



Bureau for Private Postsecondary Education
 1747 N. Market Blvd. Ste 225 Sacramento, CA 95834
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NOTICE TO COMPLY – CU-2101311-0220 (Ed. Code §94935 & 5, CCR §75010)

Institution Name:	ELS Language Centers	Institution Telephone:	(415) 485-3224
Institution Code:	2101311	Director:	Petra Jasso
Street Address:	50 Acacia Avenue	Date of Inspection:	February 26, 2020

Nature and Facts of the Violation(s), Including a Reference to the Statute or Regulation Violated, and Manner in Which the Institution Must Correct the Violation to Achieve Compliance:

California Education Code or Code of Regulations	Subsection, Description, and Required Correction
<p>CEC §94909(a)(4)</p>	<p>(a) Except as provided in subdivision (d), prior to enrollment, an institution shall provide a prospective student, either in writing or electronically, with a school catalog containing, at a minimum, all of the following: (4) The address or addresses where class sessions will be held.</p> <p>The school failed to include in its catalog, dated January 1, 2019- December 31, 2019, the address of the main location of the institution where class sessions will be held.</p> <p>To remedy this violation, the school shall update its catalog to include the address of the main location of the institution where class sessions will be held. The Institution shall submit, to the bureau’s NTC analyst, evidence of correction along with the last page of this document in response to this NTC by March 28, 2020.</p>
<p>5, CCR §71810 (b)(3)</p>	<p>(b)The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following: (3) If the institution admits students from other countries, whether visa services are provided or whether the institution will vouch for student status, and any associated charges;</p> <p>The school’s catalog provided a statement as to whether they admit students from other countries but did not state whether visa services are provided or whether the institution will vouch for student status, and any associated charges.</p> <p>To remedy this violation, make a complete statement in the catalog concerning admission of students from other countries. The Institution shall submit, to the bureau’s NTC analyst, evidence of correction along with the last page of this document in response to this NTC by March 28, 2020.</p>

Notice to Comply – CU-2101311-0220

Inspector’s Initial: *A*

Administrator’s Initial: *PJ*

<p>CEC §94909(a)(5)</p>	<p>(a) Except as provided in subdivision (d), prior to enrollment, an institution shall provide a prospective student, either in writing or electronically, with a school catalog containing, at a minimum, all of the following: (5) A description of the programs offered and a description of the instruction provided in each of the courses offered by the institution, the requirements for completion of each program, including required courses, any final tests or examinations, any required internships or externships, and the total number of credit hours, clock hours, or other increments required for completion.</p> <p>A vague description of the programs offered was provided in the catalog.</p> <p>To remedy this violation, revise catalog to include a more detailed description of the programs offered and a description of the instruction provided in each of those programs, along with the requirements for completion and any final tests or examinations. The Institution shall submit, to the bureau’s NTC analyst, evidence of correction along with the last page of this document in response to this NTC by March 28, 2020.</p>
<p>CEC §94909(a)(9)</p>	<p>(a) Except as provided in subdivision (d), prior to enrollment, an institution shall provide a prospective student, either in writing or electronically, with a school catalog containing, at a minimum, all of the following: (9) The schedule of total charges for a period of attendance and an estimated schedule of total charges for the entire educational program.</p> <p>The school’s catalog failed to provide both the schedule of total charges for a period of attendance and an estimated schedule of total charges for the entire educational program.</p> <p>To remedy this violation, please provide in the school’s catalog both the schedule of total charges for a period of attendance and an estimated schedule of total charges for the entire educational program, if they are the same, please make a statement to that effect. The Institution shall submit, to the bureau’s NTC analyst, evidence of correction along with the last page of this document in response to this NTC by March 28, 2020.</p>
<p>CEC §94909(a)(8)(B)</p>	<p>(a) Except as provided in subdivision (d), prior to enrollment, an institution shall provide a prospective student, either in writing or electronically, with a school catalog containing, at a minimum, all of the following: (8) A detailed description of institutional policies in the following areas: (B) Cancellation, withdrawal, and refund policies, including an explanation that the student has the right to cancel the enrollment agreement and obtain a refund of charges paid through attendance at the first class session, or the seventh day after enrollment, whichever is later. The text shall also include a description of the procedures that a student is required to follow to cancel the enrollment agreement or withdraw from the institution and obtain a refund consistent with the requirements of Article 13 (commencing with Section 94919).</p> <p>On page 12 of the school’s catalog under the heading “Cancellation Policy, California” the school’s cancellation policy is not in compliance with the bureau laws.</p>



	<p>The school cannot charge students for these non-refundable fees during the cancellation period; through attendance at the first class session, or the seventh day after enrollment, whichever is later.</p> <p>The school can only retain the application fee, up to \$250 and the STRF fee, currently \$0, during the cancellation period.</p> <p>To remedy this violation, the school shall identify in its catalog the fees that become non-refundable once the cancellation period has passed. The Institution shall submit, to the bureau’s NTC analyst, evidence of correction along with the last page of this document in response to this NTC by March 28, 2020.</p> <p>Example: You have the right to cancel your agreement for a program of instruction, without any penalty or obligations, through attendance at the first class session or the seventh calendar day after enrollment, whichever is later. After the end of the cancellation period, you also have the right to stop school at any time; and you have the right to receive a pro rata refund if you have completed 60 percent or less of the scheduled days in the current payment period in your program through the last day of attendance.</p>
<p>CEC §94909(a)(7)</p>	<p>(a) Except as provided in subdivision (d), prior to enrollment, an institution shall provide a prospective student, either in writing or electronically, with a school catalog containing, at a minimum, all of the following: (7) Information regarding the faculty and their qualifications.</p> <p>The school catalog failed to contain information regarding the faculty and their qualifications.</p> <p>To remedy this violation, the school shall update its catalog to contain information regarding the faculty and their qualifications. The Institution shall submit, to the bureau’s NTC analyst, evidence of correction along with the last page of this document in response to this NTC by March 28, 2020.</p>
<p>CEC §94909(a)(11)</p>	<p>(a) Except as provided in subdivision (d), prior to enrollment, an institution shall provide a prospective student, either in writing or electronically, with a school catalog containing, at a minimum, all of the following: (11) A statement specifying that, if a student obtains a loan to pay for an educational program, the student will have the responsibility to repay the full amount of the loan plus interest, less the amount of any refund, and that, if the student has received federal student financial aid funds, the student is entitled to a refund of the moneys not paid from federal student financial aid program funds.</p> <p>The school failed to provide the required statement.</p> <p>To remedy this violation, make statement in the catalog to include: if a student obtains a loan to pay for an educational program, the student will have the responsibility to repay the full amount of the loan plus interest, less the amount of any refund, and that, if the student has received federal student financial aid funds, the student is entitled to a refund of the moneys not paid from federal student financial aid program funds. The Institution shall</p>

	<p>submit, to the bureau’s NTC analyst, evidence of correction along with the last page of this document in response to this NTC by March 28, 2020.</p>
<p>5, CCR §71810 (b)(14)</p>	<p>b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following: (14) Policies on student rights, including the procedure for addressing student grievances;</p> <p>On page 15 of the school catalog under the heading Grievances and questions, it is stated “Any student grievances may be referred to the Center Director” But failed to include the procedure for contacting the Director and how the grievance is handled.</p> <p>To remedy this violation, up dated the student Grievances policy. The Institution shall submit, to the bureau’s NTC analyst, evidence of correction along with the last page of this document in response to this NTC by March 28, 2020.</p>
<p>5, CCR §71810 (b)(13)(A)(B)</p>	<p>(b)The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following: (13) Housing information including all of the following: (A)Whether the institution has dormitory facilities under its control; (B) The availability of housing located reasonably near the institution’s facilities and an estimation of the approximate cost or range of cost of the housing; and (C) If the institution has no responsibility to find or assist a student in finding housing, a clear and conspicuous statement so indicating. A statement that the program is "non-residential" does not satisfy this subparagraph.</p> <p>The school failed to provide a complete housing statement.</p> <p>To remedy this violation, revise statement in the catalog to include all 3 statements. See Example below: XYZ College does not have dormitory facilities under its control and we do not provide assistance to the student in finding housing. The availability of housing near the institution is favorable with the average cost of a home in the area at around \$400,000 and rent for a 1 bedroom apartment is approximately \$1200. The Institution shall submit, to the bureau’s NTC analyst, evidence of correction along with the last page of this document in response to this NTC by March 28, 2020.</p>
	<p>(b)The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following: (15) Policies on the retention of student records.</p> <p>The school’s catalog did not contain a retention policy.</p> <p>To remedy this violation, please provide your student records policy to state that student transcripts and degree or certificate are maintained indefinitely, and all other records are maintained for 5 years. The Institution shall submit,</p>

<p>5, CCR §71810 (b)(15)</p>	<p>to the bureau’s NTC analyst, evidence of correction along with the last page of this document in response to this NTC by March 28, 2020.</p> <p>94900. Required Student Records (a) An institution shall maintain records of the name, address, e-mail address, and telephone number of each student who is enrolled in an educational program in that institution. (b) An institution shall maintain, for each student granted a degree or certificate by that institution, permanent records of all of the following: (1) The degree or certificate granted and the date on which that degree or certificate was granted. (2) The courses and units on which the certificate or degree was based. (3) The grades earned by the student in each of those courses.</p>
<p>CCR §71800(a)(b) (d)</p>	<p>In addition to the requirements of section 94911 of the Code, an institution shall provide to each student an enrollment agreement that contains at the least the following information: (a)The name and address of the institution and the addresses where instruction will be provided. (b) Period covered by the enrollment agreement. (d) Date by which the student must exercise his or her right to cancel or withdraw, and the refund policy, including any alternative method of calculation if approved by the Bureau pursuant to section 94921 of the Code.</p> <p>The school’s enrollment agreement failed to include the above information.</p> <p>To remedy this violation, the school shall update its enrollment agreement to include the above information. The Institution shall submit, to the bureau’s NTC analyst, evidence of correction along with the last page of this document in response to this NTC by March 28, 2020.</p>
<p>CEC §94911(e)(2)(3)</p>	<p>Minimum Requirements for Enrollment Agreements An enrollment agreement shall include, at a minimum, all of the following: (e) (2) The disclosure shall contain the institution’s refund policy and a statement that, if the student has received federal student financial aid funds, the student is entitled to a refund of moneys not paid from federal student financial aid program funds. (3) A description of the procedures that a student is required to follow to cancel the enrollment agreement or withdraw from the institution and obtain a refund.</p> <p>On page 2 under student’s right to cancel. The enrollment agreement failed to include a statement specifying that, if the student has received federal student financial aid funds, the student is entitled to a refund of moneys not paid from federal student financial aid program funds. The enrollment agreement also failed to include a description of the procedures that a student is required to follow to cancel the enrollment agreement or withdraw from the institution and obtain a refund.</p>

	<p>To remedy this violation, the school shall update its enrollment agreement to include the above-mentioned statements. The Institution shall submit, to the bureau’s NTC analyst, evidence of correction along with the last page of this document in response to this NTC by March 28, 2020.</p>
CEC §94911(f)	<p>Minimum Requirements for Enrollment Agreements An enrollment agreement shall include, at a minimum, all of the following: (f) A statement specifying that, if the student obtains a loan to pay for an educational program, the student will have the responsibility to repay the full amount of the loan plus interest, less the amount of any refund.</p> <p>The school failed to include the required above mentioned statements in its enrollment agreement.</p> <p>To remedy this violation, the institution shall submit a revised enrollment agreement containing the above mentioned required statement. The Institution shall submit, to the bureau’s NTC analyst, evidence of correction along with the last page of this document in response to this NTC by March 28, 2020.</p>
CEC §94911(g)(1)(2)	<p>g) A statement specifying that, if the student is eligible for a loan guaranteed by the federal or state government and the student defaults on the loan, both of the following may occur: (1) The federal or state government or a loan guarantee agency may take action against the student, including applying any income tax refund to which the person is entitled to reduce the balance owed on the loan. (2) The student may not be eligible for any other federal student financial aid at another institution or other government assistance until the loan is repaid.</p> <p>The school failed to include the required above mentioned statements in its enrollment agreement.</p> <p>To remedy this violation, the school shall include the required above mentioned statements in its enrollment agreement.</p>
CEC §94911(d)	<p>An enrollment agreement shall include, at a minimum, all of the following: (d) A clear and conspicuous statement that the enrollment agreement is legally binding when signed by the student and accepted by the institution.</p> <p>The statement on page 1 of the school’s enrollment agreement failed to clearly and conspicuously state, that the enrollment agreement is legally binding when signed by the student and accepted by the institution.</p> <p>To remedy this violation, the school shall update its enrollment agreement to include a clear and conspicuous statement that the enrollment agreement is legally binding when signed by the student and accepted by the institution.</p>

Only minor violations are listed on a Notice to Comply.

Inspector's Name	Gurinder Sandhu
Inspector's Signature	
Institution Administrator Name/Title:	Petra Jasso
Institution Administrator's Signature:	

Education Code can be located at: http://www.bppe.ca.gov/lawsregs/ppe_act.shtml
Code of Regulations can be located at: <http://www.bppe.ca.gov/lawsregs/regs.shtml>

RETURN THIS FORM WITHIN THE SPECIFIED TIME FRAME WITH EITHER: 1) VERIFICATION OF COMPLIANCE OR 2) A NOTICE OF DISAGREEMENT

IMPORTANT COMPLIANCE NOTICE

California Education Code §94935 and California Code of Regulations §75010 provide that the Bureau for Private Postsecondary Education (Bureau) shall issue a Notice to Comply for minor violations detected during a compliance inspection by the Bureau.

By no later than 30 days from the date of the inspection, you must either: 1) Remedy the noncompliance item(s), sign the below declaration and submit this form to the Bureau, along with documentation describing how compliance was achieved; or 2) File with the Bureau a written notice of disagreement, specifying the minor violation(s) described in the Notice to Comply with which you disagree, and appealing it by requesting an informal office conference. If a written notice of disagreement is not timely filed with the Bureau, the right to appeal is deemed to have been waived.

Failure to timely remedy the noncompliance item(s) or file a written request for an informal office conference may result in the Bureau taking administrative enforcement action.

DECLARATION

Attached to this document is a list describing how compliance was achieved for each violation and supporting documentation. I declare under penalty of perjury that all violations identified in this Notice to Comply are corrected as described in the attachment.

Signature _____

Date _____

Print Name and Title _____

THIS DECLARATION OR A NOTICE OF DISAGREEMENT MUST BE SUBMITTED TO THE BUREAU BY **March 28, 2020**

Notice to Comply – CH-2101311-0220

Inspector's Initial: 

Administrator's Initial: _____