



CITATION ORDER

Citation Issued To: Academy of Beauty 3834 Main St Culver City, CA 90232 Institution Code: 1903671	Citation Number: 24250001
	Total Fine Amount: \$7,503.00
	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 May 3, 2021, the Bureau renewed an Approval to Operate a Private Postsecondary Institution, Institution Code 1903671, to Academy of Beauty, hereinafter referred to as the “Institution”. This Approval to Operate will expire on or about May 3, 2026, unless renewed.

DISCIPLINE HISTORY

2. The Institution has the following discipline history:
 - [Citation No. 1819136, issued on March 5, 2019](#)
 - Evidence of compliance; citation satisfied April 5, 2019

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 & ASSESMENT OF FINE AND/OR ORDER OF ABATEMENT

4. The Institution is in violation of the following Bureau laws and regulations:

Violation #1:

CEC 94920 (e) – Mandatory Cancellation, Withdrawal, and Refund Policies

Cause for Citation: On or about August 29, 2022, the Bureau conducted an announced compliance inspection pursuant to CEC 94932.5 (a). Bureau staff inspected a random sampling of current, withdrawn/incomplete, and graduated student records. Of the records reviewed, Bureau staff identified 3 students whose period of enrollment had passed, but were not dropped from their program in accordance with the Institutions attendance policy, after failing to attend classes. As a result, the institution failed to refund students in accordance with CEC 94920 (e) within 45 days of a student's cancellation or withdrawal.

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a "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 going through their current student files to identify the students who have stopped attending and have exceeded the number of absent days allowed by the Institution's attendance policy. The Institution then needs to do a refund calculation for those students based off the date that the Institution should have dropped them and issue refunds to those that are entitled to one. In addition, the Institution must submit a statement of attestation they have corrected the violation and ensured that the institution will adhere to its own attendance policy and issue refunds within the correct timeframe. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Violation #2:

5 CCR Section 71750 (c)(4) – Withdrawals and Refunds in conjunction with CEC section 94897 (u) – Prohibited Business Practices

Cause for Citation: On or about August 29, 2022, the Bureau conducted an announced compliance inspection pursuant to CEC 94932.5 (a). Bureau staff conducted a random sampling of student records for current, graduated, and withdrawn/incomplete students were inspected. Three of the students from the random sampling had Enrollment Agreements that were past due but were not dropped from the program. When asked, the Institution stated they were waiting for the students to return to finish the program.

The Institution failed to follow their withdrawal and refund policy stated in the school catalog.

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “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 going through their current student files to identify the students who have stopped attending and have exceeded the number of absent days allowed by the Institution's attendance policy. The Institution then needs to do a refund calculation for those students based off the date that the Institution should have dropped them and issue refunds to those that are entitled to one. In addition, the Institution must submit a statement of attestation they have corrected the violation and ensured that the institution will adhere to its own attendance policy and issue refunds by the correct timeframe. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Violation #3:

5 CCR section 74112 (m)(3-6) (8) – Uniform Data – Annual Report, Performance Fact Sheet and 5 CCR section 71930 (e) – Maintenance Records

Cause for Citation: On or about August 29, 2022, the Bureau conducted an announced compliance inspection pursuant to CEC 94932.5 (a). Bureau staff reviewed the substantiating data for the 2019-2020 School Performance Fact Sheet (SPFS) and found the Institution failed to collect and maintain all of the required data points per 5 CCR Section 74112 (m). Specifically, subsection (m)(3-6) and (8).

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.

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 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
 - 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 \$7,503.00 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, you may submit a written request to the Bureau or submit the enclosed *Notice of Appeal of Citation – Request for Informal Conference and/or Administrative Hearing* form within 30 days from the date of issuance of this citation.

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 75050, payment of fine and/or compliance with any order of abatement does not constitute an

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Institution Code: 1903671

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 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 or by phone at (916) 232-0510.

“Original Signature on File”

9/5/2024

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