



MODIFIED CITATION ORDER

Citation Issued To: Eminence Barber Academy 9900 Indiana Ave. Suites 9 & 10 Riverside, CA 92503 Institution Code: 21305191	Citation Number: 24250148
	Total Fine Amount: \$4,002.00
	Order of Abatement Included: 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 March 8, 2022, the Bureau renewed an Approval to Operate a Private Postsecondary Institution, Institution Code 21305191 to Eminence Barber Academy (hereinafter referred to as the "Institution"). This Approval to Operate will expire on or about March 8, 2027, unless renewed.

DISCIPLINE HISTORY

- The Institution has the following discipline history:
 - [Citation No. 2021010 issued, July 16, 2020](#)
 - Evidence of compliance; citation satisfied August 5, 2020
 - [Citation No. 2021145 issued, November 12, 2020](#)
 - Evidence of compliance; citation satisfied March 30, 2021
 - [Modified Citation No. 2223138 issued, June 13, 2023](#)
 - Evidence of compliance; citation satisfied November 8, 2023

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

4. On or about January 2, 2025, the Bureau issued Citation No. 24250148. On or about January 10, 2025, the Bureau received an appeal with a request for an informal conference. The informal conference was held on February 12, 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:

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

Cause for Citation: On or about April 19, 2024, the Bureau conducted an announced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff requested and reviewed the Institution's supporting documentation to substantiate the data reported on the Institution's Student Tuition Recovery Fund (STRF) assessment reporting forms for the 3rd and 4th quarter reporting periods of 2023. The Bureau determined the STRF supporting documentation did not validate the total number of students reported who signed enrollment agreements during the 3rd and 4th quarter reporting periods of 2023. The Institution's Director of Compliance was unable to provide an explanation for the discrepancy.

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 Bureau modifies the administrative fine to a "Class C" violation. The Institution is issued a fine of \$501.00.

Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following order of abatement:

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 pursuant to 5 CCR section 76140. 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)(3), (m)(4), (m)(6) and (m) (9) – Uniform Data – Annual Report, Performance Fact Sheet and 5 CCR section 71930(e) – Maintenance of Records

Cause for Citation: On or about April 19, 2024, the Bureau conducted an announced compliance inspection pursuant to CEC section 9432.5(a). Prior to the Inspection, Bureau staff reviewed the Institution's supporting documentation for data reported on its 2021-2022 School Performance Fact Sheet (SPFS) and determined the Institution's supporting data was missing some required data points, specifically, 5 CCR section 74112 subsections (m)(3), (m)(4), (m)(6), and (m)(9). The Institution was unable to provide the Bureau with the required data by the conclusion of the 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: Affirmed.

Order of Abatement: Pursuant to 5 CCR section 75020, the Bureau issues the following 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 – Satisfied

Violation #3:

5 CCR section 71720(b)(2) – Faculty, 5 CCR section 71930(e) – Maintenance Records, and CEC 94900.5(b) – Required Institutional Records

Cause for Citation: On or about April 19, 2024, the Bureau conducted an announced compliance inspection pursuant to CEC section 94932.5(a). Bureau staff reviewed faculty records and determined that that the Institution did not maintain faculty records regarding continuing education (CE) courses in the subject area, classroom management or other courses related to teaching.

Administrative Fine: Pursuant to 5 CCR section 75030, the Bureau has determined this to be a “Class C” violation. The Institution is issued a fine of \$1,000.00.

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 faculty records follow the law pursuant to CEC section 94900.5(b) and 5 CCR sections 71720(b)(2) and 71930(e). The Institution must submit a statement of attestation they have corrected the violation and ensured that all faculty records are in compliance with the law. The statement of attestation must be dated and signed by an authorized representative of the Institution.

Order of Abatement: Affirmed – Satisfied

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

Citation Number: 24250148
Institution: Eminence Barber Academy
Institution Code: 21305191

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 \$4,002.00 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 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

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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”

2/20/2025

Elizabeth Elias
Deputy Bureau Chief of Enforcement

Citation Date of Issuance

Enclosures:

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