



**Bureau for Private Postsecondary Education**  
 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833  
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**NOTICE TO COMPLY – CA 81701248 1105 (Ed. Code § 94935, 5 CCR § 75010)**

Institution Name:	American Heritage University of Southern California	Institution Telephone:	909-884-9000
Institution Code:	81701248	Administrator Name:	Dr. Tony B.E. Ogiamien
Street Address:	255 North D Street San Bernardino CA 92401	Date of Inspection:	11/5/2013

Nature and Facts of the Violation(s):

Education Code	Subsection and Description
§94913 - Website	<p>(a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following:            (2) A School Performance Fact Sheet for each educational program offered by the institution.            (3) Student brochures offered by the institution.            (5) The institution's most recent annual report submitted to the bureau.</p> <p><b>Institution's website failed to include all of the required information.</b></p>
§94909 - Minimum Requirements for School Catalog.	<p>(a)(11) 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: 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 not paid from federal student financial aid program funds.</p> <p><b>Institution's catalog failed to contain the required statement.</b></p>
§94911 - Minimum Requirements for Enrollment Agreement.	<p>(e)(2) An enrollment agreement shall include, at a minimum, all of the following: The disclosure (Student's Right to Cancel) shall contain the institution's refund policy and a statement that, if the student has received federal student financial aid funds, the student is entitled to a refund of moneys not paid from federal student financial aid program funds.</p> <p><b>Institution's enrollment agreement failed to contain a statement that if the student has received federal student financial aid funds, the student is entitled to a refund of moneys not paid from federal student financial aid program funds.</b></p>

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<p>§94920 - Mandatory Cancellation, Withdrawal, and Refund Policies.</p>	<p>(a) An institution that does not participate in the federal student financial aid program shall do all of the following: The institution shall advise each student that a notice of cancellation shall be in writing, and that a withdrawal may be effectuated by the student's written notice or by the student's conduct, including, but not necessarily limited to, a student's lack of attendance.</p> <p><b>Institution failed to advise each student that a notice of cancellation shall be in writing, and that a withdrawal may be effectuated by the student's written notice or by the student's conduct, including, but not necessarily limited to, a student's lack of attendance.</b></p>
<p>§94929.7 - Documentation of Performance Data.</p>	<p>(a)(1)(2) The information used to substantiate the rates calculated pursuant to Sections 94929 and 94929.5 shall be documented and maintained by the institution for five years from the date of the publication of those rates. Be retained in an electronic format and made available to the bureau upon request.</p> <p><b>Institution failed to provide information to substantiate the rates calculated for the School Performance Fact Sheet in an electronic format.</b></p>
<p>§94929.7 - Documentation of Performance Data.</p>	<p>(b) An institution shall provide a list of employment positions used to determine the number of graduates employed in the field for purposes of calculating job placement rates pursuant to this article.</p> <p><b>Institution failed to provide a list of employment positions used to determine the number of graduates employed in the field for purposes of calculating job placement rates pursuant to this article.</b></p>
<p>§94912 - Signature, Initials Required.</p>	<p>Prior to the execution of an enrollment agreement, the information required to be disclosed pursuant to subdivisions (a) to (d), inclusive, of Section 94910 shall be signed and dated by the institution and the student. Each of these items shall also be initialed and dated by the student.</p> <p><b>Student files failed to contain a signed copy of the School Performance Fact Sheet.</b></p>
<p>§94902 - General Enrollment Requirements.</p>	<p>(b) An enrollment agreement is not enforceable unless all of the following requirements are met:  (1) The student has received the institution's catalog and School Performance Fact Sheet prior to signing the enrollment agreement.</p> <p><b>Student files failed to contain a signed copy of the School Performance Fact Sheet.</b></p>
<p>§94910 - Minimum Requirements for School Performance Fact Sheet.</p>	<p>(f) All of the following:  (1) A description of the manner in which the figures described in subdivisions (a) to (d), inclusive, are calculated or a statement informing the reader of where he or she may obtain a description of the manner in which the figures described in subdivisions (a) to (d), inclusive, are calculated.  (2) A statement informing the reader of where he or she may obtain</p>

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	<p>from the institution a list of the employment positions determined to be within the field for which a student received education and training for the calculation of job placement rates as required by subdivision (b).</p> <p>(3) A statement informing the reader of where he or she may obtain from the institution a list of the objective sources of information used to substantiate the salary disclosure as required by subdivision (d).</p> <p>(g) The following statements:</p> <p>(1) "This fact sheet is filed with the Bureau for Private Postsecondary Education. Regardless of any information you may have relating to completion rates, placement rates, starting salaries, or license exam passage rates, this fact sheet contains the information as calculated pursuant to state law."</p> <p>(2) "Any questions a student may have regarding this fact sheet 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)</p> <p><b>School Performance Fact Sheet failed to contain the required information.</b></p>
§94900 - Required Student Records.	<p>(b) An institution shall maintain, for each student granted a degree or certificate by that institution, permanent records of all of the following:</p> <p>(1) The degree or certificate granted and the date on which that degree or certificate was granted.</p> <p>(2) The courses and units on which the certificate or degree was based.</p> <p>(3) The grades earned by the student in each of those courses.</p> <p><b>Graduate files were missing transcripts and copies of certificates awarded.</b></p>

<b>Code of Regulations</b>	<b>Subsection and Description</b>
§76140 - Record-Keeping Requirements.	<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> <p>(1) Student identification number,</p> <p>(2) First and last names,</p> <p>(3) Email address,</p> <p>(4) Local or mailing address,</p> <p>(5) Address at the time of enrollment,</p> <p>(6) Home address,</p> <p>(7) Date enrollment agreement signed,</p> <p>(8) Courses and course costs,</p> <p>(9) Amount of STRF assessment collected,</p>

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	<p>(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.  (b) The qualifying institution shall maintain the data required under this section in an electronic format that is readily available and open to inspection by the Bureau upon request. The institution shall make the records immediately available to a Bureau representative conducting a site inspection or, upon written request, shall provide a copy within 14 calendar days of the request. All records shall be provided to the Bureau in an intelligible and orderly manner and in an electronic format.</p> <p><b>Institution failed to provide the STRF substantiation form to support data reported to the Bureau on the STRF assessment substantiation form. Form not provided in an electronic format.</b></p>
<p>§76215 - Student Tuition Recovery Fund Disclosures.</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:  "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.</p> <p><b>Institution catalog failed to contain the required STRF language.</b></p>
<p>§71810 - Catalog.</p>	<p>(b) (9) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following: A description of the facilities and of the types of equipment and materials that will be used for instruction.</p> <p><b>Institution's catalog failed to contain a description of the types of equipment and materials that will be used for instruction.</b></p>
<p>§71810 - Catalog.</p>	<p>(b)(11) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following: If the institution offers distance education, the approximate number of days that will elapse between the institution's receipt of student lessons, projects, or dissertations and the institution's mailing of its response or evaluation.</p> <p><b>Institution's catalog failed to contain the approximate number of days that will elapse between the institution's receipt of student lessons, projects, or dissertations and the institution's mailing of its response or evaluation.</b></p>

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§71810 - Catalog.	<p>(b)(15) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following: Policies on the retention of student records.</p> <p><b>Institution's catalog failed to contain the correct policy for the retention of student records.</b></p>
§71800 - Enrollment Agreement.	<p>(d) In addition to the requirements of section 94911 of the Ed. Code, an institution shall provide to each student an enrollment agreement that contains at the least the following information: 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 Ed. Code.</p> <p><b>Institution's enrollment agreement failed to contain the date by which the student must exercise his or her right to cancel or withdraw and the refund policy.</b></p>
§71740 - Library and Other Learning Resources.	<p>An institution that depends for library and other learning resources primarily on other institutions' collections and resources not in its possession shall do all of the following:</p> <p>(1) Describe those library and other learning resources, in the application and catalog.</p> <p>(2) Provide students and faculty with access to the regular services of a professional librarian or information specialist experienced in the electronic retrieval of information, who shall provide support for faculty in curriculum matters and actively serve as a resource guide for both graduate and undergraduate students.</p> <p>(3) Assure that students have access to the library collections and resources of another institution, organization, or library.</p> <p>(4) Document compliance with paragraphs (1), (2), and (3).</p> <p><b>Institution failed to respond to this item. For institutions that depend for library and other learning resources primarily on other institution's collections and resources not in its possession, are required to document its compliance of CCR §71740(d)(1), (2), and (3). Please provide copies of this documentation.</b></p>
§71710 - Educational Program.	<p>(f) In order to meet its mission and objectives, the educational program defined in §94837 of the Ed. Code shall be comprised of a curriculum that includes: Evaluation by duly qualified faculty of those learning outcomes.</p> <p><b>Institution failed to provide their policy regarding learning outcomes being evaluated by duly qualified faculty.</b></p>
§71715 - Instruction.	<p>(e) Dissertations, theses and other products submitted by a student as part of a graduate program shall be signed by all faculty members recommending the student for an award of a degree.</p> <p><b>Institution failed to provide documentation showing that dissertations, theses and other products submitted by a</b></p>

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	<b>student as part of a graduate program shall be signed by all faculty members recommending the student for an award of a degree.</b>
§71720 - Faculty.	(a)(1) An Educational Program Leading to a Degree. An institution offering an educational program that leads to a degree shall employ duly qualified faculty sufficient in number to provide the instruction, student advisement, and learning outcomes evaluation necessary for the institution to document its achievement of its stated mission and objectives, and for students to achieve the specific learning objectives of each course offered.  <b>Institution failed to provide a copy of their institution's policy and procedure relative to employing a sufficient number of duly qualified faculty.</b>
§71720 - Faculty.	(a)(2) An Educational Program Leading to a Degree. Each institution shall develop and implement written policies and procedures providing for the participation by duly qualified faculty in the conducting of research, development of curricula, academic planning, enforcement of standards of academic quality, pursuit of academic matters related to the institution's mission and objectives, establishment of criteria for contracting with new faculty, and evaluation of faculty credentials.  <b>Institution failed to provide a copy of their institution's written policy and procedure that provides for faculty participation relative to 5 CCR §71720(a)(2) .</b>
§71720 - Faculty.	(a)(8) An Educational Program Leading to a Degree. Each institution shall have a written Academic Freedom Policy which describes the latitude the institution allows faculty in the classroom so faculty will not inadvertently violate the principles of academic freedom. These policies shall be made available to any person upon request. The institution shall not take adverse action based on a staff member's exercise of academic freedom consistent with the institution's policy.  <b>Institution failed to provide a copy of their institution's Academic Freedom Policy.</b>
§74112 - Uniform Data - Annual Report, Performance Fact Sheet.	(a) The format for the Performance Fact Sheet shall be in at least 12 pt. type, in an easily readable font, with 1.15 line spacing. The Performance Fact Sheet shall contain all and only the information required or specifically permitted by section 94910 of the Code or this chapter.  <b>Institution's School Performance Fact Sheet (SPFS) contains additional information that is not permitted.</b>
§74112 - Uniform Data - Annual Report, Performance Fact Sheet.	(d)(e)(g) Reporting of completion rates for an institution's Annual Report and Performance Fact Sheet shall include, for each educational program, the number of students who began program as defined in subdivision (b), the number of students available for graduation, number of graduates, and completion rate(s). An optional column may be added to include completion rate data for

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students completing within 101-150% of the published program length. For an institution reporting completion data pursuant to section 94929(b) of the Code, completion data shall be separately reported for each program. The Performance Fact Sheet shall disclose, if true, that the completion data is being reported for students completing within 150% of the published program length, and that data is not being separately reported for students completing the program within 100% of the published program length. Completion rates shall be included in the Performance Fact Sheet in a format substantially similar to the chart found within the regulation.

AND

(1) Any placement data required by sections 94910(b) and 94929.5(a) of the Code shall be reported for the number of students who began the program as defined in subdivision (b) for each reported calendar year.

(2) Placement is measured six months from the graduation date of each student. Reporting of placement rates shall include for each educational program: the number of students who began program, the number of graduates as defined in subdivision (b), graduates available for employment, graduates employed in the field and placement rate(s).

(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.

(4) Graduates employed in the field shall be reported for those graduates employed in the field in a single position that averages under 32 hours per week and those employed in the field in a single position that averages at least 32 hours per week. References to the Code are to the California Education Code where the California Private Postsecondary Education Act of 2009 is located. Placement rates shall be included in the Performance Fact Sheet in a format substantially similar to the chart below, including the footnoted information below (dates, numbers, and other data shown are for example only): (refer to §74112 for table)

AND

All Salary and Wage Information shall be reported to the Bureau pursuant to section 94929.5(c) of the Code and, if required by section 94910(d) of the Code, shall be included in the Performance Fact Sheet, for each educational program, in a format substantially similar to the chart below, including the footnoted information (dates, numbers, salaries, and other data are shown for example only). (refer to §74112 for table)

**Institution's SPFS failed to contain completion and salary information for all programs. Additionally, if applicable, institution must place placement information on the SPFS.**

§74112 - Uniform Data - Annual Report, Performance Fact Sheet.

(h) Documentation supporting all data reported shall be maintained by the institution for at least five years from the time included in either an Annual Report or a Performance Fact Sheet,

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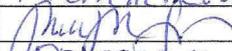
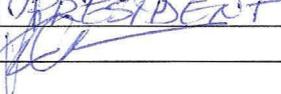
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	<p>and shall include at a minimum: student name(s), address, phone number, email address, program completed, program start and completion dates, place of employment and position, salary, hours, and a description of all attempts to contact each student. Documentation shall also include the name, email address, phone number, and position or title of the institution's representative who is primarily responsible for obtaining the students' completion, placement, licensing, and salary and wage data, the date that the information was gathered, and copies of notes, letters or emails through which the information was requested and gathered.</p> <p><b>Institution failed to provide supporting documentation.</b></p>
§76130 - Collection and Submission of Assessments	<p>(a) A qualifying institution shall collect the assessment from each student in an educational program at the time it collects the first payment from or on behalf of the student at or after enrollment. The assessment shall be collected for the entire period of enrollment, regardless of whether the student pays the institutional charges in increments.</p> <p><b>Enrollment Agreements in Student files failed to contain charges for STRF assessment.</b></p>
§71750 - Withdrawals and Refunds.	<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 failed to provide a withdrawal log kept current monthly with the name, address and telephone number.</b></p>

**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	Michelle Loz
Inspector's Signature	
Institution Administrator Name/Title:	PRESIDENT
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: 

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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: **12/5/2013**

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Inspector's Initial: *mg*

Administrator's Initial: *ftc*