



**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 5400271 0514 (Ed. Code § 94935, 5 CCR § 75010)**

Institution Name:	Tulare Beauty College	Institution Telephone:	(559) 688-2901
Institution Code:	5400271	Administrator Name:	Wendell N. Burke
Street Address:	1400 West Inyo Avenue Tulare, CA 93274	Date of Inspection:	5/7/2014

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

Education Code	Subsection and Description
§94909 (a)(4) - 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:  (4) The address or addresses where class sessions will be held. <b>The catalog does not state where class sessions will be held.</b>
§94909 (a)(7) - 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:  (7) Information regarding the faculty and their qualifications. <b>The catalog does not contain the faculty qualifications.</b>
§94909 (a)(8)(B) - 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:  (8) A detailed description of institutional policies in the following areas:  (B) Cancellation, withdrawal, and refund policies, including an explanation that the student has the right to cancel the enrollment agreement and obtain a refund of charges paid through attendance at the first class session, or the seventh day after enrollment, whichever is later. 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 consistent with the requirements of Article 13 (commencing with Section 94919). <b>The catalog does not contain the required statement about receiving a refund of charges paid through attendance at the first class session.</b>
§94909 (a)(8)(C) - 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:  (8) A detailed description of institutional policies in the following areas:  (C) Probation and dismissal policies.

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	<b>Dismissal Policy is vague, needs more detail.</b>
§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 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. <b>The catalog does not contain the correct STRF statement.</b>
§94909 (a)(15) - 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: (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 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>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.</b>

Code of Regulations	Subsection and Description
§71810 (b) (1) Catalog	(b)The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following: (1)The specific beginning and ending dates defining the time period covered by the catalog <b>The catalog does not contain specific beginning and ending dates.</b>
§71810 (b) (4) Catalog	(b)The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following: (4)Language proficiency information, including:

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	(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 <b>The catalog does not contain the level of English language proficiency required.</b>
§71810 (b) (10) Catalog	(b)The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following: (10)A description of library and other learning resources and the procedures for student access to those resources <b>The catalog does not contain a description of the learning resources that are available for a student.</b>
§71810 (b) (12) Catalog	(b)The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following: (12)A description of all student services <b>The catalog does not contain a description of all student services.</b>
§76215 (a) (b) Student Tuition Recovery Fund Disclosures.	(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: "You must pay the state-imposed assessment for the Student Tuition Recovery Fund (STRF) if all of the following applies to you: 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. 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

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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.

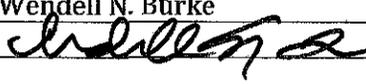
4.There was a material failure to comply with the Act or this Division within 30 days before the school closed or, if the material failure began earlier than 30 days prior to closure, the period determined by the Bureau.

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](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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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 6/7/2014**

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