



Bureau for Private Postsecondary Education
 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833
 P.O. Box 980818, West Sacramento, CA 95798-0818
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NOTICE TO COMPLY - CA 1000621 0214 (Ed. Code § 94935, 5 CCR § 75010)

Institution Name:	Manchester Beauty College	Institution Telephone:	(559) 224-4242
Institution Code:	1000621	Administrator Name:	Wendell N. Burke
Street Address:	3756 N Blackstone Ave Fresno, CA 93726	Date of Inspection:	2/20/2014

Nature and Facts of the Violation(s):

Education Code	Subsection and Description
§94902 (b) (3) - General Enrollment Requirements.	(b) An enrollment agreement is not enforceable unless all of the following requirements are met: (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. School Performance Fact Sheet not being signed by the school.
§94909 (a)(10) - Minimum Requirements for School Catalog.	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. The catalog does not contain all consumer information that is required to be disclosed to the student pursuant to the applicable federal and state financial aid programs.
§94909 (a)(11) - Minimum Requirements for School Catalog.	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. The catalog does not contain the required statement.
§94909 (a)(14) - Minimum Requirements for School Catalog.	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: (14) A description of the student's rights and responsibilities with

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	<p>respect to the Student Tuition Recovery Fund. This statement shall specify that it is a state requirement that a student who pays his or her tuition is required to pay a state-imposed assessment for the Student Tuition Recovery Fund. This statement shall also describe the purpose and operation of the Student Tuition Recovery Fund and the requirements for filing a claim against the Student Tuition Recovery Fund.</p> <p>The catalog does not contain the required statement.</p>
<p>§94909 (a)(15) - Minimum Requirements for School Catalog.</p>	<p>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>(15) The following statement:</p> <p>"NOTICE CONCERNING TRANSFERABILITY OF CREDITS AND CREDENTIALS EARNED AT OUR INSTITUTION</p> <p>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 catalog does not contain the required statement. The language used in the catalog may alternatively state "educational programs" in lieu of the name of the educational program, if the institution offers multiple educational programs.</p>
<p>§94910 (f) (1)(2)(3)- Minimum Requirements for School Performance Fact Sheet.</p>	<p>Prior to enrollment, an institution shall provide a prospective student with a School Performance Fact Sheet containing, at a minimum, the following information, as it relates to the educational program:</p> <p>(f) All of the following:</p> <p>(1) A description of the manner in which the figures described in subdivisions (a) to (d), inclusive, are calculated or a statement informing the reader of where he or she may obtain a description of the manner in which the figures described in subdivisions (a) to (d), inclusive, are calculated.</p> <p>(2) A statement informing the reader of where he or she may obtain from the institution a list of the employment positions determined to be within the field for which a student received education and training for the calculation of job placement rates as required by subdivision (b).</p>

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	<p>(3) A statement informing the reader of where he or she may obtain from the institution a list of the objective sources of information used to substantiate the salary disclosure as required by subdivision (d).</p> <p>A description of the manner in which figures were found in (a)-(d) was not included in the SPFS.</p> <p>SPFS did not contain a statement informing the reader of where he or she may obtain a list of employment positions used to determine placement rates.</p> <p>SPFS did not contain a statement informing the reader of where he or she may obtain a list of objective sources of salary information.</p>
<p>§94910(g)(1), (2), Minimum Requirements for School Performance Fact Sheet</p>	<p>(g) The following statements:</p> <p>(1) "This fact sheet is filed with the Bureau for Private Postsecondary Education. Regardless of any information you may have relating to completion rates, placement rates, starting salaries, or license exam passage rates, this fact sheet contains the information as calculated pursuant to state law."</p> <p>(2) "Any questions a student may have regarding this fact sheet 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 statements in the performance fact sheet.</p>
<p>§94910(h)</p>	<p>Prior to enrollment, an institution shall provide a prospective student with a School Performance Fact Sheet containing, at a minimum, the following information, as it relates to the educational program:</p> <p>(h) If the institution participates in federal financial aid programs, the most recent three-year cohort default rate reported by the United States Department of Education for the institution and the percentage of enrolled students receiving federal student loans.</p> <p>The School Performance Fact Sheet does not contain the most recent three-year cohort default rate reported by the United States Department of Education for the institution and the percentage of enrolled students receiving federal student loans.</p>
<p>§94929.5(a)(1) thru (4) Reporting of Student Performance Data</p>	<p>(a) An institution shall annually report to the bureau, as part of the annual report, and shall publish in its School Performance Fact Sheet, all of the following:</p> <p>(1) The job placement rate, calculated by dividing the number of graduates employed in the field by the number of graduates available for employment for each program that is either (1) designed, or advertised, to lead to a particular career, or (2) advertised or promoted with any claim regarding job placement.</p> <p>(2) The license examination passage rates for the immediately preceding two years for programs leading to employment for which passage of a state licensing examination is required, calculated by dividing the number of graduates who pass the examination by the number of graduates who take the licensing examination the first</p>

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	<p>time that the examination is available after completion of the educational program. The institution shall use state agency licensing data to calculate license examination passage rates. If those data are unavailable, the institution shall calculate the license examination passage rate in a manner consistent with regulations adopted by the bureau.</p> <p>(3) Salary and wage information, consisting of the total number of graduates employed in the field and the annual wages or salaries of those graduates stated in increments of five thousand dollars (\$5,000).</p> <p>(4) If applicable, the most recent official three-year cohort default rate reported by the United States Department of Education for the institution and the percentage of enrolled students receiving federal student loans.</p> <p>The Institution failed to publish in its School Performance Fact Sheet all of the required information.</p>
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Code of Regulations	Subsection and Description
§71810 (b)(2) - Catalog.	<p>The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:</p> <p>(2) A statement of the institution's missions and purposes and the objectives underlying each of its educational programs.</p> <p>The catalog does not contain the objectives underlying each of its educational programs.</p>
§71810 (b)(6) - Catalog.	<p>The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:</p> <p>(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.</p> <p>The catalog does not contain all policies and practices, including the required consumer information to be disclosed to students relative to any federal state or federal financial aid policies.</p>
§74112 (a) Uniform Data - Annual Report, Performance Fact Sheet.	<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. The Performance Fact Sheet shall contain all and only the information required or specifically permitted by section 94910 of the Code or this chapter.</p> <p>The Institution failed to provide a Performance Fact Sheet that contains all and only the information required or specifically permitted by section 94910 of the Code.</p>
§74112 (d) - Uniform Data - Annual Report, Performance Fact Sheet.	<p>(d) Completion Rates.</p> <p>Reporting of completion rates for an institution's Annual Report and Performance Fact Sheet shall include, for each educational program, the number of students who began program as defined in subdivision (b), the number of students available for graduation, number of graduates, and completion rate(s). An optional column may be added to include completion rate data for students completing within 101-150% of the published program length. For an institution reporting completion data pursuant to section</p>

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	<p>94929(b) of the Code, completion data shall be separately reported for each program. The Performance Fact Sheet shall disclose, if true, that the completion data is being reported for students completing within 150% of the published program length, and that data is not being separately reported for students completing the program within 100% of the published program length.</p> <p>Completion rates shall be included in the Performance Fact Sheet in a format substantially similar to the chart below, including the footnoted information below</p> <p>The SPFS does not contain the footnoted information.</p>
<p>§74112 (e) - Uniform Data - Annual Report, Performance Fact Sheet.</p>	<p>(e) Placement Rates.</p> <p>(1) Any placement data required by sections 94910(b) and 94929.5(a) of the Code shall be reported for the number of students who began the program as defined in subdivision (b) for each reported calendar year.</p> <p>(2) Placement is measured six months from the graduation date of each student. Reporting of placement rates shall include for each educational program: the number of students who began the program, the number of graduates as defined in subdivision (b), graduates available for employment, graduates employed in the field and placement rate(s).</p> <p>(3) Placement rate shall be calculated as follows: the number of graduates employed in the field as defined in subsection 74112(b)(3) divided by the number of graduates available for employment as defined in section 94928(d) of the Code.</p> <p>(4) Graduates employed in the field shall be reported for those graduates employed in the field in a single position that averages under 32 hours per week and those employed in the field in a single position that averages at least 32 hours per week.</p> <p>References to the Code are to the California Education Code where the California Private Postsecondary Education Act of 2009 is located.</p> <p>Placement rates shall be included in the Performance Fact Sheet in a format substantially similar to the chart below, including the footnoted information below (dates, numbers, and other data shown are for example only):</p> <p>Placement Rates (includes data for the two calendar years prior to reporting)</p> <p>The SPFS does not contain the footnoted information.</p>
<p>§74112 (f) - Uniform Data - Annual Report, Performance Fact Sheet.</p>	<p>(f) License Examination Passage Rates. If license examination passage rates are not available from the appropriate state agency, an institution shall collect the information directly from its graduates. If an institution demonstrates that, after reasonable efforts, it is unable to obtain the examination passage information from its graduates, the institution shall report the number of students it could not contact and note in a font the same size as the majority of the data on the Performance Fact Sheet, "License examination passage data is not available from the state agency administering the examination. We were unable to collect data from [enter the number] graduates." Reporting of license examination passage rates for the Annual Report and the</p>

	<p>Performance Fact Sheet shall include, for each educational program: the number of students completing the program within 150% of published program length in the reported year, the number of documented graduates who passed the first examination, number of documented graduates who failed the first examination, the number of graduates for whom data is not available. An optional column may be added to separately report licensing examination data for students who take and pass the exam after failing initially. The Annual Report shall also include a description of the processes for attempting to contact those students.</p> <p>For licensing examinations that are not continuously administered, license examination passage rates shall be included in the Performance Fact Sheet in a format substantially similar to the chart below, including the footnoted information below (dates, numbers, and other data shown are for example only):</p> <p>Examination Passage Rates (includes data for the two calendar years prior to reporting)</p> <p>SPFS does not contain the footnoted information.</p>
<p>§74112 (g) - Uniform Data - Annual Report, Performance Fact Sheet.</p>	<p>(g) Salary and Wage Information.</p> <p>All Salary and Wage Information shall be reported to the Bureau pursuant to section 94929.5(c) of the Code and, if required by section 94910(d) of the Code, shall be included in the Performance Fact Sheet, for each educational program, in a format substantially similar to the chart below, including the footnoted information (dates, numbers, salaries, and other data shown are for example only).</p> <p>Salary and Wage Information (includes data for the two calendar years prior to reporting)</p> <p>SPFS does not contain the footnoted information.</p>
<p>§76215 (a) (b) Student Tuition Recovery Fund Disclosures.</p>	<p>(a) A qualifying institution shall include the following statement on both its enrollment agreement for an educational program and its current schedule of student charges:</p> <p>"You must pay the state-imposed assessment for the Student Tuition Recovery Fund (STRF) if all of the following applies to you:</p> <ol style="list-style-type: none"> 1.You are a student in an educational program, who is a California resident, or are enrolled in a residency program, and prepay all or part of your tuition either by cash, guaranteed student loans, or personal loans, and 2.Your total charges are not paid by any third-party payer such as an employer, government program or other payer unless you have a separate agreement to repay the third party. <p>You are not eligible for protection from the STRF and you are not required to pay the STRF assessment, if either of the following applies:</p> <ol style="list-style-type: none"> 1.You are not a California resident, or are not enrolled in a residency program, or 2.Your total charges are paid by a third party, such as an employer, government program or other payer, and you have no separate agreement to repay the third party." <p>(b) In addition to the statement described under subdivision (a) of</p>

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Inspector's Initial: 

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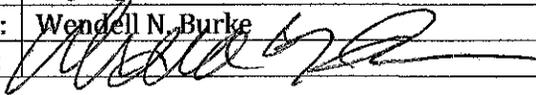
this section, a qualifying institution shall include the following statement on its current schedule of student charges:
 "The State of California created the Student Tuition Recovery Fund (STRF) to relieve or mitigate economic losses suffered by students in educational programs who are California residents, or are enrolled in a residency programs attending certain schools regulated by the Bureau for Private Postsecondary and Vocational Education.
 You may be eligible for STRF if you are a California resident or are enrolled in a residency program, prepaid tuition, paid the STRF assessment, and suffered an economic loss as a result of any of the following:

- 1.The school closed before the course of instruction was completed.
- 2.The school's failure to pay refunds or charges on behalf of a student to a third party for license fees or any other purpose, or to provide equipment or materials for which a charge was collected within 180 days before the closure of the school.
- 3.The school's failure to pay or reimburse loan proceeds under a federally guaranteed student loan program as required by law or to pay or reimburse proceeds received by the school prior to closure in excess of tuition and other costs.
- 4.There was a material failure to comply with the Act or this Division within 30 days before the school closed or, if the material failure began earlier than 30 days prior to closure, the period determined by the Bureau.
- 5.An inability after diligent efforts to prosecute, prove, and collect on a judgment against the institution for a violation of the Act."

However, no claim can be paid to any student without a social security number or a taxpayer identification number.
Institution failed to provide required STRF disclosures in the catalog.

Only minor violations are listed on the Notice to Comply.

Additional violations may have been identified that will be forwarded to the Enforcement Unit for further review.

Inspector's Name	Greg Seib
Inspector's Signature	
Institution Administrator Name/Title:	Wendell N. Burke
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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Administrator's Initial: 

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 3/20/2014

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Inspector's Initial: *W*

Administrator's Initial: *WJ*