



Bureau for Private Postsecondary Education
 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833
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 P (916) 431-6959 F (916) 263-1897 www.bppe.ca.gov



NOTICE TO COMPLY - CA 0703141 0614 (Ed. Code § 94935, 5 CCR § 75010)

Institution Name:	Fountainhead Montessori Adult Education	Institution Telephone:	925-820-1343
Institution Code:	0703141	Administrator Name:	Maryanna Hegginbottom
Street Address:	6665 Amador Plaza Road, Ste 200 Dublin, CA 94568	Date of Inspection:	June 19, 2014

Nature and Facts of the Violation(s):

Education Code	Subsection and Description
§94911 Enrollment Agreement Minimum Requirements	<p>An enrollment agreement shall include, at a minimum, all of the following:</p> <p>(e) (1) A disclosure with a clear and conspicuous caption, "STUDENT'S RIGHT TO CANCEL," under which it is explained 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.</p> <p>The institution's enrollment agreement failed to provide the specific caption verbatim "STUDENT'S RIGHT TO CANCEL." The institution failed to provide students with the 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.</p>
§94911 Enrollment Agreement Minimum Requirements	<p>An enrollment agreement shall include, at a minimum, all of the following:</p> <p>(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 institution's enrollment agreement failed to provide a statement regarding the responsibility of the student to repay any and all loans obtained to pay for the educational program.</p>
§94911 Enrollment Agreement Minimum Requirements	<p>An enrollment agreement shall include, at a minimum, all of the following:</p> <p>(h) The transferability disclosure that is required to be included in the school catalog, as specified in paragraph (15) of subdivision (a) of Section 94909.</p> <p>The institution failed to provide in their enrollment agreement the required verbatim statement regarding the transferability</p>

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<p>§94911 Enrollment Agreement Minimum Requirements</p>	<p>of credits.</p> <p>An enrollment agreement shall include, at a minimum, all of the following:</p> <p>(j) The following statements:</p> <p>(1) "Any questions a student may have regarding this enrollment agreement that have not been satisfactorily answered by the institution may be directed to the Bureau for Private Postsecondary Education at (address), Sacramento, CA (ZIP Code), (Internet Web site address), (telephone and fax numbers)."</p> <p>(2) "A student or any member of the public may file a complaint about this institution with the Bureau for Private Postsecondary Education by calling (toll-free telephone number) or by completing a complaint form, which can be obtained on the bureau's Internet Web site (Internet Web site address)."</p> <p>The institution's enrollment agreement failed to provide the required verbatim language listed regarding Bureau contact information for questions or complaints.</p>
<p>§94911 Enrollment Agreement Minimum Requirements</p>	<p>An enrollment agreement shall include, at a minimum, all of the following:</p> <p>(k) The following statement above the space for the student's signature:</p> <p>"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."</p> <p>The institution's enrollment agreement failed to provide the verbatim statement above the student's signature.</p>
<p>§94909 Minimum Requirements for School Catalog</p>	<p>(a) 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:</p> <p>(2) Except as specified in Article 2 (commencing with Section 94802), a statement that the institution is a private institution and that it is approved to operate by the bureau.</p> <p>The institutional catalog failed to state the institution is a private institution approved to operate by the bureau.</p>
<p>§94909 Minimum Requirements for School Catalog</p>	<p>(a) 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:</p> <p>(3) The following statements:</p> <p>(A) "Any questions a student may have regarding this catalog that have not been satisfactorily answered by the institution may be directed to the Bureau for Private Postsecondary Education at (address), Sacramento, CA (ZIP Code), (Internet Web site address), (telephone and fax numbers)."</p> <p>The institution failed to provide the required verbatim statement in the catalog directing students to the Bureau for questions.</p>

<p>§94909 Minimum Requirements for School Catalog</p>	<p>(a) 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: (3) The following statements: (B) "As a prospective student, you are encouraged to review this catalog prior to signing an enrollment agreement. You are also encouraged to review the School Performance Fact Sheet, which must be provided to you prior to signing an enrollment agreement."</p> <p>The institution failed to provide the required verbatim statement in the school catalog regarding the students' review of the catalog and School Performance Fact Sheet prior to signing the enrollment agreement.</p>
<p>§94909 Minimum Requirements for School Catalog</p>	<p>(a) 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: (3) The following statements: (C) "A student or any member of the public may file a complaint about this institution with the Bureau for Private Postsecondary Education by calling (toll-free telephone number) or by completing a complaint form, which can be obtained on the bureau's Internet Web site (Internet Web site address)."</p> <p>The institution failed to provide the required verbatim statement regarding contacting the Bureau for any complaints, including the Bureau contact information.</p>
<p>§94909 Minimum Requirements for School Catalog</p>	<p>(a) 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: (10) A statement reporting whether the institution participates in federal and state financial aid programs, and if so, all consumer information that is required to be disclosed to the student pursuant to the applicable federal and state financial aid programs.</p> <p>The institution failed to provide in the catalog a statement specifying whether or not they participate in federal financial aid programs.</p>
<p>§94909 Minimum Requirements for School Catalog</p>	<p>(a) 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 institution failed to provide in the catalog a statement regarding the responsibility of the student to repay any and all loans obtained to pay for the educational program.</p>
<p>§94909 Minimum Requirements for</p>	<p>(a) Prior to enrollment, an institution shall provide a prospective</p>

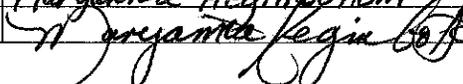
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<p>School Catalog</p>	<p>student, either in writing or electronically, with a school catalog containing, at a minimum, all of the following: (12) A statement specifying whether the institution has a pending petition in bankruptcy, is operating as a debtor in possession, has filed a petition within the preceding five years, or has had a petition in bankruptcy filed against it within the preceding five years that resulted in reorganization under Chapter 11 of the United States Bankruptcy Code (11 U.S.C. Sec. 1101 et seq.).</p> <p>The institution failed to provide a statement within their catalog specifying whether or not the institution falls under any of the above categories.</p>
<p>§94909 Minimum Requirements for School Catalog</p>	<p>(a) 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: (15) The following statement: "NOTICE CONCERNING TRANSFERABILITY OF CREDITS AND CREDENTIALS EARNED AT OUR INSTITUTION The transferability of credits you earn at (name of institution) is at the complete discretion of an institution to which you may seek to transfer. Acceptance of the (degree, diploma, or certificate) you earn in (name of educational program) is also at the complete discretion of the institution to which you may seek to transfer. If the (credits or degree, diploma, or certificate) that you earn at this institution are not accepted at the institution to which you seek to transfer, you may be required to repeat some or all of your coursework at that institution. For this reason you should make certain that your attendance at this institution will meet your educational goals. This may include contacting an institution to which you may seek to transfer after attending (name of institution) to determine if your (credits or degree, diploma or certificate) will transfer."</p> <p>The institution failed to provide within their catalog the required verbatim statement regarding the transferability of credits.</p>

Code of Regulations	Subsection and Description
<p>§71800 Minimum Requirements for Enrollment Agreement</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: (b) Period covered by the enrollment agreement.</p> <p>The institution's enrollment agreement does not specify the period covered by the enrollment agreement.</p>
<p>§71800 Minimum Requirements for Enrollment Agreement</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: (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</p>

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	<p>section 94921 of the Code.</p> <p>This institution's enrollment agreement does not specify the date by which the student must exercise his or her right to cancel or withdraw.</p>
<p>§71810 Minimum Requirements for School Catalog</p>	<p>(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:</p> <p>(7) The institution's policies and procedures for the award of credit for prior experiential learning, including assessment policies and procedures, provisions for appeal, and all charges that a student may be required to pay;</p> <p>The institution's catalog fails to provide policies and procedures for the award of experiential learning.</p>
<p>§71810 Minimum Requirements for School Catalog</p>	<p>(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:</p> <p>(13) Housing information including all of the following:</p> <p>(A) Whether the institution has dormitory facilities under its control;</p> <p>(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</p> <p>(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 institution's catalog failed to provide a clear and conspicuous statement indicating whether or not it provides any sort of housing services.</p>

Inspector's Name	Mandy Duron
Inspector's Signature	
Institution Administrator Name/Title:	Maryanna Heginbottom, Program Director
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 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 July 19, 2014

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