



## MODIFIED CITATION ORDER

<b>Citation Issued To:</b> The Montessori Institute of San Diego 8660 Gilman Drive La Jolla, CA 92037  <b>Institution Code:</b> 3709731	<b>Citation Number:</b> 24250164
	<b>Total Fine Amount:</b> <b>\$3,003.00</b>
	<b>Order of Abatement Included:</b> Yes

Elizabeth Elias issues this modified 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 December 22, 2023, the Bureau renewed an Approval to Operate an Accredited Private Postsecondary Institution, Institution Code 3709731, to The Montessori Institute of San Diego hereinafter referred to as the "Institution". This Approval to Operate will expire on or about June 29, 2029, unless renewed.

### DISCIPLINE HISTORY

- The Institution has no prior discipline history.

### 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 Regulations (5 CCR) section 75020 et seq. for the violation(s) described below.

### CITATION HISTORY

- On or about December 30, 2024, the Bureau issued Citation No. 24250164. On or about January 10, 2025, the Bureau received an appeal with a request for an informal conference. The informal conference was held on

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January 31, 2025. New substantive facts were presented during the informal conference; therefore, the Bureau modifies the citation as follows:

**CAUSE FOR CITATION &  
MODIFIED ASSESSMENT OF FINE AND/OR ORDER OF ABATEMENT**

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

**Violation #1:**

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

**Cause for Citation:** On or about January 16, 2024, the Bureau conducted an unannounced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff requested to review three dropped/withdrawn student records. The Institution was unable to provide one of the requested dropped/withdrawn student files for inspection.

**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.

**Administrative Fine: Affirmed.**

**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 94900 and 5 CCR sections 71920 and 71930. The Institution must submit a statement of attestation they have corrected the violation and ensured that all student records contain refund information. The statement of attestation must be dated and signed by an authorized representative of the Institution.

**Order of Abatement: Affirmed.**

**Violation #2:**

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

**Cause for Citation:** On or about January 16, 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 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.

**Administrative Fine: Modified. The Bureau modifies the administrative fine from \$2,501.00 to \$1,001.00. The violation is modified from a Class "A" violation to a Class "B" violation.**

**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.

**Order of Abatement: Affirmed.**

**Violation #3:**

**CEC section 94896(a) and (b) - Substantive Change for Institution's Approved by Means of Accreditation and 5 CCR section 71600 - Application for Significant Change in Method of Instructional Delivery**

**Cause for Citation:** On or about January 16, 2024, the Bureau conducted an unannounced compliance inspection pursuant to CEC section 94932.5(a). During the inspection, it was determined that the Institution was offering distance education prior to notifying the Bureau of the substantive change.

An incomplete Application for Change in Method of Instructional Delivery was received on March 5, 2024, and is pending review. The Institution failed to include approval documentation from their accreditor for the Significant Change in Method of Instructional Delivery pursuant to 5 CCR 5 section 71600.

**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.

**Administrative Fine: Modified. The Bureau modifies the administrative fine from \$2,501.00 to \$1,001.00. The violation is modified from a Class "A" violation to a Class "B" violation.**

**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 agree to notify the Bureau of any future substantive changes in accordance with 5 CCR section 71600 and CEC 94896. The statement of attestation must be signed and dated by an authorized representative of the Institution.

**Order of Abatement: Affirmed.**

### COMPLIANCE WITH ORDER OF ABATEMENT

6. In accordance with the provisions of CEC section 94936 and 5 CCR sections 75020 and 75040, 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 modified 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](mailto:bppe.discipline@dca.ca.gov)
  - In the subject line, please include the Institution name and citation number.

### **COMPLIANCE WITH ASSESSMENT OF FINE**

7. In accordance with the provisions of CEC section 94936, and 5 CCR section 75020 et seq., the Bureau hereby orders this assessment of fines in the total amount of \$3,003.00 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 modified citation. 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**

8. Pursuant to 5 CCR section 75040(d), the modified decision is considered final, unless a request for a hearing was filed timely.

If the Institution requested a hearing and no longer chooses to proceed with the hearing, the Institution may request to withdraw the request for a hearing.

### **COMPLIANCE WITH FINE AND/OR ORDER OR ABATEMENT DISCLOSURE**

9. Pursuant to 5 CCR section 75050, payment of the 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. The Bureau may also enforce the administrative fine as if it were a money judgment pursuant to CEC section 94936.

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### **BUREAU CONTACT INFORMATION**

10. 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:

2/27/2025

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Elizabeth Elias  
Deputy Bureau Chief of Enforcement

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Citation Date of Issuance

Enclosures:

- Payment of Fine
- Withdrawal of Request for Administration Hearing
- Declaration of Service by Certified and First-Class Mail