



**NOTICE TO COMPLY** – CU-1912701-0519 (Ed. Code §94935 & 5, CCR §75010)

Institution Name:	Yeshiva Ohr Elchonon Chabad	Institution Telephone:	323-937-3763
Institution Code:	1912701	Administrator Name:	Hendy Tauber
Street Address:	7215 Waring Avenue Los Angeles, CA 90046	Date of Inspection:	5/21/2019

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:

Referenced Law	Subsection , Description, and Required Correction
CEC §94909. Minimum Requirements for School Catalog	<p>(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.</p> <p>(1) The name, address, telephone number, and, if applicable, Internet Web site address of the institution.</p> <p><b>The institution failed to provide a catalog containing the name, address, telephone number, and website address of the institution.</b></p> <p><b>To remedy this violation, the institution shall update the current catalog with the name, address, telephone number, and website address of the institution.</b></p> <p><b>The catalog correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
CEC §94909. Minimum Requirements for School Catalog	<p>(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:</p> <p>(4) The address or addresses where class sessions will be held.</p> <p><b>The catalog does not contain the address or addresses where class sessions will be held.</b></p> <p><b>To remedy this violation, the current catalog shall contain the address or addresses where class sessions will be held in a statement.</b></p>

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Inspector's Initial: *W*

Administrator's Initial:

*HT*

<p>11.</p>	<p><b>The catalog correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
<p>CEC §94909. Minimum Requirements for School Catalog</p>	<p>(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:</p> <p>(3) The following statements:</p> <p>(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 following may be used for parentheticals: Telephone and Fax #'s: (888) 370-7589 Website Address: <a href="http://www.bppe.ca.gov">www.bppe.ca.gov</a></p> <p><b>The catalog does not contain the specific required statement verbatim to the language quoted above.</b></p> <p><b>To remedy this violation, the current catalog shall be updated to include the statement verbatim to the specific quoted language above.</b></p> <p><b>The catalog correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
<p>CEC §94909. Minimum Requirements for School Catalog</p>	<p>(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:</p> <p>(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</p>

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Inspector's Initial: *u*

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	<p>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.” <b><i>*If institution offers more than one educational program, "the educational program" may be inserted.</i></b></p> <p><b>The catalog failed to contain the specific required statement verbatim to the language above. The caption in quotations was not in all capital letters, did not state “AT OUR INSTITUTION,” and the institution failed to update the parentheticals pertaining to their program offerings.</b></p> <p><b>To remedy the violation, the current catalog shall be updated to include the specific required statement verbatim and in the style shown above.</b></p> <p><b>The catalog correction shall be submitted with the institution’s response to the NTC and the last page of this document within the specified time frame.</b></p>
CEC §94909. Minimum Requirements for School Catalog	<p>(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.</p> <p><b>The institution failed to provide a statement concerning the requirements for ability to benefit students.</b></p> <p><b>To remedy the violation, the current catalog shall be updated to include a statement concerning the requirements for ability to benefit students.</b></p> <p><b>The catalog correction shall be submitted with the institution’s response to the NTC and the last page of this document within the specified time frame.</b></p>

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5, CCR §71810. Catalog	<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><b>The catalog did not contain the institution's policies and procedures for the award of credit for prior experiential learning.</b></p> <p><b>To remedy the violation, the current catalog shall be updated to include a policy for the award of credit for prior experiential learning. If credit is not granted, the policy shall state so. The policy in the catalog shall address assessment policies and procedures, provisions for appeal, and all charges that a student may be required to pay.</b></p> <p><b>The catalog correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
5, CCR §71810. Catalog	<p>(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:</p> <p>(3) If the institution admits students from other countries, whether visa services are provided or whether the institution will vouch for student status, and any associated charges</p> <p><b>The catalog does not specify whether visa services are provided or whether the institution will vouch for student status. The catalog does not identify any charges associated with visa services or for vouching for student status.</b></p> <p><b>To remedy the violation, the catalog shall state whether visa services are provided or whether the institution will vouch for student status, and any associated charges for those services, if the institution admits students from other countries,.</b></p> <p><b>The catalog correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
5, CCR §71810. Catalog	<p>(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:</p> <p>(4) Language proficiency information, including:</p> <p>(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</p>

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Administrator's Initial: *W*

	<p>(B) whether English language services, including instruction such as ESL, are provided and, if so, the nature of the service and its cost.</p> <p><b>The catalog failed to contain the English language proficiency requirements of students and the type of documentation accepted.</b></p> <p><b>To remedy the violation, the current catalog shall be updated to contain the English language proficiency required and the type of documentation that would be accepted.</b></p> <p><b>The catalog correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
CEC §94909. Minimum Requirements for School Catalog.	<p>(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:</p> <p>(14) A description of the student's rights and responsibilities with 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><b>The catalog failed to contain a description of the student's rights and responsibilities with respect to the Student Tuition Recovery Fund. 5, 5, CCR §76215(a)(b) provide specific required disclosures that satisfy this section. Those disclosures are not included in the catalog.</b></p> <p><b>To remedy the violation, the current catalog shall be updated to contain a description of the student's rights and responsibilities with respect to the Student Tuition Recovery Fund. The catalog shall contain 5, 5, CCR §76215(a)(b).</b></p> <p><b>The catalog correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
5, CCR §71810. Catalog	<p>(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:</p> <p>(14) Policies on student rights, including the procedure for addressing student grievances</p>

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	<p><b>The institution's catalog contains a grievance policy, but the policy seems to require students to use an internal complaint process before contacting outside agencies. CEC 94909(a)(3)(C) makes it clear that students can file a complaint with the Bureau at any time. CEC 94907 prohibits schools from having a provision that requires a student to invoke an internal institutional dispute procedure before enforcing any contractual or other legal rights or remedies.</b></p> <p><b>To remedy this violation please change your grievance policy to suggest that students use an internal process first, but that it is not required and they may contact the Bureau at any time.</b></p> <p><b>The catalog correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
5, CCR §74112 (d)(3)(A) (i) Uniform Data - Annual Report, Performance Fact Sheet	<p>(d) In addition to the definitions contained in section 94928 of the Code:</p> <p>(3) "Gainfully Employed" means:</p> <p>(A)(i) The graduate is employed in a job classification under the United States Department of Labor's Standard Occupational Classification codes, using the Detailed Occupation (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;</p> <p><b>The institution failed to provide SOC codes in the catalog.</b></p> <p><b>To remedy this violation add SOC codes to the catalog.</b> <b>Examples:</b> <b>21-2000 Religious Workers</b></p> <p><b>The catalog correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
5, CCR §71800. Enrollment Agreement	<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:</p> <p>(e) Itemization of all institutional charges and fees including, as applicable:</p> <p>(1) tuition;</p> <p>(2) registration fee (non-refundable);</p> <p>(3) equipment;</p> <p>(4) lab supplies or kits;</p> <p>(5) Textbooks, or other learning media;</p> <p>(6) uniforms or other special protective clothing;</p>

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	<p>(7) in-resident housing; (8) tutoring; (9) assessment fees for transfer of credits; (10) fees to transfer credits; (11) Student Tuition Recovery Fund fee (non-refundable); (12) any other institutional charge or fee.</p> <p><b>The enrollment agreement failed to provide an itemization of charges with STRF being non-refundable.</b></p> <p><b>To remedy the violation, the current enrollment agreement shall contain a list of itemize charges with STRF being non-refundable.</b></p> <p><b>The enrollment agreement correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
CEC §94911. Minimum Requirements for Enrollment Agreements	<p>(b) A schedule of total charges, including a list of any charges that are nonrefundable and the student's obligations to the Student Tuition Recovery Fund, clearly identified as nonrefundable charges.</p> <p><b>The enrollment agreement does not contain a schedule of total charges that includes a list of charges that are nonrefundable. The enrollment agreement does not include the student's obligations to the Student Tuition Recovery Fund.</b></p> <p><b>To remedy the violation, the current enrollment agreement shall be updated to include a schedule of total charges that includes a list of nonrefundable charges and the student's obligation to the Student Tuition Recovery Fund.</b></p> <p><b>The enrollment agreement correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
CEC §94911. Minimum Requirements for Enrollment Agreements	<p>(c) In underlined capital letters on the same page of the enrollment agreement in which the student's signature is required, the total charges for the current period of attendance, the estimated total charges for the entire educational program, and the total charges the student is obligated to pay upon enrollment.</p> <p><b>The enrollment agreement does not contain the total charges for the current period of attendance, the estimated total charges for the entire educational program, and the total charges the student is obligated to pay upon enrollment in underlined capital letters on the same page the student's signature is required.</b></p>

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	<p><b>To remedy the violation, the current enrollment agreement shall be updated to contain the total charges for the current period of attendance, the estimated total charges for the entire educational program, and the total charges the student is obligated to pay upon enrollment in underlined capital letters on the same page the student's signature is required.</b></p> <p><b>The enrollment agreement correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
5, CCR §76215. Student Tuition Recovery Fund Disclosures.	<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: "The State of California established the Student Tuition Recovery Fund (STRF) to relieve or mitigate economic loss suffered by a student in an educational program at a qualifying institution, who is or was a California resident while enrolled, or was enrolled in a residency program, if the student enrolled in the institution, prepaid tuition, and suffered an economic loss. Unless relieved of the obligation to do so, you must pay the state-imposed assessment for the STRF, or it must be paid on your behalf, if 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.</p> <p>You are not eligible for protection from the STRF and you are not required to pay the STRF assessment, if you are not a California resident, or are not enrolled in a residency program."</p> <p><b>The enrollment agreement and current schedule of charges (catalog) do not contain the specific required statements verbatim to the quotations above.</b></p> <p><b>To remedy the violation, the updated enrollment agreement and current schedule of charges shall be updated to include the specific required statements verbatim to the quotations above.</b></p> <p><b>The enrollment agreement correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
CEC §94911. Minimum Requirements for Enrollment Agreements	<p>(e) (3) 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.</p> <p><b>The enrollment agreement does not include a disclosure describing the procedures that a student is required to follow to cancel the</b></p>

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Inspector's Initial: *W*

Administrator's Initial: *W*





	<p><b>enrollment agreement or withdraw from the institution and obtain a refund.</b></p> <p><b>To remedy the violation, the current enrollment agreement shall be updated to include a disclosure describing the procedures that a student is required to follow to cancel the enrollment agreement or withdraw from the institution and obtain a refund.</b></p> <p><b>The enrollment agreement correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
CEC §94911. Minimum Requirements for Enrollment Agreements	<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><b>"NOTICE CONCERNING TRANSFERABILITY OF CREDITS AND CREDENTIALS EARNED AT OUR INSTITUTION</b></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><b>The enrollment agreement does not contain the required transferability disclosure and caption verbatim to the specific required quotations above.</b></p> <p><b>To remedy the violation, the current enrollment agreement shall be updated to contain the specific required transferability disclosure verbatim to the quotations above. The parentheticals shall be inserted as appropriate.</b></p> <p><b>The enrollment agreement correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
CEC §94911. Minimum Requirements for Enrollment Agreements	<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</p>

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	<p>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 following may be used for parentheses: Address: 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833 P.O. Box 980818, West Sacramento, CA 95798-0818 Website Address: <a href="http://www.bppe.ca.gov">www.bppe.ca.gov</a> Telephone and Fax #'s: (888) 370-7589 or by fax (916) 263-1897 (916) 431-6959 or by fax (916) 263-1897</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 following may be used for parentheses: Telephone and Fax #'s: (888) 370-7589 or by fax (916) 263-1897 Website Address: <a href="http://www.bppe.ca.gov">www.bppe.ca.gov</a></p> <p><b>The enrollment agreement does not contain the specific required statements verbatim to the quotations above.</b></p> <p><b>To remedy the violation, the current enrollment agreement shall be updated to contain the specific required statement verbatim to the quotations above.</b></p> <p><b>The enrollment agreement correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
CEC §94911. Minimum Requirements for Enrollment Agreements	<p>(d) A clear and conspicuous statement that the enrollment agreement is legally binding when signed by the student and accepted by the institution.</p> <p><b>The enrollment agreement does not contain a clear and conspicuous statement that the enrollment agreement is legally binding when signed by the student and accepted by the institution. The statement is combined with the specific required verbatim statement required by CEC §94911(k).</b></p> <p><b>To remedy the violation, the current enrollment agreement shall be updated to contain a clear and conspicuous statement that the enrollment agreement is legally binding when signed by the student</b></p>

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Inspector's Initial: *W*

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	<p><b>and accepted by the institution. The statement shall be separate from the specific required verbatim statement required by CEC §94911(k).</b></p> <p><b>The enrollment agreement correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
CEC §94916. Statement on Loans for Students	<p>An institution extending credit or lending money to an individual for institutional and non-institutional charges for an educational program shall cause any note, instrument, or other evidence of indebtedness taken in connection with that extension of credit or loan to be conspicuously marked on its face in at least 12-point type with the following notice:</p> <p><b>"NOTICE"</b></p> <p><b>"You may assert against the holder of the promissory note you signed in order to finance the cost of the educational program all of the claims and defenses that you could assert against this institution, up to the amount you have already paid under the promissory note."</b></p> <p><b>The institution did not provide the notice in quotes above to students.</b></p> <p><b>To remedy the violation, the institution shall update and provide any note, instrument, or other evidence of indebtedness taken in connection with that extension of credit or loan extending credit or lending money to an individual for institutional and non-institutional charges for an educational program to contain the specific required notice verbatim to the quotations above conspicuously marked and in at least 12-point type.</b></p> <p><b>The required notice shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
<b>§76140 - Record-Keeping Requirements.</b>	<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"><li>(1) Student identification number,</li><li>(2) First and last names,</li><li>(3) Email address,</li><li>(4) Local or mailing address,</li><li>(5) Address at the time of enrollment,</li><li>(6) Home address,</li><li>(7) Date enrollment agreement signed,</li><li>(8) Courses and course costs,</li></ul>

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Inspector's Initial: *W*  
Administrator's Initial: *U*



	<p>(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> <p><b>The institution's STRF Assessment Reporting Form back-up data for forth quarter 2018 failed to include all 13 categories.</b></p> <p><b>To remedy the violation the institution shall provide the back-up data to substantiate the information reported on the STRF Assessment Reporting form for forth quarter 2018.</b></p> <p><b>A copy of the required documents shall be submitted with the response to the Notice to Comply and the last page of this document within the specified time frame.</b></p>
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**Only minor violations are listed on a Notice to Comply.**

Inspector's Name	Greg A Seib
Inspector's Signature	
Institution Administrator Name/Title:	Hendy Tauber/Financial Aid Administrator
Institution Administrator's Signature:	

Education Code can be located at: [http://www.bppe.ca.gov/lawsregs/ppe\\_act.shtml](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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Inspector's Initial:

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 **June 22, 2019**

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Inspector's Initial: *u*

Administrator's Initial: *AS*