



Bureau for Private Postsecondary Education
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Notice to Comply – CA 85210125 0217 (Ed. Code § 94935, 5 5, CCR § 75010)
 3404491

Institution Name:	Pacific Coast Horseshoeing School	Institution Telephone:	209-245-3920
Institution Code:	85210125 3404491	Administrator Name:	Bob Smith
Street Address:	5225 Carbondale Road Plymouth, CA 95669	Date of Inspection:	February 10, 2017

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:

STUDENT TUITION RECOVERY FUND

Education Code (CEC) or
 Code of Regulations (5, CCR)
**5, CCR §76140. Record-Keeping
 Requirements**

Subsection , Description, and Required Correction

(a) A qualifying institution shall collect and maintain records of student information to substantiate the data reported on the STRF Assessment Reporting Form and records of the students' eligibility under the Fund. Such records shall include the following for each student:

- (1) Student identification number,
- (2) First and last names,
- (3) Email address,
- (4) Local or mailing address,
- (5) Address at the time of enrollment,
- (6) Home address,
- (7) Date enrollment agreement signed,
- (8) Courses and course costs,
- (9) Amount of STRF assessment collected,
- (10) Quarter in which the STRF assessment was remitted to the Bureau,
- (11) Third-party payer identifying information,
- (12) Total institutional charges charged, and
- (13) Total institutional charges paid.

(b) The qualifying institution shall maintain the data required under this section in an electronic format that is readily available and open to inspection by the Bureau upon request. The institution shall make the records immediately available to a Bureau representative conducting a site inspection or, upon written request, shall provide a copy within 14 calendar days of the request. All records shall be provided to the Bureau in an intelligible and orderly manner and in an electronic format.

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Documentation to substantiate the data report in the Student Tuition Recovery Fund Assessment Forms for 2016 Quarters 3 and 4 was not made available.

To remedy this violation, provide the documentation to support the information reported on the Student Tuition Recovery Fund Assessment Forms for 2016 Quarters 3 and 4. The documentation shall be provided in an orderly manner and an electronic format.

The electronic version of the backup data shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

INSTITUTIONAL WEBSITE AND ADVERTISEMENTS

Education Code

CEC §94913. Institutional Web Site Requirements

Subsection , Description, and Required Correction

(a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following:

(1) The school catalog.

The institution's website, www.pacificcoasthorseshoeing.com, does not contain an active link to the current corrected school catalog. The catalog available on the institution's website covers January 1, 2016 through December 31, 2016.

To remedy the violation, the institution's current website shall be updated to provide a current school catalog with the required corrections identified below.

A printout of or a link to the updated website shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

CEC §94913. Institutional Web Site Requirements

(a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following:

(2) A School Performance Fact Sheet for each educational program offered by the institution.

The institution's website, www.pacificcoasthorseshoeing.com, does not contain 2014/2015 Performance Fact Sheets with accurate information.

To remedy the violation, the institution's website shall be updated to contain the updated 2014/2015 Performance Fact Sheets with the required corrections identified below.

A printout of or a link to the updated website shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

CEC §94913. Institutional Web Site Requirements

(a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following:

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(5) The institution's most recent annual report submitted to the bureau.

The institution's website, www.pacificcoasthorseshoeing.com, does not contain an active link to the institution's most recent annual report submitted to the Bureau. The current link available is broken or unavailable.

To remedy this violation, the institution's website shall be updated with the institution's most recent annual report submitted to the Bureau.

A printout of or a link to the updated website shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

5, CCR §74117. Website Requirements

In addition to the requirement in Section 94913(b) of the Code, an institution that maintains a website shall provide on the homepage of that website clear and conspicuous links to all the items required in Section 94913(a) of the Code.

The homepage of the institution's website, www.pacificcoasthorseshoeing.com, does not contain a link to the institution's school catalog, School Performance Fact Sheet, student brochures offered by the institution, the most recent annual report submitted to the Bureau, and a link to the Bureau's internet website.

To remedy this violation, the homepage of the institution's website shall be updated with a link to the institution's school catalog, School Performance Fact Sheet, student brochures offered by the institution, the most recent annual report submitted to the Bureau, and a link to the Bureau's internet website.

A printout of or a link to the updated website shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

SCHOOL CATALOG

Education Code (CEC) or
Code of Regulations (5, CCR)
5, CCR §71810. Catalog.

Subsection , Description, and Required Correction

(a) Each institution shall provide a catalog pursuant to section 94909 of the Code, which shall be updated annually. Annual updates may be made by the use of supplements or inserts accompanying the catalog. If changes in educational programs, educational services, procedures, or policies required to be included in the catalog by statute or regulation are implemented before the issuance of the annually updated catalog, those changes shall be reflected at the time they are made in supplements or inserts accompanying the catalog.

The institution failed to provide a written statement describing their

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policy on updating the catalog.

The institution shall provide a written statement addressing their policy for updating the catalog. The policy shall meet the minimum standards set forth in this section.

The written statement shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

5, CCR §71810. Catalog.

(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:

(1) The specific beginning and ending dates defining the time period covered by the catalog;

Page 21 of the catalog contains a specific beginning and ending dates of January 1, 2016-December 31, 2016.

To remedy the violation, the current catalog shall contain the specific beginning and ending dates (Month, Date, Year) defining the current time period covered by the catalog.

The catalog correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

CEC §94897. Prohibited Business Practices.

(l) Use the terms "approval," "approved," "approval to operate," or "approved to operate" without stating clearly and conspicuously that approval to operate means compliance with state standards as set forth in this chapter. If the bureau has granted an institution approval to operate, the institution may indicate that the institution is "licensed" or "licensed to operate," but may not state or imply either of the following:

(1) The institution or its educational programs are endorsed or recommended by the state or by the bureau.

(2) The approval to operate indicates that the institution exceeds minimum state standards as set forth in this chapter.

The 2017 catalog states the institution is a private institution approved to operate by the Bureau for Private Postsecondary Education; however, failed to state clearly and conspicuously that approval to operate means compliance with state standards as set forth in the Ed. Code.

To remedy this, the institution shall update the current 2017 catalog to include an explanation of what approval to operate means pursuant to CEC §94897(l). Approval to operate means the institution has met the minimum standards set for by the California Education Code and Title 5, Division 7.5 of the California Code of Regulations.

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The catalog correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

5, CCR §71810. Catalog.

(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:

(2) A statement of the institution's missions and purposes and the objectives underlying each of its educational programs.

(q) "Mission" means an institution's stated educational reasons to exist. A mission statement contains all of the following characteristics:

(1) The mission includes the institution's broad expectations concerning the education that students will receive, including the acquisition of the body of knowledge presented in the educational program, the development of intellectual, analytical, and critical abilities, and the fostering of values such as a commitment to pursue lifelong learning; and

(2) The mission relates to the educational expectations of the institution's students, faculty and community that the institution serves.

(r) "Objectives" are the goals and methods by which the institution fulfills its mission and transforms it into measurable student learning outcomes for each educational program.

The 2017 school catalog states the purpose of the institution is to shoe horses. The catalog does not contain a mission statement and objectives which meet the requirements of 5, CCR §70000(q)(1)(2), (r).

To remedy the violation, the current catalog shall be updated to contain a mission statement and the institution's objectives underlying the approved educational program.

The catalog correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

5, CCR §71810. Catalog.

(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:

(10) A description of library and other learning resources and the procedures for student access to those resources

The 2017 catalog failed to contain a description of the library and other learning resources and the procedures for student access to those resources. The catalog describes the institutional library previously maintained by the institution, then states, "Because of the BPPE draconian requirements this institution does not have a school library."

An institution is required to maintain a library or other learning

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resources available for student use, pursuant to 5, CCR §71740. The catalog shall provide a description of the library or other learning resources and the procedures for students to access those resources.

To remedy the violation, the current catalog shall be updated to include a description of the library resources. The catalog shall also be updated to include the procedures for students to access the library materials and other learning resources.

The catalog correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

CEC §94909. Minimum Requirements for School Catalog

(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:

(A) Admissions policies, including the institution's policies regarding the acceptance of credits earned at other institutions or through challenge examinations and achievement tests, admissions requirements for ability-to-benefit students, and a list describing any transfer or articulation agreements between the institution and any other college or university that provides for the transfer of credits earned in the program of instruction. If the institution has not entered into an articulation or transfer agreement with any other college or university, the institution shall disclose that fact.

The 2017 catalog does not contain an admission's policy the requires students enrolled to have a high school diploma, GED, or its equivalent, or to otherwise successfully take and pass an ability-to-benefit examination approved by the United States Department of Education. The institution stated in their catalog they do not grant degrees or diplomas, and therefore is not required to show enrolling students have a high school diploma, GED or equivalent, or have otherwise taken and passed an ability to benefit examination approved by the United States Department of Education.

A certificate awarded at the completion of an educational program is the same as a diploma. Students enrolling in a private postsecondary institution shall have a high school diploma, GED, or its equivalent, or to otherwise successfully take and pass an ability-to-benefit examination approved by the United States Department of Education.

To remedy the violation, the current catalog shall be updated to include admission requirements requiring prospective students to provide a high school diploma, GED, or its equivalent, or to otherwise successfully take and pass an ability-to-benefit examination approved by the United States Department of Education.

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5, CCR §71770. Admissions Standards and Transferred Credits Policy.

The catalog correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

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

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

The 2017 catalog does not contain an admission's policy the requires students enrolled to have a high school diploma, GED, or its equivalent, or to otherwise successfully take and pass an ability-to-benefit examination approved by the United States Department of Education. The institution stated in their catalog they do not grant degrees or diplomas, and therefore is not required to show enrolling students have a high school diploma, GED or equivalent, or have otherwise taken and passed an ability to benefit examination approved by the United States Department of Education.

A certificate awarded at the completion of an educational program is the same as a diploma. Students enrolling in a private postsecondary institution shall have a high school diploma, GED, or its equivalent, or to otherwise successfully take and pass an ability-to-benefit examination approved by the United States Department of Education.

To remedy the violation, the current catalog shall be updated to include admission requirements requiring prospective students to provide a high school diploma, GED, or its equivalent, or to otherwise successfully take and pass an ability-to-benefit examination approved by the United States Department of Education.

The catalog correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

5, CCR §71810. Catalog.

(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:

(4) Language proficiency information, including:

(A) the level of English language proficiency required of students and the kind of documentation of proficiency, such as the Test of English as a Foreign Language (TOEFL), that will be accepted; and

(B) whether English language services, including instruction such as

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ESL, are provided and, if so, the nature of the service and its cost.

The 2017 catalog failed to contain the type of English language proficiency documentation accepted.

To remedy the violation, the current catalog shall be updated to contain the type of English language proficiency documentation that would be accepted.

The catalog correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

CEC §94909. Minimum Requirements for School Catalog

(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).

The 2017 catalog does not contain a withdrawal and refund policy that gives the student the right to a pro-rata refund for students who withdraw and have completed 60% or less of the scheduled period of attendance. The catalog does not describe the refund policy describing how refunds are calculated.

To remedy this violation, the current catalog shall be to contain a withdrawal and refund policy that entitle a student the right to a pro-rata refund if a student has complete 60% or less of the scheduled period of attendance and withdraws, and a description of the calculation used to determine refunds.

The catalog correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

5, CCR §71750. Withdrawals and Refunds

(b) An institution may not enforce any refund policy that is not specified in the catalog as required pursuant to section 94909(a)(8)(B) of the Code, and must refund all institutional charges upon a student's withdrawal. Withdrawal policy procedures pursuant to section 94909(a)(8)(B) of the Code shall include, at a minimum: the acceptable methods of delivery of a notice to withdraw; whether withdrawal can be accomplished by conduct, and if so, how; the position or positions to whom the notice to withdraw must be

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delivered; and the date that the notice to withdraw is considered effective, which shall be no later than the date received by the institution.

The 2017 catalog does not contain a withdrawal policy disclosing whether withdrawal can be accomplished by conduct and the date that the notice to withdraw is considered effective.

To remedy this violation, the current catalog shall be updated to contain a withdrawal policy disclosing whether withdrawal can be accomplished by conduct and the date that the notice to withdraw is considered effective.

The catalog correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

5, CCR §71810. Catalog.

(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:

(6) The institution's policies and practices regarding any form of financial aid, including all consumer information which the institution is required to disclose to the student under any state or federal financial aid program.

The 2017 catalog does not contain the institution's policies and practices regarding any form of financial aid. The institution's website states the institution accepts Veteran's Affairs assistance, and student files contain Veteran's Affairs payment agreements.

To remedy this violation, the current catalog shall be updated to contain a statement reporting whether the institution participates in Veteran's Affairs financial aid programs, and all consumer information required to be disclosed.

The catalog correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

CEC §94909. Minimum Requirements for School Catalog

(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:
(C) Probation and dismissal policies.

The 2017 catalog states the institution's dismissal policy is "at the discretion of the CEO." This is not a detailed description of the policy, and does not inform the students what may be grounds for dismissal.

To remedy this violation, the current catalog shall be updated to

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contain a detailed description of the institution's dismissal policies, including under what terms a student may be dismissed.

CEC §94909. Minimum Requirements for School Catalog

The catalog correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

(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:
- (E) Leave-of-absence policies.

The 2017 catalog states the institution's leave-of-absence policy is "at the discretion of the owner of Pacific Coast Horseshoeing School." This the policy does not describe the students' potential rights with respect to a leave-of-absence.

To remedy this violation, the current catalog shall be updated to contain the institution's leave-of-absence policies, including under what terms or circumstances a student may be dismissed.

The catalog correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

ENROLLMENT AGREEMENT

CEC §94911. Minimum Requirements for Enrollment Agreements

(k) The following statement above the space for the student's signature:

"I understand that this is a legally binding contract. My signature below certifies that I have read, understood, and agreed to my rights and responsibilities, and that the institution's cancellation and refund policies have been clearly explained to me."

The enrollment agreement does not contain the specific required statement above the space for the student's signature verbatim to the quotations above.

To remedy the violation, the current enrollment agreement shall be updated to contain the specific required statement above the space for the student's signature verbatim to the quotations above.

The enrollment agreement correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

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SCHOOL PERFORMANCE FACT SHEET

Education Code or Code of Regulations	Subsection, Description, and Required Correction
<p>5, CCR §74112. Uniform Data-Annual Report, Performance Fact Sheet</p>	<p>(e) Reporting periods: (2) A Performance Fact Sheet shall be current and available not later than December 1st, and shall report data for the previous two calendar years based upon the "number of students who began the program," as defined in subdivision (d)(1) of this section and were scheduled to graduate in the reported year(s).</p> <p>The current School Performance Fact Sheet requirement for the December 1, 2016 submission deadline is for the 2014/2015 School Performance Fact Sheet. The institution had 2015/2016 School Performance Fact Sheets in student files.</p> <p>To correct this deficiency, the institution shall ensure their current School Performance Fact Sheet is for the 2014/2015 reporting years.</p> <p>The corrections to the School Performance Fact Sheet substantiating documentation shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.</p>
<p>5, CCR §74112. Uniform Data-Annual Report, Performance Fact Sheet</p>	<p>(m) Documentation supporting all data reported shall be maintained electronically by the institution for at least five years from the last time the data was included in either an Annual Report or a Performance Fact Sheet and shall be provided to the Bureau upon request; the data for each program shall include at a minimum:</p> <p>(1) the list of job classifications determined to be considered gainful employment for the educational program;</p> <p>(2) student name(s), address, phone number, email address, program completed, program start date, scheduled completion date, and actual completion date;</p> <p>(3) graduate's place of employment and position, date employment began, date employment ended, if applicable, actual salary, hours per week, and the date employment was verified;</p> <p>(4) for each employer from which employment or salary information was obtained, the employer name(s) address and general phone number, the contact person at the employer and the contact's phone number and email address, and all written communication with employer verifying student's employment or salary;</p> <p>(5) for students who become self-employed, all documentation necessary to demonstrate self-employment;</p> <p>(6) a description of all attempts to contact each student or employer;</p> <p>(7) any and all documentation used to provide data regarding license examinations and examination results;</p> <p>(8) for each student determined to be unavailable for graduation or unavailable for employment, the identity of the student, the type of unavailability, the dates of unavailability, and the documentation of the unavailability; and</p> <p>(9) the name, email address, phone number, and position or title of the institution's representative who was primarily responsible for obtaining the students' completion, placement, licensing, and salary and wage data, the date that the information was gathered, and copies of notes, letters or emails through which the information was requested and gathered.</p>

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	<p>The institution did not provide documentation to substantiate the data provided in the School Performance Fact Sheet.</p> <p>To remedy the violation, the institution shall collect and maintain documentation to substantiate the data reported in the current 2014/2015 School Performance Fact Sheet. The documentation shall contain all elements identified in the Regulation above.</p> <p>The corrections to the School Performance Fact Sheet substantiating documentation shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.</p>
<p>CEC §94929.7. Documentation of Performance Date</p>	<p>(a) The information used to substantiate the rates and information calculated pursuant to Sections 94929 and 94929.5 shall do both of the following:</p> <p>(1) Be documented and maintained by the institution for five years from the date of the publication of the rates and information.</p> <p>The institution failed to provide documentation to substantiate the rates and information in the Performance Fact Sheet for five years from the date of publication.</p> <p>To remedy the violation, the institution shall collect and maintain documentation to substantiate the data reported in the current 2014/2015 School Performance Fact Sheet for five years from the last date of publication.</p> <p>The corrections to the School Performance Fact Sheet substantiating documentation shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.</p>
<p>CEC §94929.7. Documentation of Performance Date</p>	<p>(a) The information used to substantiate the rates and information calculated pursuant to Sections 94929 and 94929.5 shall do both of the following:</p> <p>(2) Be retained in an electronic format and made available to the bureau upon request.</p> <p>The institution failed to provide information to substantiate the rates and information in the Performance Fact Sheet in an electronic format.</p> <p>To remedy the violation, the institution shall provide the documentation to substantiate the data reported in the current 2014/2015 School Performance Fact Sheet in an electronic format.</p> <p>The corrections to the School Performance Fact Sheet substantiating documentation shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.</p>
<p>5, CCR §74112. Uniform Data- Annual Report, Performance Fact Sheet</p>	<p>(a) Format. The format for the Performance Fact Sheet shall be in at least 12 pt. type, in an easily readable font, with 1.15 line spacing and all titles and column headings shall be in bold 14 pt. type, which shall also identify the program for which the Performance Fact Sheet pertains. The Performance Fact Sheet shall contain all and only the information required or specifically permitted by sections 94910 and 94929.5 of the Code or this chapter. A separate Performance Fact Sheet shall be prepared for each program.</p>

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	<p>The 2014/2015 School Performance Fact Sheet (SPFS) available on the institution's website does not contain all and only the information required or specifically permitted by CEC §94910 or this Chapter. The SPFS contains the following statement throughout the document:</p> <p>“ ***CCR §74112(d)(3) of Division 7.5 of Title 5 of the California Code of Regulations “Gainfully employed” means: (A) The on-time graduate is employed in a job classification under the United States Department of Labor’s Standard Occupational Classification codes, using the Broad Occupation Detailed Occupation or six-digit level, for which the institution has identified in its catalog and in its employment positions list required by section 94910(f)(2) of the Code that the program prepares its graduates, Horseshoeing does not have a job classification under the United States Department of Labor’s Standard Occupational Classification Codes. 100% of all graduates will be self-employed.”</p> <p>To remedy this violation, the institution shall update the 2014/2015 School Performance Fact Sheet to contain all and only the information required or specifically permitted by CEC §94910 or this Chapter. The statement made throughout the document is incorrect and not specifically permitted.</p> <p>The corrections to the School Performance Fact Sheet substantiating documentation shall be submitted with the institution’s response to the Notice to Comply and the last page of this document no later than March 12, 2017.</p>
<p>CEC § 94929. Reporting of Completion Rate</p>	<p>(a) An institution shall annually report to the bureau, as part of the annual report, and publish in its School Performance Fact Sheet, the completion rate for each program. Except as provided in subdivision (b), the completion rate shall be calculated by dividing the number of on-time graduates by the number of students available for graduation.</p> <p>The 2014/2015 School Performance Fact Sheet (SPFS) provided on the institution’s website contain completion rates incorrectly calculated. The SPFS appears to show the institution calculated the completion rate using the number of students who began the program, not the number of students available for graduation.</p> <p>To remedy this violation, the institution shall update the 2014/2015 School Performance Fact Sheet by updating the completion rate. The calculation shall be the number of on-time graduates by the number of students available for graduation.</p> <p>The corrections to the School Performance Fact Sheet substantiating documentation shall be submitted with the institution’s response to the Notice to Comply and the last page of this document no later than March 12, 2017.</p>
	<p>(d) In addition to the definitions contained in section 94928 of the Code: (3) “Gainfully Employed” means: (C) The graduate is self-employed or working freelance as reasonably evidenced by, but not limited to, a business license, fictitious business name statement, advertising (other than business cards), website, or business receipts or other evidence of income from business; or an attestation signed by the graduate of self-employment or freelance work and dated after</p>

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graduation.

The institution's 2014/2015 School Performance Fact Sheet (SPFS) available on the institution's website states:

"Gainfully employed" means: (A) The on-time graduate is employed in a job classification under the United States Department of Labor's Standard Occupational Classification codes, using the Broad Occupation Detailed Occupation or six-digit level, for which the institution has identified in its catalog and in its employment positions list required by section 94910(f)(2) of the Code that the program prepares its graduates, Horseshoeing does not have a job classification under the United States Department of Labor's Standard Occupational Classification Codes. 100% of all graduates will be self-employed."

As a result of this statement, the institution did not report the number of graduates employed in the field in job placement rates and salary and wage data. Be advised, an alternative definition to "gainfully employed" is defined by 5, CCR §74112(d)(3)(C), identified above.

To remedy this violation, the institution shall update the 2014/2015 School Performance Fact Sheet with job placement rates and salary and wage data utilizing the "gainfully employed" definition as defined by 5, CCR §74112(d)(3)(C), identified above.

The corrections to the School Performance Fact Sheet substantiating documentation shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

5, CCR §74112. Uniform Data-Annual Report, Performance Fact Sheet

Gainful Employment Categories (includes data for the two calendar years prior to reporting)
Name of Educational Program (Program Length)
Part Time vs. Full Time Employment

Calendar Year	Graduates Employed in the Field 20 to 29 hours per week	Graduates Employed in the Field at least 30 hours per week	Total Graduates Employed in the Field
2014			
2015			

Single Position vs. Concurrent Aggregated Positions

Calendar Year	Graduates Employed in the Field in a Single Position	Graduates Employed in the Field in Concurrent Aggregated Positions	Total Graduates Employed in the Field
2014			

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2015			
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Self-Employed/Freelance Positions

Calendar Year	Graduates Employed who are self-employed or working Freelance	Total Graduates Employed in the Field
2014		
2015		

Institutional Employment

Calendar Year	Graduates Employed in the field who are employed by the institution, an employer owned by the institution, or an employer who shares ownership with the institution	Total Graduates Employed in the Field
2014		
2015		

The institution's 2014/2015 School Performance Fact Sheet does not contain information reported in the "Gainfully Employed Categories," utilizing the "gainfully employed" definition as defined by 5, CCR §74112(d)(3)(C), identified above. See the shaded areas above.

To remedy this violation, the institution shall update the 2014/2015 School Performance Fact Sheet with information reported in the Gainful Employment Categories.

The corrections to the School Performance Fact Sheet substantiating documentation shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

STUDENT RECORDS

Education Code or Code of Regulations	Subsection, Description, and Required Correction
CEC §94900. Required Student Records	(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.

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	<p>The institution did not maintain a permanent record (transcript) containing the certificate awarded and the date on which that certificate was granted, the courses and units on which the certificate was based, and the grades earned by the student in each of those courses for each student awarded a certificate.</p> <p>To remedy this violation, the institution shall submit copies of graduate transcripts containing the certificate awarded and the date on which that certificate was granted, the courses and units on which the certificate was based, and the grades earned by the student in each of those courses for each student awarded a certificate. The institution shall submit with their Notice to Comply response documentation of an established policy and procedure for developing and maintaining a permanent transcript for each student awarded a certificate upon completion of the program.</p> <p>Documentation of compliance shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.</p>
<p>5, CCR §71920. Student Records.</p>	<p>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records: (5) In addition to the requirements of section 94900(b) of the Code, a transcript showing all of the following: (A) The courses or other educational programs that were completed, or were attempted but not completed, and the dates of completion or withdrawal.</p> <p>The institution did not maintain transcripts in student files.</p> <p>To remedy this violation, the institution shall update the withdrawn or cancelled student and graduate files to contain the transcripts showing the courses that were completed, or were attempted but not completed and the dates of completion or withdrawal. The institution shall submit with their Notice to Comply response documentation of an established policy and procedure showing the institution is placing transcripts in each student and graduate file.</p> <p>The records correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.</p>
<p>5, CCR §71920. Student Records.</p>	<p>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records: (5) In addition to the requirements of section 94900(b) of the Code, a transcript showing all of the following: (E) The name, address, website address, and telephone number of the institution.</p> <p>The institution did not maintain transcripts in each student file.</p> <p>To remedy this violation, the institution shall update withdrawn/cancelled student and graduate files to contain the transcripts showing the institution's name, address, website address, and telephone number. The institution shall submit with their Notice to Comply</p>

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	<p>response documentation of an established policy and procedure showing the institution is placing transcripts in each withdrawn/cancelled student and graduate file.</p> <p>The records correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.</p>
<p>5, CCR §71920. Student Records.</p>	<p>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:</p> <p>(1) Written records and transcripts of any formal education or training, testing, or experience that are relevant to the student's qualifications for admission to the institution or the institution's award of credit or acceptance of transfer credits including the following:</p> <p>(A) Verification of high school completion or equivalency or other documentation establishing the student's ability to do college level work, such as successful completion of an ability-to-benefit test .</p> <p>The institution did not maintain student records which contained verification of high school completion or equivalency or other documentation establishing the student's ability to do college level work. Student files did not contain a copy of a recognized high school diploma, GED certificate, or results from an ability-to-benefit examination.</p> <p>To remedy this violation, the institution shall update student files to contain verification of high school completion or equivalency or other documentation establishing the student's ability to do college level work, which may include: a copy of a recognized high school diploma, GED certificate, or results from an ability-to-benefit examination. The institution shall submit with their Notice to Comply response documentation of an established policy and procedure showing the institution is including written records and transcripts documenting the student's ability to do college level work.</p> <p>The institution shall submit with their response copies of one current student file, one graduate student file, and one withdrawn student file with all required documents maintained in the students' files.</p> <p>Documentation of compliance shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.</p>

INSTITUTIONAL RECORDS

Education Code or Code of Regulations	Subsection, Description, and Required Correction
<p>CEC §94900.5. Required Institutional Records.</p>	<p>An institution shall maintain, for a period of not less than five years, at its principal place of business in this state, complete and accurate records of all of the following information:</p> <p>(a) The educational programs offered by the institution and the curriculum for each.</p> <p>The institution did not provide documentation showing the educational programs and curriculums were maintained.</p>

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	<p>To remedy this violation, the institution shall provide documentation of each institution's curriculum. The institution shall submit with their Notice to Comply response documentation of the institution's established policy and procedure for the maintenance of each educational program and curriculum.</p> <p>The records of correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.</p>
<p>CEC §94900.5. Required Institutional Records.</p>	<p>An institution shall maintain, for a period of not less than five years, at its principal place of business in this state, complete and accurate records of all of the following information: (b) The names and addresses of the members of the institution's faculty and records of the educational qualifications of each member of the faculty.</p> <p>The institution did not provide documentation of the addresses of each of the members of the institution's faculty and records of the educational qualifications of each member of the faculty. Faculty records were not provided and documentation of the completion of continuing education required by 5, CCR §71720(b)(2).</p> <p>To remedy this violation, the institution shall provide documentation of each instructor's name, address, and educational qualifications. Documentation of each instructor's continuing education completion shall be maintained in each instructor's file. The institution shall submit with their Notice to Comply response documentation of the institution's established policy and procedure for maintaining each instructor's contact information, educational qualification, and documentation of each instructor's continuing education completion.</p> <p>The records of correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.</p>
<p>5, CCR §71750. Withdrawal and Refunds</p>	<p>(f) The institution shall maintain a cancellation and withdrawal log, kept current on a monthly basis, which shall include the names, addresses, telephone numbers, and dates of cancellations or withdrawal of all students who have cancelled the enrollment agreement with, or withdrawn from, the institution during the calendar year.</p> <p>The institution did not provide documentation of a cancellation and withdrawal log.</p> <p>To remedy this violation, the institution shall provide documentation of a cancellation and withdrawal log for 2015-2017, kept current on a monthly basis, which shall include the names, addresses, telephone numbers, and dates of cancellations or withdrawal of all students who have cancelled the enrollment agreement with, or withdrawn from, the institution during the calendar year. The institution shall establish policies and procedures showing the institution is documenting and maintain the cancellation and withdrawal log.</p>

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The records correction shall be submitted with the institution's response to the notice to Comply and the last page of this document no later than March 12, 2017

MISCELLANEOUS

Education Code or Code of Regulations	Subsection, Description, and Required Correction
<p>CEC §94902. General Enrollment Requirements.</p>	<p>(a) A student shall enroll solely by means of executing an enrollment agreement. The enrollment agreement shall be signed by the student and by an authorized employee of the institution.</p> <p>The institution did not maintain student files which showed the enrollment agreements consistently signed by an authorized employee of the institution.</p> <p>To remedy this violation, the institution shall provide documentation showing the enrollment agreements for all current students are signed by the student and an authorized employee. The institution shall submit with their Notice to Comply response an established policy and procedure requiring all enrollment agreements be signed by the student and an authorized employee at the time of enrollment.</p> <p>The records correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.</p>
<p>CEC §94902. General Enrollment Requirements.</p>	<p>(b) An enrollment agreement is not enforceable unless all of the following requirements are met:</p> <p>(3) Prior to the execution of the enrollment agreement, the student and the institution have signed and dated the information required to be disclosed in the Student Performance Fact Sheet pursuant to subdivisions (a) to (d), inclusive, of Section 94910. Each of these items in the Student Performance Fact Sheet shall include a line for the student to initial and shall be initialed and dated by the student.</p> <p>The institution did not maintain student files which showed the School Performance Fact Sheet were signed by an institutional representative prior to the student's enrollment. The School Performance Fact Sheets maintained in the student's file was not signed by the institutional representative.</p> <p>To remedy this violation, the institution shall provide documentation showing students received, reviewed, and initialed, signed, and dated, and that the institutional representative is signing and dating the School Performance Fact Sheet prior to signing an enrollment agreement. The institution shall submit with their Notice to Comply response established policies and procedures requiring all students to receive, review, and initial, sign, and date a School Performance Fact Sheet prior to signing an enrollment agreement.</p> <p>The records correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.</p>

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<p>CEC §94912. Signature, Initials Required.</p>	<p>Prior to the execution of an enrollment agreement, the information required to be disclosed pursuant to subdivisions (a) to (d), inclusive, of Section 94910 shall be signed and dated by the institution and the student. Each of these items shall also be initialed and dated by the student.</p> <p>The institution did not maintain student files which showed the School Performance Fact Sheet were signed by an institutional representative prior to the student's enrollment. The School Performance Fact Sheets maintained in the student's file was not signed by the institutional representative.</p> <p>To remedy this violation, the institution shall provide documentation showing students received, reviewed, and initialed, signed, and dated, and that the institutional representative is signing and dating the School Performance Fact Sheet prior to signing an enrollment agreement. The institution shall submit with their Notice to Comply response established policies and procedures requiring all students to receive, review, and initial, sign, and date a School Performance Fact Sheet prior to signing an enrollment agreement.</p> <p>The records correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.</p>
<p>5, CCR §74115. Financial Statements.</p>	<p>(b) A set of financial statements shall contain, at a minimum, a balance sheet, an income statement, and a cash flow statement, and the preparation of financial statements, shall comply with all of the following:</p> <p>(2) Financial statements prepared on an annual basis as required by section 74110(b) shall be prepared in accordance with the generally accepted accounting principles established by the American Institute of Certified Public Accountants. Nonprofit institutions shall provide annual financial statements as required under generally accepted accounting principles for nonprofit organizations.</p> <p>The institution did not provide a copy of the financial statements provided with the institution's annual report submitted in 2016, which contained a balance sheet, income statement, and cash flow statement.</p> <p>To remedy this violation, the institution shall provide the 2016 financial statements containing a balance sheet, income statement, and cash flow statement.</p> <p>The financial statements shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.</p>
<p>5, CCR § 76130. Collection and Submission of Assessments.</p>	<p>(a) A qualifying institution shall collect the assessment from each student in an educational program at the time it collects the first payment from or on behalf of the student at or after enrollment. The assessment shall be collected for the entire period of enrollment, regardless of whether the student pays the institutional charges in increments.</p> <p>A review of student records showed the institution was not reporting the Student Tuition Recovery Assessment amount (\$0.00) on the student's enrollment agreement.</p> <p>To remedy this violation, the institution shall review all current student files and update</p>

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enrollment agreements to contain the Student Tuition Recovery Fund Assessment amount. The student and the institutional representative shall sign the updated enrollment agreement.

Copies of the updated signed enrollment agreements shall be submitted with the institution's response to the Notice to Comply and the last page of this document no later than March 12, 2017.

Only minor violations are listed on this Notice to Comply.

Inspector's Name	Matthew Wiggins
Inspector's Signature	<i>Matthew Wiggins</i>
Institution Administrator Name/Title:	Bob Smith, Owner
Institution Administrator's Signature:	<i>Declined to Sign</i>

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>

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RETURN THIS FORM NO LATER THAN MARCH 12, 2017 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 12, 2017**.

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Administrator's Initial: