



Bureau for Private Postsecondary Education
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NOTICE TO COMPLY – CA-70800816-0216 (Ed. Code § 94935, 5 CCR § 75010)

Institution Name:	Evons Beauty College	Institution Telephone:	714-899-2927
Institution Code:	70800816	Administrator Name:	Kimberly McMaken
Street Address:	7717-7719-7721 W. Garden Grove Blvd. Garden Grove, CA 92841	Date of Inspection:	February 23, 2016

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
<p>§94909 - Minimum Requirements for School Catalog and §94897 - Prohibited Business Practices</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>(2) Except as specified in Article 2 (commencing with Section 94802), a statement that the institution is a private institution and that it is approved to operate by the bureau.</p> <p>(1) Use the terms “approval,” “approved,” “approval to operate,” or “approved to operate” without stating clearly and conspicuously that approval to operate means compliance with state standards as set forth in this chapter. If the bureau has granted an institution approval to operate, the institution may indicate that the institution is “licensed” or “licensed to operate,” but may not state or imply either of the following:</p> <p>(1) The institution or its educational programs are endorsed or recommended by the state or by the bureau. (2) The approval to operate indicates that the institution exceeds minimum state standards as set forth in this chapter.</p> <p>The institution failed to include a complete statement.</p> <p>Institution shall submit a copy of its revised catalog that includes a complete statement like the example below: <i>This institution is a private institution approved to operate by the California Bureau for Private Postsecondary Education. Approval to operate means the institution is compliant with the minimum standards contained in the California Private Postsecondary Education Act of 2009 (as amended) and Division 7.5 of Title 5 of the California Code of Regulations.</i></p>

Notice to Comply – CA-70800816-0216

Inspector’s Initial: *JR*

Administrator’s Initial: *Km*

<p>§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>(A) "Any questions a student may have regarding this catalog that have not been satisfactorily answered by the 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 institution failed to include the required information.</p> <p>Institution shall submit a copy of its revised catalog to include the (888) 370-7589 toll-free telephone number on page 4.</p>
<p>§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>(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>Institution catalog does not contain all of the required information.</p> <p>The institution shall submit a copy of its revised catalog which includes any final test or examinations required for each course.</p>
<p>§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>(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>The institution failed to include the required information.</p> <p>Institution shall submit a copy of its revised catalog that contains a list of all the eligibility requirements for licensure for each program.</p>

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Inspector's Initial: *OR*

Administrator's Initial: *Km*

<p>§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>(7) Information regarding the faculty and their qualifications.</p> <p>The institution failed to include the required information.</p> <p>Institution shall submit a copy of its revised catalog that includes the faculty information to show their experience, minimum of three years, education and training in current practices of the subject area they are teaching.</p>
<p>§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>(8) A detailed description of institutional policies in the following areas:</p> <p>(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).</p> <p>The institution failed to include complete refund policies.</p> <p>The institution shall submit a copy of its revised catalog that correctly explains the refund policy for students and that is consistent with the enrollment agreement.</p>
<p>§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>(9) The schedule of total charges for a period of attendance and an estimated schedule of total charges for the entire educational program.</p> <p>The institution failed to include all of the required information.</p> <p>Institution shall submit a copy of its revised catalog that includes the schedule of total charges including Supplies, Books, and Lab (listed from enrollment agreement) fees for a</p>

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Administrator's Initial: *KM*

<p>§94909 - Minimum Requirements for School Catalog.</p>	<p>period of attendance and an estimated schedule of total charges for the entire program.</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 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>The institution failed to include the complete statement in the catalog.</p> <p>Institution shall submit a copy of its revised catalog that includes the statement found on page 6 verbatim with the title all capitalized as shown above.</p>
<p>§94908 - Size of Text in Required Documents.</p>	<p>Any information or statement required by this article to be included in the catalog, School Performance Fact Sheet, or enrollment agreement shall be printed in at least the same size font as the majority of the text in that document.</p> <p>Institution enrollment agreement did not include printed information with the same size font as the majority of the document.</p> <p>The institution shall submit a copy of its revised enrollment agreement to include all text in at least the same size font as the majority of the text in the document. This includes Student Disclosures found on page 2.</p>
<p>§94911 - Minimum Requirements for Enrollment Agreements.</p>	<p>An enrollment agreement shall include, at a minimum, all of the following:</p> <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>

Notice to Comply – CA-70800816-0216

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	<p>Institution enrollment agreement did not include required information.</p> <p>The institution shall submit a copy of its revised enrollment agreement to include a schedule of total charges, including a list of any nonrefundable charges.</p>
<p>§94911 - Minimum Requirements for Enrollment Agreements.</p>	<p>An enrollment agreement shall include, at a minimum, all of the following:</p> <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>Institution enrollment agreement did not contain the language with the above requirements.</p> <p>Institution shall submit a copy of its revised enrollment agreement which includes the aforementioned required language.</p>
<p>§94911 - Minimum Requirements for Enrollment Agreements.</p>	<p>An enrollment agreement shall include, at a minimum, all of the following:</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>Institution enrollment agreement does not have all the required information.</p> <p>The institution shall submit a copy of its revised enrollment agreement with steps to follow to withdraw that are consistent with the catalog.</p>
<p>§94911 - Minimum Requirements for Enrollment Agreements and §94909 - Minimum Requirements for School Catalog.</p>	<p>An enrollment agreement shall include, at a minimum, all of the following:</p> <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>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</p>

Notice to Comply – CA-70800816-0216

Inspector's Initial: *JR*

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	<p>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>The institution failed to include the complete statement in the enrollment agreement.</p> <p>Institution shall submit a copy of its revised enrollment agreement that includes the statement found on page 2 of the enrollment agreement verbatim as shown above.</p>
<p>§94911 - Minimum Requirements for Enrollment Agreements.</p>	<p>An enrollment agreement shall include, at a minimum, all of the following:</p> <p>(1) (1) The following statement: "Prior to signing this enrollment agreement, you must be given a catalog or brochure and a School Performance Fact Sheet, which you are encouraged to review prior to signing this agreement. These documents contain important policies and performance data for this institution. This institution is required to have you sign and date the information included in the School Performance Fact Sheet relating to completion rates, placement rates, license examination passage rates, salaries or wages, and the most recent three-year cohort default rate, if applicable, prior to signing this agreement."</p> <p>(2) Immediately following the statement required by paragraph (1), a line for the student to initial, including the following statement: "I certify that I have received the catalog, School Performance Fact Sheet, and information regarding completion rates, placement rates, license examination passage rates, salary or wage information, and the most recent three-year cohort default rate, if applicable, included in the School Performance Fact sheet, and have signed, initialed, and dated the information provided in the School Performance Fact Sheet."</p> <p>The institution failed to include the correct information.</p> <p>Institution shall submit a copy of its revised enrollment agreement that includes the statements verbatim found on page 3.</p>

Notice to Comply – CA-70800816-0216

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Administrator's Initial: *KM*

<p>§94911 - Minimum Requirements for Enrollment Agreements.</p>	<p>An enrollment agreement shall include, at a minimum, all of the following:</p> <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 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 institution failed to include correct information.</p> <p>The institution shall submit a copy of its revised enrollment agreement with the above mentioned statements verbatim and that include the Bureau's web site address as www.bppe.ca.gov.</p>
<p>§94928 - Definitions.</p>	<p>As used in this article, the following terms have the following meanings:</p> <p>(g) "Students available for graduation" means the cohort population minus the number of students unavailable for graduation.</p> <p>The institution failed to include correct information on the School Performance Fact Sheet (SPFS).</p> <p>The institution shall submit a copy of its revised SPFS with the correct "Students available for graduation" definition.</p>
<p>§94911 - Minimum Requirements for Enrollment Agreements.</p>	<p>An enrollment agreement shall include, at a minimum, all of the following:</p> <p>(e) (1) A disclosure with a clear and conspicuous caption, "STUDENT'S RIGHT TO CANCEL," under which it is explained 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.</p> <p>The institution failed to include the correct student's right to cancel information.</p> <p>The website's Frequently Asked Questions section currently states the following, "What if I change my mind and decide to cancel?"</p> <p>You have 5 business days to cancel for any reason and receive a full refund. After that, the refund amount is prorated depending on how many hours you have attended." The institution shall update the website to include a correct disclosure that explains 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.</p>

Notice to Comply – CA-70800816-0216

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Code of Regulations	Subsection, Description, and Required Correction
<p>§71720 – Faculty.</p>	<p>(b) Instructors in an Educational Program Not Leading to a Degree.</p> <p>(2) Each instructor shall maintain their knowledge by completing continuing education courses in his or her subject area, classroom management or other courses related to teaching.</p> <p>The institution failed to maintain the required continuing education courses information.</p> <p>Institution shall submit copies of the current instructors continuing education courses completed in the past 12 months.</p>
<p>§71810 – Catalog.</p>	<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;</p> <p>The institution failed to include the required information.</p> <p>Institution shall submit a copy of its revised catalog that includes the kind of English proficiency documentation that will be accepted. For example, “English language proficiency must be equivalent to 10th grade level and up with High School Diploma.”</p>
<p>§71810 – Catalog.</p>	<p>(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:</p> <p>(8) The institution's standards for student achievement;</p> <p>The institution failed to include all standards for student achievement.</p> <p>Institution shall submit a copy of its revised catalog that explains how the institution determines a student is maintaining satisfactory progress.</p>
<p>§71810 – Catalog.</p>	<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; and</p> <p>The institution failed to include the required procedure.</p> <p>The institution shall submit a copy of its revised catalog that includes complete procedures on how the institution</p>

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	<p>addresses student grievances including when the student brings the matter to Instructor and Program Director, when will the student receive a response? Will that provide the student enough time to prepare a written grievance to the Chief Academic Officer within 48 hours of when the incident occurs? If there is a Grievance Committee Meeting, who might be considered a representative? In addition, please ensure you provide the correct Bureau's fax number as (916) 263-1897.</p>
<p>§71810 - Catalog.</p>	<p>(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:</p> <p>(15) Policies on the retention of student records.</p> <p>The institution failed to include a correct policy on the retention of student records.</p> <p>The institution should submit a copy of its revised catalog that includes the "Retention of Records" section found on page 11 with information that the institution will maintain pertinent student records for a period of 5 years from the student's date of completion or withdrawal.</p>
<p>§71800 - Enrollment Agreement.</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>The institution failed to include the required information.</p> <p>(d) Date by which the student must exercise his or her right to cancel or withdraw, and the refund policy, including any alternative method of calculation if approved by the Bureau pursuant to section 94921 of the Code.</p> <p>The institution failed to include the required information.</p> <p>Institution shall submit a copy of its revised enrollment agreement that states the address where instruction will be provided and the institutions refund policy that is consistent with the refund policy found in the catalog.</p>
<p>§71800 - Enrollment Agreement.</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>(e) Itemization of all institutional charges and fees including, as applicable:</p> <p>(1) tuition;</p>

Notice to Comply - CA-70800816-0216

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	<p>(2) registration fee (non-refundable);</p> <p><u>(3) equipment;</u></p> <p><u>(4) lab supplies or kits;</u></p> <p>(5) Textbooks, or other learning media;</p> <p>(6) uniforms or other special protective clothing;</p> <p>(7) in-resident housing;</p> <p>(8) tutoring;</p> <p>(9) assessment fees for transfer of credits;</p> <p>(10) fees to transfer credits;</p> <p>(11) Student Tuition Recovery Fund fee (non-refundable);</p> <p>(12) any other institutional charge or fee.</p> <p>The institution failed to include an itemization of all charges.</p> <p>The institution shall submit a copy of its revised enrollment agreement that includes an itemization of all institutional charges and fees from the items underlined above. These fees must be separate.</p>
<p>§74112 - Uniform Data - Annual Report, Performance Fact Sheet.</p>	<p>(e) Placement Rates.</p> <p>(3) Placement rate shall be calculated as follows: the number of graduates employed in the field as defined in subsection 74112(b)(3) divided by the number of graduates available for employment as defined in section 94928(d) of the Code.</p> <p>Institution did not include correct placement rates for each of its approved program.</p> <p>The institution shall submit a copy of its revised SPFS with the correct information for "Graduates Employed in the Field" under the 2014 calendar year column for each approved program. This information does not match the institutions reported numbers for the 2014 column of "Graduates Employed in Field" under the Salary and Wage Information for each approved program.</p>
<p>§74112 - Uniform Data - Annual Report, Performance Fact Sheet.</p>	<p>(f) License Examination Passage Rates.</p> <p>Reporting of license examination passage rates for the Annual Report and the Performance Fact Sheet shall include, for each educational program: the number of students completing the</p>

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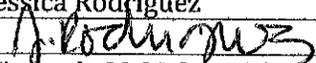
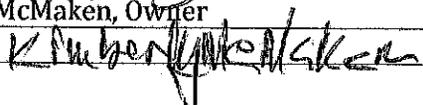
Administrator's Initial: *Km*

	<p>program within 150% of published program length in the reported year, the number of documented graduates who passed the first examination, number of documented graduates who failed the first examination, the number of graduates for whom data is not available. An optional column may be added to separately report licensing examination data for students who take and pass the exam after failing initially. The Annual Report shall also include a description of the processes for attempting to contact those students.</p> <p>Institution did not include correct license examination passage rates for each of its approved programs.</p> <p>The institution shall provide a copy of its revised SPFS with complete information for "License Examination Passage Rates" under the 2014 calendar year columns for each approved program.</p>
<p>§71810 - Catalog</p>	<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;</p> <p>The institution failed to include the consistent information.</p> <p>The website's Frequently Asked Questions section currently states the following, "Do you offer classes in any other languages?" Yes, most of our instructors are bilingual. All of our course materials are in English and many of our class materials are translated into Vietnamese." The catalog currently states, "Evans Beauty College does not provide English language services. All instruction is conducted in English only." The institution must update their website to include correct information regarding the institution's English language requirement.</p>

Only minor violations are listed on this Notice to Comply.

Additional material violations have been found? Y / N (Circle one)

If yes, material violations will be forwarded to Enforcement for further review. A Bureau representative will contact the institution with additional guidance.

Inspector's Name	Jessica Rodriguez
Inspector's Signature	
Institution Administrator Name/Title:	Kimberly McMaken, Owner
Institution Administrator's Signature:	

Notice to Comply – CA-70800816-0216

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Education Code can be located at: http://www.bppe.ca.gov/lawsregs/ppe_act.shtml
Code of Regulations can be located at: <http://www.bppe.ca.gov/lawsregs/regs.shtml>

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 23, 2016**

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