



Bureau for Private Postsecondary Education  
 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833  
 P.O. Box 980818, West Sacramento, CA 95798-0818  
 P (916) 431-6959 F (916) 263-1897 www.bppe.ca.gov



**NOTICE TO COMPLY - CA3603151 0716 (Ed. Code § 94935, 5 CCR § 75010)**

|                   |   |                        |                |
|-------------------|---|------------------------|----------------|
| Institution Name: | American College of Healthcare                        | Institution Telephone: | (951) 729-5320 |
| Institution Code: | 3603151   | Administrator Name:    | Susan Kirtland |
| Street Address:   | 11801 Pierce Street, Suite 100<br>Riverside, CA 92505 | Date of Inspection:    | 7/18/16        |

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:

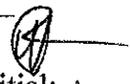
| Education Code  | Subsection , Description, and Required Correction   |
|---|---|
| <b>CEC §94909(a)(9) - Minimum Requirements for School Catalog</b>     | <p>The catalog shall contain the schedule of total charges for a period of attendance <u>AND</u> an estimated schedule of total charges for the entire educational program.</p> <p><b>The institution's catalog does not indicate the schedule of total charges for period of attendance and the estimated schedule of total charges for entire educational program.</b></p> <p><i>To remedy this violation, the institution shall submit a copy of their catalog to the Bureau that clear indicates the schedule of total charges for period of attendance and the estimated schedule of total charges for entire educational program, for each educational program.</i></p>   |
| <b>CEC §94911 (b). Minimum Requirements for Enrollment Agreements</b> | <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><i>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. 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.</i></p> |
| <b>CEC §94911 (c). Minimum Requirements for Enrollment</b>            | <p>(c) In underlined capital letters on the same page of the enrollment agreement in which the student's signature is required, the total</p>   |

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| <p><b>Agreements</b></p>  | <p>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 <u>underlined capital letters on the same page the student's signature is required.</u></b></p> <p><i>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.</i></p> <p><i>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.</i></p>                               |
| <p><b>CEC §94911 (e)(3). Minimum Requirements for Enrollment Agreements</b></p> | <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 contained a procedure to cancel the enrollment agreement or withdraw from the institution and obtain a refund. However the procedure is not congruent with the same disclosure describing the procedures a student is required to follow to cancel the enrollment agreement or withdraw from the institution and obtain a refund as stated in the catalog. These procedures need to be congruent with one another.</b></p> <p><i>To remedy the violation, the current enrollment agreement shall be updated to include the same 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 as is stated in the catalog. 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.</i></p> |
| <p><b>CEC §94911 (j)(2) Minimum Requirements for Enrollment Agreements</b></p>  | <p>(j) The following statements:<br/> (2) "A student or any member of the public may file a complaint about this institution with the Bureau for Private Postsecondary</p>   |

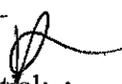
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|   | <p>Education by calling 1-888-370-7589 or by completing a complaint form, which can be obtained on the bureau's Internet Web site <a href="http://www.BPPE.ca.gov">www.BPPE.ca.gov</a>."</p> <p><b>The enrollment agreement does not include a separate procedural description for filing a complaint with the Bureau that includes the Bureau web address and toll free number.</b></p> <p><i>To remedy the violation, the current enrollment agreement shall be updated to include a disclosure describing the procedures that: "A student or any member of the public may file a complaint about this institution with the Bureau for Private Postsecondary Education by calling 1-888-370-7589 or by completing a complaint form, which can be obtained on the bureau's Internet Web site <a href="http://www.BPPE.ca.gov">www.BPPE.ca.gov</a>."</i></p> <p><i>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.</i></p> |
| <p><b>CEC §94929.7 (a)(2). Documentation of Performance Data</b></p>      | <p>(a) The information used to substantiate the rates and information calculated pursuant to Sections 94929 and 94929.5 shall do both of the following:</p> <p>(2) Be retained in an electronic format and made available to the bureau upon request.</p> <p><b>The institution did not retain documentation used to substantiate the data reported in the SPFS in an electronic format.</b></p> <p><i>To remedy the violation, the institution shall collect and maintain documentation to substantiate the data reported in the current 2013/2014 SPFS in an electronic format. The documentation shall be maintained for no less than five years pursuant to CEC §94929.7(a)(1). The corrections to the SPFS substantiating documentation shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</i></p>   |
| <p><b>CEC §94913(a)(1)(3)(4). Institutional Web Site 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>(1) The school catalog.<br/> (3) Student Brochures offered by the Institution<br/> (4) A link to the Bureau's website</p> <p><b>The institution's website was reviewed on 7/1/16. It was found that the Institution's website does not have the following items posted on the website: current catalog, current advertisements or brochures, and a link to the Bureau's</b></p>   |

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|  | <p>website.</p> <p><i>To remedy this violation, the institution shall update their website to include the current catalog, current advertisements or brochures, a link to the Bureau's website and submit proof of the updates. This can be done by providing the Bureau with screenshots and or printouts from the Institution's website.</i></p> |
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| Code of Regulations                                     | Subsection, Description, and Required Correction   |
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| <p><b>5, CCR §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>(a) The name and address of the institution and the addresses where instruction will be provided.</p> <p><b>The enrollment agreement does not contain the address where instruction will be provided.</b></p> <p><i>To remedy the violation, the current enrollment agreement shall be updated to indicate which address(s) where instruction will be provided to the enrolled student. 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.</i></p>   |
| <p><b>5, CCR §71750 (f). Withdrawal and Refunds</b></p> | <p>(f) The institution shall maintain a cancellation and withdrawal log, kept current on a monthly basis, which shall include the names, addresses, telephone numbers, and dates of cancellations or withdrawal of all students who have cancelled the enrollment agreement with, or withdrawn from, the institution during the calendar year.</p> <p><b>The institution did not provide documentation of a cancellation and withdrawal log.</b></p> <p><i>To remedy this violation, the institution shall provide documentation of a cancellation and withdrawal log for 2015-2016, kept current on a monthly basis, which shall include the names, addresses, telephone numbers, and dates of cancellations or withdrawal of all students who have cancelled the enrollment agreement with, or withdrawn from, the institution during the calendar year. The institution shall establish policies and procedures showing the institution is documenting and maintain the cancellation and withdrawal log. The records correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</i></p> |

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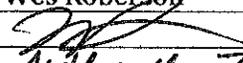
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| <p><b>5, CCR §76140. Record-Keeping Requirements</b></p> | <p>(a) A qualifying institution shall collect and maintain records of student information to substantiate the data reported on the STRF Assessment Reporting Form and records of the students' 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>(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> <li>(9) Amount of STRF assessment collected,</li> <li>(10) Quarter in which the STRF assessment was remitted to the Bureau,</li> <li>(11) Third-party payer identifying information,</li> <li>(12) Total institutional charges charged, and</li> <li>(13) Total institutional charges paid.</li> </ul> <p>The institution did not provide records of STRF eligibility for all students which contained the data points required in (a)(1)-(13).</p> <p><i>To remedy this violation, the institution shall establish and maintain records of eligibility for each student. Each record of eligibility for each student shall contain each of the data points identified in (a)(1)-(3-13) listed above.</i></p> <p><i>The STRF eligibility documentation shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</i></p> |
| <p><b>5, CCR §74140. Retention of Advertising</b></p>    | <p>Every institution shall retain, for a minimum of five years, copies of all advertising, including</p> <ul style="list-style-type: none"> <li>(a) flyers, brochures, newspaper, and other print advertisements,</li> <li>(b) scripts for, and audio and video recordings of, broadcast advertisements, and</li> <li>(c) internet content, and</li> <li>(d) scripts for telephone solicitations.</li> </ul> <p><b>The institution shall make these records immediately available for inspection and copying during normal business hours to site visit teams and the Bureau.</b></p> <p><b>The institution did not maintain records of advertisements, including flyers, brochures, and other print advertisements;</b></p>  |

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|   | <p>audio and video scripts for broadcast advertisements; internet advertisements or content; or telephone solicitation scripts for all forms of advertising that the institution has used in the past five years. In a recent student file (2016) it was found that the student referenced finding out about the institution through the Pennysaver magazine.</p> <p>To remedy the violation, the institution shall retain and maintain for a minimum period of 5 years, copies of all advertising. The institution shall provide documentation of all of their current advertisements for the past five years in any of the formats identified above including the ad referenced to be in the Pennysaver magazine as referenced in a 2016 student file as a source of advertisement by the student.</p> <p>The institution shall submit documentation of the current advertising shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p>   |
| <p>5, CCR §71930. Maintenance of Records.</p> | <p>(d) The institution shall maintain a second set of all academic and financial records required by the Act and this chapter at a different location unless the original records, including records stored pursuant to subdivision (b) of this section, are maintained in a manner secure from damage or loss. An acceptable manner of storage under this subsection would include fire resistant cabinets.</p> <p>The institution maintained the student records on site in a location that was locked, however not all files were secure from damage or loss within this room. Some of the records were stored in cardboard boxes on the ground and on top of the file cabinets. Should there be a fire the sprinkler system may damage the files not secured in the aforementioned locking file cabinets. It is recommended that all student records be scanned and stored electronically or that all files be stored in a locked fire proof cabinet.</p> <p>To correct the violation, the institution shall provide photographic evidence that the student records and files are maintained on site secure from damage or loss. This includes putting all student records that were in boxes on the ground to be locked up in storage cabinet or if available stored electronically.</p> |

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Only minor violations are listed on a Notice to Comply.

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| Inspector's Name                       | Wes Roberson  |
| Inspector's Signature                  |  |
| Institution Administrator Name/Title:  | Anthony Thomas, CAO Director  |
| 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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**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 August 17, 2016**

Notice to Comply -

Inspector's Initial: *JA*

Administrator's Initial: *ACI*