



**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 – CU 2800321 0115 (Ed. Code § 94935, 5 CCR § 75010)**

Institution Name:	Le Melange Academy of Hair	Institution Telephone:	707-257-7767
Institution Code:	2800321	Administrator Name:	Lynda Johnson
Street Address:	931 Coombs Street Napa, CA 94559	Date of Inspection:	29 January 2015

**Nature and Facts of the Violation(s):**

California Education Code	Subsection and Description
§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>(5) A description of the programs offered and a description of the instruction provided in each of the courses offered by the institution, the requirements for completion of each program, including required courses, any final tests or examinations, any required internships or externships, and the total number of credit hours, clock hours, or other increments required for completion.</p> <p><b>The descriptions of the programs offered did not include any final tests or examinations or any required internships or externships, as required by this paragraph.</b></p>
§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>(6) If the educational program is designed to lead to positions in a profession, occupation, trade, or career field requiring licensure in this state, a notice to that effect and a list of the requirements for eligibility for licensure.</p> <p><b>The institution's catalog did not contain an appropriate disclosure or listing of the requirements for licensure, as required by this paragraph.</b></p>
§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>(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</p>

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	<p>not paid from federal student financial aid program funds.</p> <p><b>The institution's catalog did not contain this required statement.</b></p>
<p><b>§94909: Minimum Requirements for School Catalog</b></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>(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><b>The institution's catalog did not contain an appropriate, compliant statement as required by this paragraph.</b></p>
<p><b>§94909: Minimum Requirements for School Catalog</b></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>(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 institution's catalog did not contain the most current, required, verbatim disclosures as required by this paragraph.</b></p>
<p><b>§94909: Minimum Requirements for School Catalog</b></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>(16) A statement specifying whether the institution, or any of its degree programs, are accredited by an accrediting agency recognized by the United States Department of Education. If the institution is unaccredited and offers an associate, baccalaureate, master's, or doctoral degree, or is accredited and offers an unaccredited program for an associate, baccalaureate, master's, or doctoral degree, the statement shall disclose the known limitations of the degree program, including, but not limited to, all of the following:</p> <p>(A) Whether a graduate of the degree program will be eligible to sit for the applicable licensure exam in California and other states.</p> <p>(B) A degree program that is unaccredited or a degree from an unaccredited institution is not recognized for some employment positions, including, but not limited to, positions with the State of California.</p> <p>(C) That a student enrolled in an unaccredited institution is not</p>

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	<p>eligible for federal financial aid programs.</p> <p><b>The institution's catalog does not contain a statement which discloses its accreditation through NACCAS is recognized by the US Department of Education.</b></p>
<p><b>§94913: Institutional Website Requirements</b></p>	<p>(a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following:</p> <p>(2) A School Performance Fact Sheet for each educational program offered by the institution.</p> <p>(4) A link to the bureau's Internet Web site.</p> <p>(5) The institution's most recent annual report submitted to the bureau.</p> <p>(b) An institution shall include information concerning where students may access the bureau's Internet Web site anywhere the institution identifies itself as being approved by the bureau.</p> <p><b>At the time of review prior to the onsite inspection, the institution's website did not contain a School Performance Fact Sheet for each educational program offered; a link to the Bureau's website; the institution's most recent Annual Report submitted to the Bureau; or Bureau website information anywhere the institution identified itself as being approved by the Bureau.</b></p>
<p><b>§94916: Statement on Loans to Students</b></p>	<p>An institution extending credit or lending money to an individual for institutional and noninstitutional 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>"NOTICE"</p> <p>"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."</p> <p><b>The institution's enrollment agreement did not contain this statement as required by this paragraph.</b></p>

Code of Regulations	Subsection and Description
<p><b>§71800: Enrollment Agreement</b></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:</p> <p>(b) Period covered by the enrollment agreement.</p> <p><b>The institution's enrollment agreement did not contain a Period Covered by the Enrollment Agreement, as required by this paragraph. This date is separate from the Program Start Date and Scheduled Completion Date, as required by item (c) of this paragraph.</b></p> <p>(d)(5) Textbooks, or other learning media;</p> <p><b>The institution's Enrollment Agreement did not specify which of the charges listed include Textbooks or other learning media, if any.</b></p>
<p><b>§71810: Catalog</b></p>	<p>(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:</p> <p>(1) The specific beginning and ending dates defining the time period covered by the catalog</p> <p><b>The institution's catalog reviewed at the onsite inspection was not current as it was dated January - December 2014. The institution owner stated the catalog is being revised.</b></p> <p>(b)(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 institution's catalog reviewed at the onsite inspection did not contain this required information.</b></p> <p>(b)(12) A description of all student services;</p> <p><b>The institution's catalog did not contain any disclosure or listing of student services available or offered.</b></p> <p>(b)(14) Policies on student rights, including the procedure for addressing student grievances;</p> <p><b>The institution's catalog did not contain a procedure outlining how students are to address grievances.</b></p>
<p><b>§76215: Student Tuition Recovery Fund Disclosures</b></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> <p>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</p>

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.

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:

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."

(b) In addition to the statement described under subdivision (a) of 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.

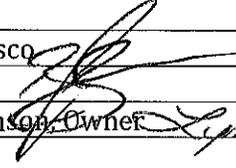
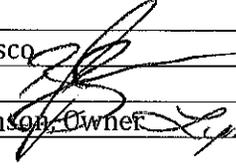
3. The school's failure to pay or reimburse loan proceeds under a federally guaranteed student loan program as required by law or to pay or reimburse proceeds received by the school prior to closure in excess of tuition and other costs.

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.

Note: Authority cited: Sections 94803, 94877 and 94923, Education Code. Reference: Section 94923, Education Code.

**The institution's Enrollment Agreement inspected, did not contain the specific required language indicated in paragraphs (a) & (b) pursuant to this section.**

Inspector's Name	Brian J Brisco 
Inspector's Signature	
Institution Administrator Name/Title:	Lynda Johnson, Owner 
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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Administrator's Initial: LJ 

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 **March 2, 2015**

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