



**Bureau for Private Postsecondary Education**  
 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833  
 P.O. Box 980818, West Sacramento, CA 95798-0818  
 P (916) 431-6959 F (916) 263-1897 [www.bppe.ca.gov](http://www.bppe.ca.gov)



**APPEAL OF CITATION**

**INFORMAL CONFERENCE DECISION:**

**CITATION AFFIRMED**

February 19, 2016

Diane Nguyen  
 Santa Ana Beauty College  
 1926 West 17<sup>th</sup> Street  
 Santa Ana, CA 92706

Date of Issuance	Citation Number	Institution Code
December 3, 2015	1516049	46614787

On February 18, 2016, an informal telephone conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. 1516049 (Citation) against Diane Nguyen, owner of Santa Ana Beauty College. In attendance were Yvette Johnson, Enforcement Chief and Diane Nguyen, Owner.

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 appeal of the Citation No. 1516049.

It is the decision of the Enforcement Chief that on February 19, 2016, Citation No. 1516049 is affirmed for the following reason(s):

- No new substantive facts were presented at the conference.

**VIOLATION**

#	The California Education Code (CEC) and the California Code of Regulations (CCR). Below you will find the code section(s) of law you are charged with violating.
1.	<p><b>AFFIRMED</b></p> <p><b>Violation:</b>                      CEC 94893/94894(a)– Authorization Required for Substantive Change/Substantive Change Defined  <i>“If an institution intends to make a substantive change to its approval to operate, the institution shall receive prior authorization from the bureau. Except as provided in subdivision (a) of Section 94896, if the institution makes the substantive change without prior bureau authorization, the institution’s approval to operate may be suspended or revoked.</i>  <i>The following changes to an approval to operate are considered substantive changes and require prior authorization:</i></p>

(a) *A change in educational objectives, including an addition of a new diploma or a degree educational program unrelated to the approved educational programs offered by the institution."*

During the unannounced visit on September 24, 2014, school owner, Diane Nguyen, admitted to Bureau staff that programs are taught in English, Vietnamese and Chinese. Santa Ana Beauty College's 2014 school catalog indicated that classes are taught in English only. The Bureau does not have record of approval to offer instruction in courses taught in Chinese and Vietnamese. Santa Ana Beauty College failed to obtain approval from the Bureau prior to implementing the change.

**Order of Abatement:**

The Bureau orders that the institution obtain approval to offer classes in any other language than English. Cease offering instruction in any other language other than English until the application is received and approved by the Bureau.

**Assessment of Fine**

The fine for this violation is \$1,000.00

**TOTAL ADMINISTRATIVE FINE DUE: \$1,000.00**

ORDER OF ABATEMENT

**The Bureau orders that you comply with the orders described in the 'Violation Code Sections' of this document and submit evidence of compliance within 30 days from the date of this decision.**

PENALTY – ASSESSMENT OF A FINE

**Payment of the administrative fine is due within 30 days from the date of this decision.** Please complete the Payment of Fine form. Payment must be made to the Bureau by check, or money order. Please include the citation number on the payment of the fine assessment. Payment of the administrative fine shall not constitute an admission of the violation(s) charged and shall be represented as satisfactory resolution of the matter for purposes of public disclosure. Payments may be mailed to:

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

APPEAL OF CITATION

You *do not* have the right to request another Informal Conference to appeal this affirmed Citation. You *do*, however, have the right to appeal this affirmed Citation through an Administrative Hearing, *only if* you initially requested one within 30 days from the issuance date of the original citation. If you did not initially request an Administrative Hearing within 30 days from when the original citation was issued, you can no longer request one.

EFFECTIVE DATE OF CITATION AND FINE ASSESSMENT

This affirmed Citation is effective on February 19, 2016. The order of abatement and payment are due by **March 18, 2016**.

Failure to abate the violation or to pay the administrative fine within the time allowed is grounds for denial of an application for an approval to operate or discipline. The Bureau will promptly take all appropriate action to enforce the Affirmed Citation and recover the civil penalties prescribed therein or found to be due after a hearing.

CONTACT INFORMATION

If you have any questions regarding this decision or desire further information, please contact Jody Wright, Citation Analyst, at (916) 431-6940 or at [jody.Wright@dca.ca.gov](mailto:jody.Wright@dca.ca.gov)].

  
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**YVETTE JOHNSON**  
**ENFORCEMENT CHIEF**

February 19, 2016  
**Date**

- Enclosures
- Payment of Fine