



MODIFIED CITATION ORDER

Citation Issued To: Urban Barber College – Modesto 425 Maze Blvd Modesto, CA, 95351 Institution Code: 47807300	Citation Number: 2324139
	Total Fine Amount: \$2,003.00
	Order of Abatement Included: Yes

Elizabeth Elias issues this modified citation in her official capacity as Enforcement Chief of the Bureau for Private Postsecondary Education, California Department of Consumer Affairs (hereinafter referred to as the "Bureau").

LICENSING HISTORY

- On or about August 17, 2023, the Bureau renewed an Approval to Operate a Private Postsecondary Institution to Cutting Edge Barber Academy. This Approval to Operate will expire on or about August 16, 2028, unless renewed.

On November 16, 2023, Cutting Edge Barber Academy was approved a name change to Urban Barber College – Modesto (hereinafter referred to as the "Institution").

DISCIPLINE HISTORY

- The Institution has the following discipline history:
 - [Citation No. 1920232 issued February 24, 2020](#)
 - Evidence of compliance; citation satisfied June 10, 2020
 - [Citation No. 1920292 issued April 29, 2020](#)
 - Evidence of compliance; citation satisfied April 12, 2021
 - [Decision and Order, March 30, 2021](#)

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 Number: 2324139
Institution: Urban Barber College - Modesto
Institution Code: 47807300

CITATION HISTORY

4. On or about February 8, 2024, the Bureau issued Citation No. 2324139. On or about February 20, 2024, the Bureau received an appeal with a request for an informal conference. The informal conference was held on March 13, 2024. New substantive facts were presented during the informal conference; therefore, the Bureau modifies the citation as follows:

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

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

Violation #1:

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

Cause for Citation: On or about August 16, 2022, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5 (a). Bureau staff requested a copy of the documentation supporting all data reported in the 2019-2020 School Performance Fact Sheet (SPFS) for review. Bureau staff noted that the Institution failed to maintain all the required data, per 5 CCR 74112(m).

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 fine amount is reduced from \$2,501.00 to \$1,001.00. The violation is modified 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 and to collect the required data 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 documentation supporting all data reported in 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 #2:

5 CCR section 76140 (a)(1-13),(b) – Record-Keeping Requirements and 5 CCR section 71930 (e) – Maintenance Records

Cause for Citation: On or about August 16, 2022, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5 (a). Bureau staff requested a copy of the substantiating data for the Student Tuition Recovery Fund (STRF) for the 4th quarter reporting period of 2021 and 1st quarter reporting period of 2022; however, the Institution's Owner stated that they did not have the required substantiating data for STRF, as the data is not kept onsite, and that the Institution's bookkeeper maintained the data.

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: Modified. The fine amount is modified from \$1,001.00 to \$501.00. The violation is modified to a "Class C" 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 and submit an electronic copy of the STRF substantiating data for the 4th quarter reporting period of 2021 and 1st quarter reporting period of 2022 that includes all the required data pursuant to 5 CCR section 76140 to the Bureau. In addition, the Institution must submit a statement of attestation they have corrected the violation and will ensure that the substantiating data for STRF is maintained in

an electronic format and readily available to a Bureau representative upon request per 5 CCR 76140 (b). The statement of attestation must be dated and signed by an authorized representative of the Institution.

Order of Abatement: Affirmed.

Violation #3:

5 CCR section 71745 (a)(c) – Financial Resources, in conjunction with CEC section 94885 (a)(6)(9) – Minimum Operating Standards

Cause for Citation: On or about August 16, 2022, the Bureau conducted an unannounced compliance inspection pursuant to CEC 94932.5 (a). During the inspection, Bureau staff requested a copy of the Institution's current financial statements for review; however, the Institution was unable to provide the required documents upon request and stated they would not have a current year financial statement until later in 2022.

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.

Administrative Fine: Modified. The fine amount is modified from \$2,501.00 to \$501.00. The violation is modified to a "Class C" violation.

Order of Abatement: The Bureau orders the Institution to submit the following:

1. Current financial statements for year-end 2022 which demonstrates compliance with 5 CCR section 71745 (a)(c).
2. In an electronic format, a roster of all currently enrolled students that includes the student: (1) names, (2) addresses, (3) telephone numbers, (4) email addresses, (5) program in which they are enrolled, (6) date of enrollment, (7) total cost of the program and (8) the total amount the student has paid.

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 be sent by mail or email to:

- Mail: Bureau for Private Postsecondary Education
Attn: Discipline Unit – Giovanni Alon
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

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 \$2,003.00 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 – Giovanni Alon
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.

BUREAU CONTACT INFORMATION

10. If you have any questions regarding this Citation, please contact Giovanni Alon, Citation Analyst by email at Giovanni.Alon@dca.ca.gov or by phone at (916) 574-7703.

“Original Signature on File”

4/25/2024

Elizabeth Elias
Enforcement Chief

Citation Date of Issuance

Enclosures:

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