



CITATION ORDER

<p>Citation Issued To: Federico College, Inc. (formally known as Federico Career Colleges, Inc.) 3117 W. Shaw Ave. St 108 Fresno, CA 93704</p> <p>Institution Code: 1000431</p>	<p>Citation Number: 24250087</p>
	<p>Total Fine Amount: \$22,002.00</p>
	<p>Order of Abatement Included: Yes</p>

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 10, 2022, the Bureau renewed an Approval to Operate a Private Postsecondary Institution, Institution Code 1000431, to Federico College, Inc. (formally known as Federico Career Colleges, Inc.), hereinafter referred to as the "Institution." This Approval to Operate will expire on or about May 10, 2027, unless renewed.

DISCIPLINE HISTORY

2. The Institution has the following discipline history:
 - [Modified Citation No. 2122141, issued on September 19, 2022](#)
 - Evidence of compliance; citation satisfied November 15, 2022
 - [Citation No. 2324179, issued on February 26, 2024](#)
 - [Citation No. 24250013, issued on August 15, 2024](#)

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 & ASSESSMENT OF FINE AND/OR ORDER OF ABATEMENT

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

Violation #1: CEC section 94893- Authorization Required for Substantive Change and 5 CCR section 71650(a)- Application for a Change in Educational Objectives or Clock or Credit Hours Required to Complete a Program (An Increase or Decrease by 25% or More)
Cause for Citation: On September 20, 2023, the Bureau completed an investigation based on a complaint filed against the Institution. Through the course of the investigation, it was determined that the Institution is offering a 1000-hour Cosmetology program and a 1000-hour Barbering program without Bureau approval. According to the Bureau's records, the Institution is approved to offer a 1600-hour Cosmetology program and a 1500-hour Barbering program. The Institution failed to obtain prior authorization from the Bureau before making a substantive change to their approved program hours.
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 \$5,000.00.
Order of Abatement: None.

Violation #2: CEC section 94892 - Program Approval By Other Government Agency
Cause for Citation: On September 20, 2023, the Bureau completed an investigation based on a complaint filed against the Institution. During the course of the investigation, the Institution informed the Bureau it had obtained approval from the Board of Barbering and Cosmetology (BBC) for the shortened 1000-hour Cosmetology and 1000-hour Barbering program. The Institution failed to provide the Bureau with documentation signifying the conferral of the educational program approval by that agency.

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.

Order of Abatement: None.

Violation #3:

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

Cause for Citation: On September 20, 2023, the Bureau completed an investigation based on a complaint filed against the Institution. During an unannounced visit, the Institution failed make former student records immediately available for inspection and copying during normal business hours, pursuant to 5 CCR 71930(e).

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.

Order of Abatement: None.

Violation #4:

CEC section 94898(b)(1)- Merging Classes, Converting Method of Delivery, Changing Locations

Cause for Citation: On or about November 5, 2024, the Bureau completed an investigation based on information received alleging that the Institution closed unexpectedly.

Through the course of the investigation, it was determined that on October 3, 2024, the Institution temporarily closed and made an unscheduled suspension of classes due to failure to pay its rent on time. This unscheduled suspension of classes was not caused by circumstances beyond the Institution's control, in violation of CEC 94898(b)(1).

Citation Number: 24250087
Institution: Federico College, Inc.
Institution Code: 1000431

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 \$5,000.00.

Order of Abatement: None.

Violation #5:

CEC section 94926 - Procedures Prior to Closing, Teach-Out Plans and 5 CCR section 76240(a) and (b)- Required Notices and Teach-Out Plan

Cause for Citation: On or about November 5, 2024, the Bureau completed an investigation based on information received alleging that the Institution closed unexpectedly.

Through the course of the investigation, it was determined that on October 3, 2024, the Institution temporarily closed and made an unscheduled suspension of classes. The Institution later confirmed, during an interview with the Bureau, that on October 11, 2024, the temporary closure had become permanent. The Institution did not provide a closure plan to the Bureau until October 16, 2024.

The Institution failed to notify the Bureau of its intention to close or provide a closure plan at least 30-days prior to closing pursuant to CEC 94926 and 5 CCR 76240. Further, the Institution is in Default of its enrollment agreement for students who were enrolled at the time of closure.

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 \$5,000.00.

Order of Abatement: The Bureau orders the Institution to provide a roster of each student enrolled at the Institution at the time of closure. The roster must include the names of the students, their contact information (including phone number, email address, and physical address), the programs in which they were enrolled, and the amount paid for each program.

Further, pursuant to CEC section 94927 - Institutions in Default of Enrollment Agreement:

An institution shall be considered in default of the enrollment agreement when an educational program is discontinued or canceled or the institution closes prior to completion of the educational program. When an institution is in default, student institutional charges may be refunded on a pro rata basis if the bureau determines that the school has made provision for students enrolled at the time of default to complete a comparable educational program at another institution at no additional charge to the students beyond the amount of the total charges in the original enrollment agreement. If the institution does not make that provision, a total refund of all institutional charges shall be made to students.

Because the Institution is in default of its enrollment agreements, the Bureau orders the Institution to issue a total refund of all institutional charges on each and every defaulted enrollment agreement directly to each and every eligible Federico College, Inc. student who was enrolled at Federico College, Inc. at the time of closure.

Violation #6:

CEC section 94920(e) - Mandatory Cancellation, Withdrawal, and Refund Policies in conjunction with 5 CCR section 71750(e) - Withdrawals and Refunds

Cause for Citation: On or about November 5, 2024, the Bureau completed an investigation based on complaints received against the Institution.

Through the course of the investigation, it was determined that the Institution failed to refund 4 withdrawn students following written request for refunds. Bureau staff identified 4 students that withdrew from the Institution via a written withdrawal that was signed by each respective student and the Institutions supervisor. The Institution failed to refund students within 45 days of the

student's cancellation or withdrawal in accordance with CEC section 94920(e).

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 \$5,000.00.

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 confirming compliance with CEC section 94920(e) and 5 CCR section 71750(e). Additionally, the statement of attestation must confirm that the Institution will provide a refund, as required pursuant to CEC section 94920(e) and 5 CCR section 71750(e) to any student who has requested one and is eligible. The statement of attestation must be dated and signed by an authorized representative of the Institution.

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 – Aurzella Izmarai-Karimi
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 \$22,002.00 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 – Aurzella Izmarai-Karimi
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 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

Citation Number: 24250087
Institution: Federico College, Inc.
Institution Code: 1000431

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 Aurzella Izmarai-Karimi, Citation Analyst by email at Aurzella.Izmarai@dca.ca.gov or by phone at (916)230-4868.

“Original Signature on File”

11/27/2024

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