



Bureau for Private Postsecondary Education
 1747 N. Market Blvd. Ste 225 Sacramento, CA 95834
 P.O. Box 980818, West Sacramento, CA 95798-0818
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NOTICE TO COMPLY – CA 18431276 0522 (Ed. Code § 94935; 5, CCR § 75010)

Institution Name:	D'LaCreme School of Cosmetology and Barbering	Institution Telephone:	707-427-1712
Institution Code:	18431276	Administrator Name:	David Yepiz
Street Address:	1787 North Texas Street Fairfield, CA 94533	Date of Inspection:	May 31, 2022

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 (STRF) MINIMUM REQUIREMENTS

	Education Code (CEC) or Regulation (5, CCR)	Violation – Requested Submission
1	5, CCR §76140(a)(4)(5)(6)(8)(11) Record-Keeping Requirements.	<p>(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:</p> <ul style="list-style-type: none"> (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. <p>The institution provided a roster of students to substantiate the 4th Quarter 2021 and 1st Quarter 2022 STRF Assessment Reporting periods. The roster provided contained a single address for each student but failed to specify local or mailing address, address at the time of enrollment, and the home address. Additionally, the roster provided failed to identify the student's course and any third-party-payer identifying information.</p> <p>To remedy this violation, the institution shall update the roster to contain the following elements:</p> <ul style="list-style-type: none"> (4) Local or mailing address, (5) Address at the time of enrollment, (6) Home address, (8) Courses and course costs,

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Inspector's Initial: *MW*

Administrator's Initial: *D.T.*

		<p>(11) Third-party payer identifying information,</p> <p>The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than June 30, 2022.</p>
2	5, CCR §76140(b). Record-Keeping Requirements.	<p>(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.</p> <p>The institution could not provide the data required to substantiate the 4th Quarter 2021 and 1st Quarter 2022 STRF Assessment Reporting Forms in an electronic format.</p> <p>To remedy this violation, the institution shall provide the data required to substantiate the 4th Quarter 2021 and 1st Quarter 2022 STRF Assessment Reporting Forms in an electronic format.</p> <p>The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than June 30, 2022.</p>

CATALOG MINIMUM REQUIREMENTS

	Education Code (CEC) or Regulation (5, CCR)	Violation – Requested Submission
3	CEC §94909(a)(9). Minimum Requirements for School Catalog.	<p>(a) Except as provided in subdivision (d), before 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:</p> <p>(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>§76120. Amount of STRF Assessment. [Effective April 1, 2022] (a) Each qualifying institution shall collect an assessment of two dollars and fifty cents (\$2.50) per one thousand dollars (\$1,000) of institutional charges, rounded to the nearest thousand dollars, from each student in an educational program who is a California resident or is enrolled in a residency program. For institutional charges of one thousand dollars (\$1,000) or less, the assessment is zero dollars (\$0).</p> <p>§94844. Institutional Charges “Institutional charges” means charges for an educational program paid directly to an institution.</p> <p>§94850. Noninstitutional Charges “Noninstitutional charges” means charges for an educational program paid to an entity other than an institution that are specifically required for participation in an educational program.</p>

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Administrator’s Initial: *R.Y.*

	<p>The schedule of total charges identified in the catalog correctly identifies the STRF Assessment fee as \$2.50 per \$1,000 but fails to calculate the total STRF fee based on total institutional charges.</p> <p>The STRF fee identified for each program is incorrect. Total institutional charges include all charges paid directly to the school, including the kits and other equipment or supplies.</p> <p>To remedy this violation, the catalog shall specify the correct STRF assessment fees for each program.</p> <p>The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than June 30, 2022.</p>
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ENROLLMENT AGREEMENT MINIMUM REQUIREMENTS

	Education Code (CEC) or Regulation (5, CCR)	Violation – Requested Submission
4	CEC §94911(i)(2). Minimum Requirements for Enrollment Agreement	<p>(i)(2) Immediately following the statement required by paragraph (1), a line for the student to initial, including the following statement:</p> <p>“I certify that I have received the catalog, School Performance Fact Sheet, and information regarding completion rates, placement rates, license examination passage rates, salary or wage information, and the most recent three-year cohort default rate, if applicable, included in the School Performance Fact sheet, and have signed, initialed, and dated the information provided in the School Performance Fact Sheet.”</p> <p>The institution’s enrollment agreement contained the required statement; however, the statement is not verbatim.</p> <p>In the second paragraph the institution omitted “, and the most recent three-year cohort default rate, if applicable.”</p> <p>To remedy this violation, the institution shall update the enrollment agreement to contain the required statement verbatim to the statements in quotations above.</p> <p>The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than June 30, 2022.</p>

STUDENT RECORDS

	Education Code (CEC) or Code of Regulations (5, CCR)	Subsection, Description, and Required Correction
5	5, CCR §71920(b)(5)(A)(B)(C)(D)(E) Student Records.	<p>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:</p> <p>(5) In addition to the requirements of section 94900(b) of the Code, a transcript showing all of the following:</p>

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		<p>(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>(B) Credit awarded for prior experiential learning, including the course title for which credit was awarded and the amount of credit;</p> <p>(C) Credit for courses earned at other institutions;</p> <p>(D) Credit based on any examination of academic ability or educational achievement used for admission or college placement purposes;</p> <p>(E) The name, address, website address, and telephone number of the institution.</p> <p>Graduated and withdrawn student files reviewed failed to contain a school transcript. School transcripts shall contain the elements required by 5, CCR 71920(b)(5)(A)(B)(C)(D)(E).</p> <p>To remedy this violation, the institution shall submit their transcript template documenting the elements required by 5, CCR 71920(b)(5)(A)(B)(C)(D)(E). Additionally, the institution shall submit a policy and procedure for maintaining a transcript in all graduated and withdrawn student files.</p> <p>The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than June 30, 2022.</p>
6	5, CCR §71920(b)(9). Student Records.	<p>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:</p> <p>(9) A document showing the total amount of money received from or on behalf of the student and the date or dates on which the money was received;</p> <p>Student files reviewed failed to contain a document showing the total amount of money received from or on behalf of the student and the date or dates on which the money was received (such as a financial ledger).</p> <p>To remedy this violation, the institution shall submit the financial ledgers for current student A.W., D.V., A.Z., withdrawn students L.B., M.B., and graduated student C.V.</p> <p>The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than June 30, 2022.</p>

MISCELLANEOUS

	Education Code (CEC) or Code of Regulations (5, CCR)	Subsection, Description, and Required Correction
7	5, CCR §71760. Self-Monitoring Procedures.	<p>Each institution shall develop and maintain adequate procedures used by the institution to assure that it is maintained and operated in compliance with the Act and this Division.</p> <p>The institution failed to provide their written self-monitoring procedures.</p>

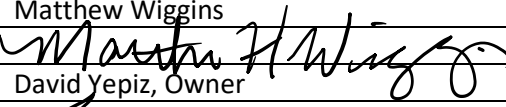
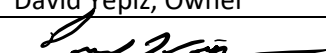
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Administrator's Initial: *D.T.*

		<p>To remedy this violation, the institution shall develop and maintain adequate procedures used by the institution to assure that it is maintained and operated in compliance with Bureau laws and regulations.</p> <p>The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than June 30, 2022.</p>
8	<p>CEC §94905(a). Professions Requiring Licensure, Internships</p>	<p>(a) During the enrollment process, an institution offering educational programs designed to lead to positions in a profession, occupation, trade, or career field requiring licensure in this state shall exercise reasonable care to determine if the student will not be eligible to obtain licensure in the profession, occupation, trade, or career field at the time of the student's graduation and shall provide all students enrolled in those programs with a written copy of the requirements for licensure established by the state, including any applicable course requirements established by the state. <u>If the minimum course requirements of the institution exceed the minimum requirements for state licensure, the institution shall disclose this information, including a list of those courses that are not required for state licensure.</u> The institution shall not execute an enrollment agreement with a student that is known to be ineligible for licensure, unless the student's stated objective is other than licensure.</p> <p>The course requirements for the Barbering and Cosmetology programs exceed the minimum requirements set forth by the Board for Barbering and Cosmetology (BBC).</p> <p>The institution shall disclose a list of the courses that are not required for state licensure.</p> <p>To remedy this violation, the institution shall document how the institution discloses to students that their Barbering and Cosmetology programs exceed the minimum course requirements for licensure.</p> <p>The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than June 30, 2022.</p>

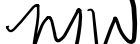
Only minor violations are listed on this Notice to Comply.


Inspector's Name	Matthew Wiggins
Inspector's Signature	
Institution Administrator Name/Title:	David Yepiz, Owner
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>

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RETURN THIS FORM BY **June 30, 2022** TO THE NTC ANALYST 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 **June 30, 2022**.