



CITATION: ASSESSMENT OF FINE AND ORDER OF ABATEMENT

To: April Light, 50% Owner
Patrick Light, 50% Owner
Redwood Code Academy
2850 Red Hill Ave #130
Santa Ana, CA 92705

INSTITUTION CODE: 83940862

CITATION NUMBER: 2223016

CITATION ISSUANCE/SERVICE DATE: August 22, 2022

DUE DATE: September 21, 2022

FINE AMOUNT: \$ 5,000.00

ORDER OF ABATEMENT INCLUDED: Yes

Christina Villanueva issues this Citation: Assessment of Fine and Order of Abatement (Citation) in her official capacity as Discipline Manager of the Bureau for Private Postsecondary Education (Bureau) of the California Department of Consumer Affairs.

CITATION

A Citation is hereby issued to April Light (A. Light) and Patrick Light (P. Light), Owners of Redwood Code Academy (Institution) located at 2850 Red Hill Ave #130, Santa Ana, CA 92705, pursuant to Business and Professions Code section 125.9; California Education Code (CEC) sections 94936 and 94932; and Title 5 of the California Code of Regulations (5, CCR) section 75020 for the violations described below.

BACKGROUND

On June 2, 2021, the Bureau received a complaint alleging that the Institution abruptly closed. Bureau staff sent email correspondence to the Institution Owners and the Agent for Process inquiring about the Institution's closure and included a School Closure Plan form as well as instructions regarding how to complete the form. In addition, Bureau staff unsuccessfully attempted to reach the Institution's Agent for Process by phone, however their voicemail inbox was full and could not accept messages at the time.

Furthermore, Bureau staff attempted to reach A. Light by phone, and she stated that the Bureau should contact P. Light as they were not knowledgeable of the Institution's status.

In addition, Bureau staff attempted to contact P. Light at the Institution's main phone and a different phone number listed in the Bureau's records; however, all calls went to voicemail. Bureau staff left a voicemail requesting a call back and email correspondence after providing their Bureau phone number and email address. Later that same day, Bureau staff received an email from this Institution Owner acknowledging receipt of Bureau staff's email and voicemail and stating that the Institution was closed and that they would submit the school closure documentation to Bureau staff.

On June 3, 2021, Bureau staff sent email correspondence to P. Light stating that the Bureau’s Office of Student Relief and Assistance (OSAR) Unit would need information and requested an expedited student roster for 120 days.

On June 8, 2021, Bureau staff sent a follow-up email inquiry to the P. Light as the student roster had not been received by the Bureau. P. Light responded to the email inquiry stating that they needed one week to begin submitting the documents to the Bureau, and that there would be no teach-out as the remaining group of students was small.

To date, the Bureau has not received written notice of closure, nor did the Institution provide any of the additional required information in accordance with CEC Section 94926 and 5, CCR Section 76240.

VIOLATION

#	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: CEC Section 94926 (a)(b)(c)(d) - Procedures Prior to Closing, Teach-Out Plans <i>“At least 30 days prior to closing, the institution shall notify the bureau in writing of its intention to close. The notice shall be accompanied by a closure plan, which shall include, but not necessarily be limited to, all of the following:</i> <i>(a) A plan for providing teach-outs of educational programs, including any agreements with any other postsecondary educational institutions to provide teach-outs.</i> <i>(b) If no teach-out plan is contemplated, or for students who do not wish to participate in a teach-out, arrangements for making refunds within 45 days from the date of closure, or for institutions that participate in federal student financial aid programs arrangements for making refunds and returning federal student financial aid program funds.</i> <i>(c) If the institution is a participant in federal student financial aid programs, it shall provide students information concerning these programs and institutional closures.</i> <i>(d) A plan for the disposition of student records.”</i></p> <p>5, CCR Section 76240 (a)(1)(2)(3)(4)(A)(B)(5)(6)(b)(1)(2) - Required Notices and Teach-Out Plan <i>“All in, institutions, including those exempt from Bureau regulation pursuant to the Code, shall do the following prior to closing</i> <i>(a) At least 30 days prior to closing, the institution shall notify the Bureau in writing of its intention to close and provide a closure plan. The closure plan shall include:</i> <i>(1) The exact date and reason for the closure.</i> <i>(2) The last date of instruction for each educational service or program.</i> <i>(3) A list of students who were enrolled at any time during the 60 days prior to closure.</i> <i>(4) If any student will not be provided complete educational services or the educational program, the institution shall provide:</i> <i>(A) A plan for providing teach-outs or transfers, including the details of any agreements with other institutions.</i> <i>(B) If no teach-out is contemplated, or for students who do not wish to participate in a teach-out, arrangements for making refunds within 45 days from the date of closure, or for institutions that participate in federal student financial aid programs arrangements for making refunds and returning federal student financial aid program funds.</i> <i>(5) A plan for the disposition of student records.</i> <i>(6) A plan to notify students of their rights and options under the Act and this chapter.</i></p>

<p><i>(b) The institution shall notify the students of the following:</i> <i>(1) If the institution is a participant in federal student financial aid programs, it shall provide students information concerning those programs and institutional closures.</i> <i>(2) If any student will not be provided complete educational services or the educational program, information regarding the Student Tuition Recovery Fund and the Bureau's physical and Internet addresses."</i></p> <p>The Institution did not submit written notice of school closure. In addition, the Institution failed to provide any other information required in accordance with CEC Section 94926(a)(b)(c)(d) and 5, CCR section 76240(a)(1)(2)(3)(4)(A)(B)(5)(6)(b)(1)(2).</p> <p><u>Order of Abatement:</u> The Bureau orders the Institution to provide refunds to students, and to provide proof (i.e., a Declaration and/or student roster along with evidence of refund) of refunds to the students to the Bureau. In addition, the Bureau orders that the institution provide the Bureau with written notice of school closure, in addition to a complete school closure plan in accordance with CEC section 94926(a)(b)(c)(d) and 5, CCR section 76240(a)(1)(2)(3)(4)(A)(B)(5)(6)(b)(1)(2).</p> <p><u>Assessment of Fine</u> The fine for this violation is \$5,000.00</p>
<p>TOTAL ADMINISTRATIVE FINE DUE: \$5,000.00</p>

ASSESSMENT OF A FINE

In accordance with CEC section 94936; and 5, CCR sections 75020 and 75030, the Bureau hereby orders this assessment of fine in the amount of **\$5,000.00** for the violations described above. **Payment must be made, to the Bureau, within 30 days from the date of service of the Citation.**

COMPLIANCE WITH ORDER OF ABATEMENT

In accordance with the provisions of CEC section 94936 and 5, CCR section 75020 the Bureau hereby issues the order(s) of abatement described above. **Evidence of compliance with the order(s) of abatement must be submitted, to the Bureau, within 30 days from the date of service of the Citation.**

APPEAL OF CITATION

You have the right to contest this Citation through an informal conference with the Bureau; 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 must submit the 'Notice of Appeal of Citation – Request for Informal Conference and/or Administrative Hearing' form (enclosed) within 30 days from the date of service of the Citation. *If you do not request an informal conference and/or an administrative hearing within 30 days from the service of the Citation, you will not be able to request one at a later time.*

Unless a written request for an informal conference and/or an administrative hearing is signed by you and delivered to the Bureau by **September 21, 2022**, you will be deemed to have waived or forfeited your right to appeal this matter.

EFFECTIVE DATE OF CITATION

If you do not request an informal conference and/or an administrative hearing, this Citation shall become effective on **August 22, 2022**. Payment of the administrative fine and evidence of compliance with the order(s) of abatement shall be due by **September 21, 2022**. Your payment of the administrative fine shall not constitute an admission of the violation(s) charged.

If a hearing is requested, you will not be required to comply with this Citation until 30 days after a final order is entered against you.

Payment of the administrative fine and/or written request for appeal must be mailed to:

Cheryl Lardizabal, Discipline Citation Program
Bureau for Private Postsecondary Education
1747 N. Market Blvd., Suite 225
Sacramento, CA 95834

Failure for an applicant or institution to abate the violation(s) listed above or to pay the administrative fine within the time allowed may result in denial of an application for an approval or renewal to operate; disciplinary action, and/or collection action. The Bureau will promptly take all appropriate action to enforce this 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 Citation, or desire further information, please contact Cheryl Lardizabal, Citation Analyst, at (916) 574-7427 or Cheryl.Lardizabal@dca.ca.gov.

“Signature on File”

“8/22/2022”

Christina Villanueva
Discipline Manager

Date

Enclosures

- Applicable Laws Violated
- Statement of Rights: Appeal Process Information Sheet
- 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