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9  
10 **BEFORE THE**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
12 **FOR THE BUREAU FOR PRIVATE POSTSECONDARY EDUCATION**  
13 **STATE OF CALIFORNIA**

14 In the Matter of the Accusation Against:

15 **PREMIERE CAREER COLLEGE**  
16 **12901 Ramona Blvd.**  
**Irwindale, CA 91706**

17 **Approval to Operate Institution Code**  
18 **Number 1921251**

19 Respondent.

Case No. BPPE22-113

**ACCUSATION**

20  
21 **PARTIES**

22 1. Deborah Cochrane (Complainant) brings this Accusation solely in her official  
23 capacity as the Chief of the Bureau for Private Postsecondary Education, Department of  
24 Consumer Affairs (Bureau).

25 2. On or about September 1, 1984, the Bureau issued Approval to Operate Institution  
26 Code Number 1921251 to Premiere Career College (Respondent). Premiere Career College is  
27 owned by Premiere Educational Corporation. Fe Ludovico-Aragon and Enrique V. Aragon are  
28 each 50% owners of the corporation.

1           3.     Respondent is approved to offer non-degree programs as follows: Financial Records  
2 Processing, General Office Assistant/Business Computer Applications, Hospital Central Service  
3 Technician, Medical Assistant-Front and Back Office, Medical Assistant-Front Office, Surgical  
4 Technician, and Vocational Nursing.

5           4.     Respondent was approved to offer non-degree programs as follows: Administrative  
6 Medical Assistant, Bilingual Clinical Assistant (MA/EKG), Electronics Technician (Computer),  
7 Electronics Technician (TV/VCR), General Office Assistant/Word Processing, Intensive English  
8 As a Second Language, Medical Assistant-Back Office, Medical Assisting-EKG  
9 Tech/Phlebotomist, Surgical Tech/Hosp Central Service Tech, Surgical Technologist, and  
10 Vocational Nursing, (Distance-Temporary per Accreditor's approval). These programs have been  
11 discontinued.

12           5.     Respondent is also approved to offer degree programs as follows: Associate of  
13 Occupational Science-Surgical Technology and Bachelor of Science in Nursing RN-BSN. The  
14 Approval to Operate for non-degree and degree programs was in full force and effect at all times  
15 relevant to the charges brought herein and will expire on February 28, 2025, unless renewed.

#### **JURISDICTION**

17           6.     This Accusation is brought before the Director of the Department of Consumer  
18 Affairs (Director) for the Bureau for Private Postsecondary Education, under the authority of the  
19 following laws. All section references are to the Education Code (Code) unless otherwise  
20 indicated.

21           7.     Business and Professions Code, section 118, subdivision (b), provides that the  
22 suspension, expiration, surrender or cancellation of a license shall not deprive the Bureau of  
23 jurisdiction to proceed with a disciplinary action during the period within which the license may  
24 be renewed, restored, reissued or reinstated.

25           8.     Section 94875 provides that the Bureau shall regulate private postsecondary  
26 educational institutions.

27           9.     Section 94877 provides, in relevant part, that:

28                 (a) The bureau shall adopt and shall enforce regulations to implement this

chapter pursuant to the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

....

10. Section 477 of the Business and Professions Code states:

As used in this division:

(a) "Board" includes "bureau," "commission," "committee," "department," "division," "examining committee," "program," and "agency."

(b) "License" includes certificate, registration or other means to engage in a business or profession regulated by this code.

### **STATUTORY PROVISIONS**

11. Section 94899 of the Code states:

If an institution offers an educational program in a profession, occupation, trade, or career field that requires licensure in this state, the institution shall have an educational program approval from the appropriate state licensing agency to conduct that educational program in order that a student who completes the educational program, except as provided in Section 94905, is eligible to sit for any required licensure examination.

12. Section 94934.5 of the Code states:

(a) An institution with an approval to operate that knows that it is being investigated by an oversight entity other than the bureau shall report that investigation, including the nature of that investigation, to the bureau within 30 days of the institution's first knowledge of the investigation. An institution with an approval to operate that is the subject of a judgment by, a regulatory action by, increased oversight or monitoring by, or a settlement with, any oversight entity other than the bureau shall report it to the bureau within 30 days. Failure to comply with this section may subject the institution to an administrative citation pursuant to Section 94936.

(b) For the purposes of this section, "investigation" means any inquiry into possible violations of any applicable laws or accreditation standards.

(c) For the purposes of this section, "oversight entity" means all of the following:

...

(5) Any accrediting agency.

(6) Any state professional licensing entity that exercises any programmatic or institutional approval over the institution.

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1 **REGULATORY PROVISIONS**

2 13. The California Code of Regulations (CCR), title 5, section 71770 states:

3 (a) The institution shall establish specific written standards for student  
4 admissions for each educational program. These standards shall be related to the  
5 particular educational program. An institution shall not admit any student who is  
6 obviously unqualified or who does not appear to have a reasonable prospect of  
7 completing the program. In addition to any specific standards for an educational  
8 program, the admissions standards must specify as applicable that:

9 (1) Each student admitted to an undergraduate degree program, or a diploma  
10 program, shall possess a high school diploma or its equivalent, or otherwise  
11 successfully take and pass the relevant examination as required by section 94904 of  
12 the Code.

13 . . . .

14 **COST RECOVERY**

15 14. Section 125.3 of the Business and Profession Code provides, in pertinent part, that the  
16 Board may request the administrative law judge to direct a licensee found to have committed a  
17 violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the  
18 investigation and enforcement of the case, with failure of the licensee to comply subjecting the  
19 license to not being renewed or reinstated. If a case settles, recovery of investigation and  
20 enforcement costs may be included in a stipulated settlement.

21 **FACTUAL ALLEGATIONS**

22 15. In or around October 2019, the California Board of Vocational Nursing and  
23 Psychiatric Technicians (BVNPT) initiated an investigation of Respondent based on a student  
24 complaint regarding the lack of clinical training. Following the investigation, BVNPT approved  
25 Respondent’s vocational nursing program subject to compliance with BVNPT’s regulations  
26 (provisional approval). On or about January 21, 2022, the Bureau received an online complaint  
27 from BVNPT alleging that Respondent revised admission criteria in an effort to improve  
28 licensing pass rates and student retention rates, and knowingly admitted twenty two students to its  
vocational nursing program that did not meet the minimum score on the Test of Essential  
Academic Skills (TEAS) assessment. On or about February 22, 2022, BVNPT informed the  
Bureau that the BVNPT voted to permanently close Respondent’s vocational nursing program  
effective February 18, 2022. In addition, BVNPT issued a Decision that denied Respondent’s

1 request to admit a full time evening class of thirty students to commence April 18, 2022, revoked  
2 the BVNPT provisional approval issued to Respondent, and removed the vocational nursing  
3 program from BVNPT's list of Approved Vocational Nursing Schools effective immediately.  
4 The Decision directed Respondent to contact the Bureau for further guidance.

5 16. On March 8, 2022, Bureau Investigator NF conducted an unannounced site visit of  
6 the Institution. Investigator NF interviewed Respondent's president. Respondent's president  
7 confirmed that Respondent still had an active vocational nurse program and approximately  
8 twenty- two students were enrolled in the program although they had not passed TEAS.

9 17. As part of the Bureau's investigation, Investigator NF reviewed Bureau records of  
10 this institution and found that the Bureau did not receive any notice from Respondent that it was  
11 the subject of an investigation by BVNPT in 2019 or that BVNPT issued a provisional approval  
12 to Respondent. In addition, the Bureau only received notice from BVNPT, and not Respondent,  
13 that BVNPT formally revoked Respondent's provisional approval on February 22, 2022, effective  
14 February 18, 2022.

15 **FIRST CAUSE FOR DISCIPLINE**

16 **(Revocation of Educational Program Approval by State Licensing Agency)**

17 18. Respondent has subjected its approval to operate to disciplinary action under Code  
18 section 94899 in that Respondent's educational program approval was revoked by the BVNPT  
19 such that students who complete Respondent's vocational nursing program would be ineligible to  
20 sit for any required licensure examination, as more specifically set forth in paragraph 15 above  
21 and incorporated herein.

22 **SECOND CAUSE FOR DISCIPLINE**

23 **(Failure to Give Bureau Notice of Investigation by another Oversight Entity)**

24 19. Respondent has subjected its approval to operate to disciplinary action under Code  
25 section 94934.5 by failing to inform the Bureau of the BVNPT's 2019 investigation and issuance  
26 of a provisional approval in February 2020, within the required thirty days and failing to notify  
27 the Bureau of the BVNPT decision revoking their provisional approval, as more specifically set  
28 forth in paragraphs 15 through 17 above and incorporated herein.

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**THIRD CAUSE FOR DISCIPLINE**

**(Admissions Standards and Transferred Credits Policy)**

20. Respondent has subjected its approval to operate to disciplinary action under California Code of Regulations, title 5, section 71770, by enrolling students in their vocational nursing program who failed to pass the TEAS entrance examination as more specifically set forth in paragraphs 15 through 17 above and incorporated herein.

**PRAYER**

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Director of the Department of Consumer Affairs issue a decision:

1. Revoking Approval to Operate Number 1921251, issued to Premiere Educational Corporation, dba Premiere Career College;
2. Ordering Premiere Educational Corporation to pay the Bureau for Private Postsecondary Education the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
3. Taking such other and further action as deemed necessary and proper.

DATED: “5/4/2022”

“Original signature on file”  
DEBORAH COCHRANE  
Chief  
Bureau for Private Postsecondary  
Education  
Department of Consumer Affairs  
State of California  
*Complainant*

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