



CITATION ORDER

<p>Citation Issued To: Eminence Barber Academy 9900 Indiana Ave. Suites 9 & 10 Riverside, CA 92503</p> <p>Institution Code: 21305191</p>	<p>Citation Number: 24250148</p>
	<p>Total Fine Amount: \$4,502.00</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 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

2. 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

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:

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.

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.

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.

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.

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.

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.

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 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

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 \$4,502.00 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 – Giovanni Alon
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 section 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 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

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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 Giovanni Alon, Citation Analyst by email at Giovanni.Alon@dca.ca.gov or by phone at (916) 574-7703.

“Original Signature on File”

1/2/2025

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