



APPEAL OF CITATION INFORMAL CONFERENCE
DECISION: CITATION MODIFIED

December 4, 2019

Ceri Rich-Odeh, Owner
 Transworld Schools
 551 Sutter Street
 San Francisco, CA 94102

Date of Issuance	Citation Number	Institution Code
December 4, 2019	1819227	3805791

On July 24, 2019, an informal telephone conference was held in the matter of Citation: Assessment of Fine and Order of Abatement No. 1819227 (Citation) against Ceri Rich-Odeh, Owner of Transworld Schools (Institution). In attendance were Beth Scott, Enforcement Chief and Ceri Rich-Odeh, Owner.

Pursuant to Business and Professions Code, section 125.9; California Education Code, section 94936; and Title 5 of the California Code of Regulations, section 75020 and section 75040, the Bureau for Private Postsecondary Education (Bureau) renders the following decision relative to your appeal of the Citation No. 1819227.

It is the decision of the Insert Enforcement Chief that on November 26, 2019, Citation No. 1819227 is modified and makes the following change(s):

VIOLATION CODE SECTIONS

#	Below you will find the California Education Code (CEC) and/or Title 5 of the California Code of Regulations (5, CCR code) section(s) of law you are charged with violating.
1.	<p>Violation: 5, CCR Section 74112(a)(b)(m)(1-9) - Uniform Data – Annual Report, Performance Fact Sheet <i>(a) Format. The format for the Performance Fact Sheet shall be in at least 12 pt. type, in an easily readable font, with 1.15 line spacing and all titles and column headings shall be in bold 14 pt. type, which shall also identify the program for which the Performance Fact Sheet pertains. The Performance Fact Sheet shall contain all and only the information required or specifically permitted by sections 94910 and 94929.5 of the Code or this chapter. A separate Performance Fact Sheet shall be prepared for each program.</i> <i>(b) An institution offering educational programs that are too new to provide the required two years of data shall include the date the program began as well as the statement required by section 94910(e) of the Code. The Performance Fact Sheet shall also disclose the estimated date of availability for two full years of data for those programs.</i> <i>“(m) Documentation supporting all data reported shall be maintained electronically by the institution for at least five years from the last time the data was included in either an Annual Report or a Performance Fact Sheet, and shall be provided to the Bureau upon request; and the data for each</i></p>

program shall include at a minimum:

- (1) the list of job classifications determined to be considered gainful employment for the educational program;*
- (2) student name(s), address, phone number, email address, program completed, program start date, scheduled completion date, and actual completion dates;*
- (3) graduate's place of employment and position, date employment began, date employment ended, if applicable, actual salary, hours per week, and the date employment was verified;*
- (4) for each employer from which employment or salary information was obtained, the employer name(s) address and general phone number, the contact person at the employer and the contact's phone number and email address, and all written communication with employer verifying student's employment or salary;*
- (5) for students who become self-employed, all documentation necessary to demonstrate self-employment;*
- (6) a description of all attempts to contact each student. or employer;*
- (7) any and all documentation used to provide data regarding license examinations and examination results;*
- (8) for each student determined to be unavailable for graduation or unavailable for employment, the identity of the student, the type of unavailability, the dates of unavailability, and the documentation of the unavailability; and*
- (9) the name, email address, phone number, and position or title of the institution's representative who was primarily responsible for obtaining the students' completion, placement, licensing, and salary and wage data, the date that the information was gathered, and copies of notes, letters or emails through which the information was requested and gathered."*

CEC Section 94910(e) – Minimum Requirements for School Performance Fact Sheet

(e) If a program is too new to provide data for any of the categories listed in this subdivision, the institution shall state on its fact sheet: "This program is new. Therefore, the number of students who graduate, the number of students who are placed, or the starting salary you can earn after finishing the educational program are unknown at this time. Information regarding general salary and placement statistics may be available from government sources or from the institution, but is not equivalent to actual performance data."

CEC Section 94929.7(a)(1)(2)

(a) The information used to substantiate the rates and information calculated pursuant to Sections 94929 and 94929.5 shall do both of the following:

- (1) Be documented and maintained by the institution for five years from the date of the publication of the rates and information.*
- (2) Be retained in an electronic format and made available to the bureau upon request.*

The Institution failed to provide the required statement and disclosures explaining why the SPFS did not contain two years of data for the new programs that were approved by the Bureau on July 24, 2017 as required per 5, CCR Section 74112 (b) and CEC Section 94910 (e).

The Institution representative could not provide the supporting documentation to substantiate the rates reported in the 2015/2016 SPFS as required per 5, CCR Section 74112 (m) and CEC Section 94929.7 (a)(1)(2).

<p><u>Order of Abatement:</u> The Institution shall also electronically maintain, for at least five years from the last date reported, documentation supporting all data reported in the SPFS. The Institution shall submit a written policy of how compliance with the 5, CCR section 74112 will be maintained.</p> <p><u>Modified Order of Abatement:</u> The Institution shall submit a written policy of how compliance with 5, CCR section 74112 will be maintained.</p> <p><u>Reason for modification:</u> New substantive facts were presented at the conference.</p> <p><u>Assessment of Fine</u> The fine for this violation is <u>\$5,000.00</u></p> <p><u>The administrative fine for this violation has been modified from \$5,000.00 to \$500.00.</u></p>
<p>TOTAL MODIFIED ADMINISTRATIVE FINE DUE: <u>\$500.00</u></p>

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:

Cheryl Lardizabal, Discipline Citation Program
 Bureau for Private Postsecondary Education
 P.O. Box 980818
 West Sacramento, CA 95798-0818

APPEAL OF CITATION

You *do not* have the right to request another Informal Conference to appeal this modified 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 modified Citation is effective on **December 4, 2019**. The Order of Abatement and payment are due by **January 3, 2020**.

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 Modified 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 Cheryl Lardizabal, Citation Analyst, at Cheryl.Lardizabal@dca.ca.gov.

Christina Villanueva
Discipline Manager

Date

Enclosures

- Payment of Fine
- Declaration of Service by Certified and First-Class Mail