



MODIFIED CITATION ORDER

Citation Issued To: California Beauty College 4328 54th St. San Diego, CA 92115 Institution Code: 24255714	Citation Number: 2324092
	Total Fine Amount: \$3,500.00
	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 December 3, 2019, the Bureau issued an Approval to Operate a Private Postsecondary Institution to California Beauty College (hereinafter referred to as the "Institution"). This Approval to Operate will expire on or about December 2, 2024, unless renewed.

DISCIPLINE HISTORY

- The Institution has no prior discipline history.

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

- On or about October 12, 2023, the Bureau issued Citation No. 2324092. On or about October 31, 2023, the Bureau received an appeal with a request for an informal conference. The informal conference was held on November 20, 2023. 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 71650 section (a) Application for a Change in Educational Objectives or Clock or Credit Hours Required to Complete a Program in conjunction with CEC section 94893 Authorization Required for Substantive Change

Cause for Citation: On or about January 23, 2023, the Bureau initiated an investigation based on information the Bureau received which alleged that the Institution is offering unapproved programs to its students.

Through the course of the Bureau's investigation, and evidence obtained, it was determined that the Institution made a substantive change in their barbering and cosmetology programs without prior Bureau authorization. Bureau staff determined the Institution is offering a 1,000-hour barbering program, a 1,000-hour cosmetology program and a 250-hour barbering course without prior Bureau approval.

Bureau investigators conducted an interview from unannounced site visit; reviewed documents, statements, advertising, and websites to substantiate the allegation(s).

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.

Administrative Fine: Modified. The Institution is issued a fine of \$3,500.00. The violation remains as a "Class A" violation.

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

The Bureau orders the Institution to cease offering the 1,000-hour barbering program, 1,000-hour cosmetology program and 250-hour barbering program. If the Institution wishes to offer the aforementioned programs, it must submit an "Application for Change in Educational Objectives". The Institution shall not offer the programs until approval from the Bureau is obtained.

The Institution shall provide a roster of each student who has enrolled in the 1,000-hour barbering program, 1,000-hour cosmetology program and 250 hour barbering program. 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 are enrolled, the amount paid for the programs.

The Institution shall submit a statement of attestation they have ceased offering the 1,000-hour barbering program, 1,000-hour cosmetology program and 250-hour barbering program and have complied with the order of abatement. The statement of attestation shall be dated and signed by an authorized representative of the Institution.

Order of Abatement: Affirmed. The Order of Abatement has been 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
Attn: Discipline Unit – Tessa Barron
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 \$3,500.00 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 – Tessa Barron
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 Tessa Barron, Citation Analyst by email at Tessa.Barron@dca.ca.gov or by phone at (916) 574-7791.

Citation Number: 2324092
Institution: California Beauty College
Institution Code: 24255714

“Original Signature on File”

12/26/2023

Elizabeth Elias
Enforcement Chief

Citation Date of Issuance

Enclosures:

- Payment of Fine
- Declaration of Service by Certified and First-Class Mail