



Bureau for Private Postsecondary Education
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CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT

February 24, 2016

Supron Mukomla, Owner
 The School for Traditional Thai Massage
 176 East Blithedale Avenue
 Mill Valley, CA 94941

Date of Issuance	Citation Number	Institution Code
February 24, 2016	1415093	58669740

Supron Mukomla, owner, telephoned the Bureau requesting a payment plan for the administrative fine in the matter of Citation: Assessment of Fine and Order of Abatement No.1415093 (Citation) against Supron Mukomla, owner of The School for Traditional Thai Massage.

Pursuant to Business and Professions Code, §125.9; California Education Code, §94936; and Title 5 of the California Code of Regulations, §75020 and §75040, the Bureau for Private Postsecondary Education (Bureau) renders the following decision relative to your request for a payment plan of the Citation No. 1415093.

It is the decision of the Enforcement Chief that on February 24, 2016, Citation No. 1415093 is **affirmed** for the following reason(s):

- Bureau has not received the 2013 Annual Report and financials.

VIOLATION CODE SECTIONS

#	The California Education Code (CEC) and the California Code of Regulations (CCR). Below you will find the section(s) you are charged with violating.
1.	<p>Violation: 5, CCR 74110 (a-d) – Annual Report <i>“(a) The annual report required by section 94934 of the Code shall include the information required by section 94934 for all educational programs offered in the prior calendar year. (b) In addition to the information required by section 94934 provided under penalty of perjury, the institution shall have annual financial statements prepared for the institution’s prior fiscal year and signed under penalty of perjury, and shall submit a hard copy under separate cover of such statements in conjunction with its annual report. The form, content and mode of preparation of financial statements shall comply with section 74115 of this Division. The Bureau may request that the institution immediately make available for inspection to a representative of the Bureau, these financial statements at the offices of the institution. (c) An institution shall file its annual report by September 1st. The Bureau may extend the period for filing if the institution demonstrates evidence of substantial need but in no case longer than 60</i></p>

days. The institution shall not change the date of its filing its annual report because of a change in the fiscal year without the Bureau's approval. (d) The annual report shall be electronically filed by submitting the information required by section 94934 of the Code via the Bureau's website, electronically attaching, as directed, the School Performance Fact Sheet and the school catalog. An institution without the capability to submit the information electronically shall inform the Bureau not less than 45 days prior to the date the information is required by subdivision (c), and receive direction on alternative means of submission."

CEC 94934(a)(1-9) - Annual Report

"(a) As part of the compliance program, an institution shall submit an annual report to the bureau, under penalty of perjury, signed by a responsible corporate officer, by July 1 of each year, or another date designated by the bureau, and it shall include the following information for educational programs offered in the reporting period:

- (1) The total number of students enrolled by level of degree or for a diploma.*
- (2) The number of degrees, by level, and diplomas awarded.*
- (3) The degree levels and diplomas offered.*
- (4) The Student Performance Fact Sheet, as required pursuant to Section 94910.*
- (5) The school catalog, as required pursuant to Section 94909.*
- (6) The total charges for each educational program by period of attendance. (7) A statement indicating whether the institution is, or is not, current in remitting Student Tuition Recovery Fund assessments.*
- (8) A statement indicating whether an accrediting agency has taken any final disciplinary action against the institution.*
- (9) Additional information deemed by the bureau to be reasonably required to ascertain compliance with this chapter."*

On 4/7/14, the Bureau mailed a letter to the institution stating that the 2013 Annual Report must be submitted beginning 7/1/14 and no later than 9/1/14. On 11/4/14, the Bureau mailed a second letter to the institution stating that the Bureau had not received the required 2013 Annual Report by the 9/1/14 deadline. To date, the institution has failed to file its 2013 Annual Report.

Order of Abatement:

The Bureau orders the institution to submit its annual report in accordance with 5, CCR 74110 (a-d) and CEC 94934. The option to submit the annual report via the Bureau website has expired. Please submit a CD or flash drive* containing the annual report with the required information.

Assessment of Fine

The fine for this violation is \$5,000.00

*No paper copies will be accepted, except the financial statements and disciplinary actions by accrediting agencies.

TOTAL ADMINISTRATIVE FINE DUE: \$5,000.00

ORDER OF ABATEMENT

In accordance with the provisions of 5, CCR 75020 the bureau hereby issues the order(s) of abatement described above.

This citation carries an administrative fine of \$5,000.00. **Respondent shall pay the Bureau \$5,000.00 in 2 monthly payments of \$2,500.00.** All payments must be received by the Bureau no later than the 5th day of each month. The first payment is due to the Bureau no later than March 5, 2016. The last payment is to be completed no later than April 5, 2016. Payment of the fine shall not constitute admission of the violation(s) charged.

ASSESSMENT OF FINE

In accordance with CEC Section 94944; and 5, CCR Section 75020 (b) the Bureau hereby issues this assessment of fine in the amount of 5,000.00 for the violation(s) described above. Monthly payments in the amount of \$2,500.00 are due and payable to the Bureau no later than the 5th of each month for 2 months. **The first payment is due no later than March 5th, 2016.** Payment will be accepted via cashier's check or money order. No personal checks or credit cards are accepted.

PAYMENT OF ADMINISTRATIVE FINE

Payment of the administrative fine must be made to the Bureau for Private Postsecondary Education by cashier's check or money order. Please include Citation number on the payment of the fine assessment. Payments shall be mailed to:

Jody Wright, Discipline Citation Program
Bureau for Private Postsecondary Education
2535 Capitol Oaks Drive, Suite 400
Sacramento, CA 95833

Be advised that in accordance with Title 5 of the California Code of Regulations Section 75050, any institution or owner who has failed to abate the violation(s) or failed to pay the fine within the time allowed is grounds for denial or discipline of an approval to operate.

In the event of default in the payment of any of the said installments when due as herein provided, the Bureau will declare the entire sum then unpaid immediately due and payable.

CONTACT INFORMATION

If you have any questions regarding this Citation Fine payment agreement or desire further information, please contact Jody Wright, Citation Analyst, at (916) 431-6940 or at Jody.Wright@dca.ca.gov.

YVETTE JOHNSON
ENFORCEMENT CHIEF

February 24, 2015
Date