculty records are in compliance with the law. The statement of attestation must be dated and signed by an authorized representative of the Institution.

**Violation #9:**

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

**Cause for Citation:** On or about June 13, 2024, the Bureau conducted an unannounced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff requested to review the Institution's supporting documentation to substantiate the data reported on the Institution's Student Tuition Recovery Fund (STRF) form for the 4<sup>th</sup> quarter reporting period of 2023 and the 1<sup>st</sup> quarter reporting period of 2024. The Bureau determined that the Institution failed to collect student information to substantiate the data reported on the Institutions STRF Assessment Reporting Forms and records of the students' eligibility under the Fund.

**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 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 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 #10:**

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

**Cause for Citation:** On or about June 13, 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



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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 #11:**

**5 CCR section 71760 – Self Monitoring Procedures and 5 CCR section 71930(e) – Maintenance of Records**

**Cause for Citation:** On or about June 13, 2024, the Bureau conducted an unannounced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff requested a copy of the Institution's self-monitoring procedures; however, the Institution failed to provide a copy upon request.

**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 \$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 copy of the Institution's self-monitoring procedures pursuant to 5 CCR section 71760.

<b>Violation #12:</b>  <b>CEC section 94935(b) and (h) – Notice to Comply and 5 CCR 75010(h) - Notice to Comply; Informal Appeal Process</b>
<b>Cause for Citation:</b> On or about June 13, 2024, the Bureau conducted an unannounced compliance inspection pursuant to CEC section 94932.5(a). At the conclusion of the inspection, Bureau staff issued a Notice to Comply (NTC) pursuant to CEC section 94935 and 5 CCR section 75010.  The Institution failed remedy the following noncompliance as noted in the Notice to Comply within 30 days: <ul style="list-style-type: none"><li>• 5 CCR section 76215(a) and (b) – Student Tuition Recovery Fund Disclosures</li></ul>
<b>Administrative Fine:</b> 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.
<b>Order of Abatement:</b> 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 and 5 CCR section 75010.

### 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](mailto: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 \$26,010.00 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](mailto: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](mailto:Nicole.Pedersen@dca.ca.gov) or by phone at (916) 232-0510.

“Original Signature on File”

6/20/2025

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Elizabeth Elias  
Deputy Bureau Chief of Enforcement

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Citation Date of Issuance

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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