



Bureau for Private Postsecondary Education
 P.O. Box 980818, West Sacramento, CA 95798-0818
 (888) 370-7589 / www.bppe.ca.gov



NOTICE TO COMPLY – 000102 (Ed. Code § 94935, 5 CCR § 75010)

| | |
|---|---|
| Institution Name: <u>ALIVE Institute of Therapeutic Massage</u> | Institution Telephone: <u>(805) 453-2908</u> |
| Inst. Code: <u>184.31078</u> | Administrator Name: <u>Nathan O'Hara</u> |
| Street Address: <u>521 W Channel Islands Blvd Suite #9</u> | Administrator Signature: <u>Nathan O'Hara</u> |
| Inspector: <u>Dana Bronshteyn</u> | Inspector Signature: <u>Dana Bronshteyn</u> |
| <u>Port Hueneme CA 93041</u> | Date: <u>4/4/12</u> |

VIOLATION(S)

| ✓ | Educ. Code | Description | ✓ | Code of Regs | Description |
|---|------------|---|---|-----------------|---|
| | §94802 | Continuance of Former Approvals. Subsection(s): | | §71705 | Mission and Objectives. |
| | §94897 | Prohibited Business Practices. Subsection(s): | | §71710 | Educational Program. Subsection(s): |
| | §94898 | Merging Classes, Converting Method of Delivery, Changing Locations. Subsection(s): | | §71715 | Instruction. Subsection(s): |
| | §94899 | Approval Required for Programs Leading to Licensed Profession. | | §71716 | Distance Educational Programs – Specific Provisions for Instruction Not in Real Time. Subsection(s): |
| | §94899.5 | Collection of Tuition. Subsection(s): | | §71717 | Satellite Locations. Subsection(s): |
| | §94900 | Required Student Records. Subsection(s): | | §71720 | Faculty. Subsection(s): |
| | §94900.5 | Required Institutional Records. Subsection(s): | | §71730 | Administration. Subsection(s): |
| | §94901 | Requirements for Recruiters. Subsection(s): | | §71735 | Facilities and Equipment. Subsection(s): |
| | §94902 | General Enrollment Requirements. Subsection(s): | | §71740 | Library and Other Learning Resources. Subsection(s): |
| | §94903 | Waiving Provisions Prohibited. | ✓ | §71750 | Withdrawals and Refunds. Subsection(s): <u>(a)(c)(e)(f)</u> |
| | §94904 | Ability to Benefit Students. | | §71760 | Self-Monitoring Procedures. |
| | §94905 | Professions Requiring Licensure, Internships. Subsection(s): | ✓ | §71770 | Admissions Standards and Transferred Credits Policy. Subsection(s): <u>(a)(i)</u> |
| | §94906 | Language of Enrollment Agreement. Subsection(s): | | §71800 | Enrollment Agreement. Subsection(s): |
| | §94907 | Mandatory Internal Dispute Resolution Prohibited. | | §71810 | Catalog. Subsection(s): |
| | §94908 | Size of Text in Required Documents. | | §71850 | Minimum Educational Requirements in Order to Award an Undergraduate Degree. Subsection(s): |
| | §94909 | Minimum Requirements for School Catalog. Subsection(s): | | §71865 | Minimum Educational Requirements in Order to Award a Graduate Degree. Subsection(s): |
| | §94910 | Minimum Requirements for School Performance Fact Sheet. Subsection(s): | ✓ | §71920 | Student Records. Subsection(s): <u>(b)(1)(4)(9)(10)(A)(E)(9)(10)</u> |
| | §94911 | Minimum Requirements for enrollment Agreement. Subsection(s): | | §71930 | Maintenance of Records. Subsection(s): |
| | §94912 | Signature, Initials Required. | | §74112 | Uniform Data - Annual Report, Perform. Fact Sheet. Subsection(s): |
| | §94916 | Statement On Loans To Students. | | §74140 | Retention of Advertising. |
| | §94918 | Compliance with Federal Statutes. | | §74150 | Use of Term "University." Subsection(s): |
| | §94919 | Institutions Participating in Federal Student Financial Aid Programs. Subsection(s): | | §74190 | Agents for Service of Process; Changes. |
| ✓ | §94920 | Mandatory Cancellation, Withdrawal, and Refund Policies. Subsection(s): <u>(e)</u> | | §76140 | Record-Keeping Requirements. Subsection(s): |
| | §94922 | Waiving Provisions Prohibited. | | §76215 | Student Tuition Recovery Fund Disclosures. Subsection(s): |
| | §94929 | Reporting of Completion Rate. Subsection(s): | | Other Violation | Description |
| | §94929.5 | Reporting of Student Performance Data. Subsection(s): | ✓ | §94923 | Authorization Required for Substantive Change |
| | §94929.7 | Documentation of Performance Data. Subsection(s): | ✓ | §94924(a) | Substantive Change Defined |
| | §94943.5 | Agent for Service of Process. | | | |

(White) Bureau

(Yellow) Inspector

(Pink) Institution



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NOTICE TO COMPLY - 000102

INSTITUTION NAME: Alive Institute of Therapeutic Massage / 8431078

INSPECTOR'S COMMENTS:
71770(a)(1) each student admitted shall possess a high school diploma or its equivalent.
71920(b)(1)(A) provide verification of high school completion or other documentation such as successful completion of an educational program.
71920(E)(9)(i) provide documents showing total money received on behalf of student & date(s) which money was received.
Provide documents specifying refund amounts
71920(b)(1)(B) provide records of the dates of withdrawal from the institution.
71750(a) provide verification that refunds are no less than required.
71750(c) demonstrate that a pro rata refund is no less than the total amount owed by the student for the educational program subtracted by the amount paid from student.
71750(e) demonstrate a refund is made within 45 days.
71750(f) Provide verification that the institution maintains a cancellation log.
94920(e) demonstrate institution pay refund within 45 days.
94893 demonstrate request for approval.
94894(a) demonstrate additional program has been approved & receive authorization.
Comments continued on attached page(s).

Inspection Date: 4/4/12 Inspector's Printed Name: Diana Demidteyn Inspector Initialed: DB
Institution Administrator Printed Name: Nathan O'Hara Administrator Initialed: N

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 an inspection by the Bureau.

By no later than 30 days from the date of inspection, you must either: (1) Remedy the noncompliance(s) and sign 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 violations 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(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 for each violation was achieved. I declare under penalty of perjury that all violations identified in this Notice to Comply are corrected as described in the attachment.

Signature Date
Printed Name and Title

THIS DECLARATION OR A NOTICE OF DISAGREEMENT MUST BE SUBMITTED TO THE BUREAU BY

(White) Bureau (Yellow) Inspector (Pink) Institution

BUREAU FOR PRIVATE POSTSECONDARY EDUCATION

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ATTACHMENT TO NTC - 000/02

| | |
|---|----------------------------------|
| Institution Name <u>ALIVE Institute of Therapeutic Massage</u> | Institution # <u>18431078</u> |
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Comments:

71770(a)(1) - The institution shall establish specific written standards for students 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 of an educational program the admission standards must specify as applicable that: Each student admitted to an undergraduate degree program or a diploma program, shall possess a high school diploma or it's equivalent, or otherwise successfully pass the relevant examination as required by section 94904 of the code.

71920(b)(1) ~~4~~(A)(9)(10) - The file shall contain all of the following pertinent student records: (1) Written records transcripts of any formal education or training, testing, or experience that are relevant to the student's qualifications for admission to the institution (A) Verification of high school completion or equivalency of other documentation establishing the student's ability to do college level work, such as successful completion of an ability to benefit test (4) records of the dates of enrollment & if applicable, withdrawal from the institution, leaves of absence, & graduation (9) A document showing the total amount of money received for or on behalf of the student & the date or dates on which the money was received.

71750(a)(c)(e) - (a) every institution shall make refunds that are no less than the refunds required under the Act of the Division (c) A pro rata refund shall be no less than the total amount owed by the student for the portion of the educational program provided subtracted from the amount paid by student (e) An institution shall refund any credit balance on the student's account within 45 days after the date of the student's completion of or withdrawal from the educational program which the student was enrolled. (f) The institution shall maintain a cancellation/withdrawal log kept current on a monthly basis, which shall include the names, addresses, telephone numbers, & dates of cancellations or withdrawal of all students who have cancelled the enrollment agreement with or withdrawn from the institution during the calendar year.

94920(e) The institution shall pay or credit refunds within 45 days of a student cancellation or withdrawal.

94893 & 94894 (a) on page 4

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| Institution Administrator: <u>Nata O'Han</u> | Date: <u>04/04/2012</u> | Inspector: |
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(Yellow) Inspector

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| Institution Name: ALIVE / Institute of Therapeutic Massage | Institution # 18431078 |
|---|---------------------------|

Comments:

94893 Authorization Required for Substantive Change
 If an institution intends to make a substantive change to its approval to operate, the institution shall receive prior authorization from the bureau, if the institution makes the substantive change without prior bureau authorization, the institutions approval to operate may be suspended or revoked.

94894(a) Substantive Change Defined
 The following changes to approval to operate are considered substantive changes & require prior authorization (a) A change in educational objectives, including an addition of a new diploma or a degree educational program unrelated to the approved educational programs offered by the institution.

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| Institution Administrator: | Date: 04/04/2012 | Inspector: |
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(White) Bureau

(Yellow) Inspector

(Pink) Institution