



INFORMAL CONFERENCE – NOTICE OF DISAGREEMENT
DECISION: NOTICE TO COMPLY MODIFIED

February 7, 2019

Rogelio Gomez
 International College
 5500 Pomona Blvd.
 Los Angeles, CA 90022

Date of Issuance	Notice to Comply Number	Institution Code
February 7, 2019	CU1923121 1018	1923121

On January 8, 2019, an informal telephone conference was held in the matter of Notice to Comply number CU1923121 1018 issued to Rogelio Gomez/Director of International College. In attendance were Dr. Michael Marion, Bureau Chief; Leeza Rifredi, Deputy-Bureau Chief; and Valerie Gomez/Assistant Director of International College, Respondent.

Pursuant to Business and Professions Code, Section 148; California Education Code, Section 94909; and California Code of Regulations, Section 75010, the Bureau for Private Postsecondary Education (Bureau) renders the following decision relative to your appeal of Notice to Comply number CU1923121 1018.

It is the decision of the Deputy Bureau Chief that Notice to Comply number CU1923121 1018, issued on October 24, 2018 is modified for the following reason(s):

- New substantive facts were presented at the conference.

It is the decision of the Deputy Bureau Chief that violations: 5, CCR §71810(b)(4) and 5, CCR §71810(b)(5) issued on October 24, 2018, are withdrawn. All other violations are upheld.

EFFECTIVE DATE OF NOTICE TO COMPLY

This Modified Notice to Comply is effective on **February 07, 2019**. Proof of necessary corrections is due by **March 08, 2019**.

Failure to abate the violation within the time allowed is grounds for denial of an application for an approval to operate or discipline. The Bureau will promptly take all appropriate action to enforce the Modified Notice to Comply.

CONTACT INFORMATION

If you have any questions regarding this decision or desire further information, please contact Alma Mededovic, Notice to Comply Analyst, at (916) 246-3910 or at Alma.Mededovic@dca.ca.gov.

Beth Scott

Beth Scott
 ENFORCEMENT CHIEF

February 7, 2019

Date



BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
DEPARTMENT OF CONSUMER AFFAIRS • BUREAU FOR PRIVATE POSTSECONDARY EDUCATION
2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833
P (916) 431-6959 | Toll-Free (888) 370-7589 | www.bppe.ca.gov



Enclosures

- Copy of Notice to Comply number CU1923121 1018
- Declaration of Service by Certified and First Class Mail



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 - CU1923121-1018 (Ed. Code §94935 & 5, CCR §75010)

Institution Name:	International College	Institution Telephone:	(323) 889-3600
Institution Code:	1923121	Administrator Name:	Rogelio Gomez
Street Address:	5500 Pomona Boulevard Los Angeles, CA 90022	Date of Inspection:	October 24, 2018

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 or Code of Regulations	Subsection, Description, and Required Correction
5, CCR §71920(a)(5)(A) (B)(C)(D)(E)	<p>Student Records</p> <p>(a) The institution shall maintain a file for each student who enrolls in the institution whether or not the student completes the educational service.</p> <p>(5) In addition to the requirements of section 94900(b) of the Code, a transcript showing all of the following:</p> <p>(A) The courses or other educational programs that were completed, or were attempted but not completed, and the dates of completion or withdrawal;</p> <p>(B) Credit awarded for prior experiential learning, including the course title for which credit was awarded and the amount of credit;</p> <p>(C) Credit for courses earned at other institutions;</p> <p>(D) Credit based on any examination of academic ability or educational achievement used for admission or college placement purposes;</p> <p>(E) The name, address, website address, and telephone number of the institution.</p> <p>International College failed to maintain student transcripts.</p> <p>To remedy this violation, the institution shall maintain student transcripts with all requirements listed above and shall be made readily available upon request.</p>
CEC §94904(a)	<p>Ability to Benefit Students</p> <p>(a) Before an ability-to-benefit student may execute an enrollment agreement, the institution shall have the student take an independently administered examination from the list of examinations prescribed as of July 1, 2012, by the United States Department of Education pursuant to Section 484(d) of the federal Higher Education Act of 1965 (20 U.S.C. Sec. 1070a et seq.). The student shall not enroll unless the student achieves a score, as specified by the United States Department of Education, demonstrating that the student may benefit from the education and training being offered.</p> <p>International College admission requirements seen on page 10 of the January 8, 2018-December 21, 2018 catalog failed to list all Ability to Benefit exam (ATB) requirements as listed above. The catalog does state if a student does not have a high school diploma</p>


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Inspector's Initial: *[Signature]*
 Administrator's Initial: *[Signature]*

	<p>or equivalent, they must take an Ability to Benefit exam prior to enrolling. However, the catalog failed to state which approved United States Department of Education ATB exam and exam score will be accepted.</p> <p>To remedy this violation, the institution shall update their catalog to include which approved United States Department of Education ATB exam and exam score will be accepted.</p>
5, CCR §71810(b)(4)	<p>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: (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; and (B) whether English language services, including instruction such as ESL, are provided and, if so, the nature of the service and its cost;</p> <p>International College language proficiency section on page 12 of the January 8, 2018-December 21, 2018 catalog failed to include 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>To remedy this violation, the institution shall update their catalog to include the level of English language proficiency required for their English taught courses and kind of documentation of proficiency, that will be accepted.</p>
5, CCR §71810(b)(5)	<p>Catalog (b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following: (5) Whether any instruction will occur in a language other than English and, if so, the level of proficiency required and the kind of documentation of proficiency, such as the United States Foreign Service Language Rating System, that will be accepted.</p> <p>International College language proficiency section on page 12 of the January 8, 2018-December 21, 2018 catalog failed to include the level of Spanish proficiency required and the kind of documentation of proficiency, such as the United States Foreign Service Language Rating System, that will be accepted.</p> <p>To remedy this violation, the institution shall update their catalog to include the level of Spanish proficiency required for their Spanish taught courses and the kind of documentation of proficiency that will be accepted.</p>
CEC §94909(a)(9)	<p>Minimum Requirements for School Catalog (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: (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>International College January 8, 2018-December 21, 2018 catalog failed to include the schedule of total charges for a period of attendance and an estimated schedule of total charges for the entire educational program for each of their programs.</p>


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Inspector's Initial: 

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	<p>To remedy this violation, the institution shall update their catalog to include the <u>schedule of total charges for a period of attendance and an estimated schedule of total charges for the entire educational program</u> for each of their programs. If the total charges for a period of attendance is the same as the total charges for the entire educational program the catalog must state that.</p>
<p>5, CCR §76215(a)(b)</p>	<p>Student Tuition Recovery Fund Disclosures</p> <p>(a) A qualifying institution shall include the following statement on both its enrollment agreement and school catalog: “The State of California established the Student Tuition Recovery Fund (STRF) to relieve or mitigate economic loss suffered by a student in an educational program at a qualifying institution, who is or was a California resident while enrolled, or was enrolled in a residency program, if the student enrolled in the institution, prepaid tuition, and suffered an economic loss. Unless relieved of the obligation to do so, you must pay the state-imposed assessment for the STRF, or it must be paid on your behalf, if 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. You are not eligible for protection from the STRF and you are not required to pay the STRF assessment, if you are not a California resident, or are not enrolled in a residency program.”</p> <p>(b) In addition to the statement required under subdivision (a) of this section, a qualifying institution shall include the following statement in its school catalog: “It is important that you keep copies of your enrollment agreement, financial aid documents, receipts, or any other information that documents the amount paid to the school. Questions regarding the STRF may be directed to the Bureau for Private Postsecondary Education, 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833, (916) 431-6959 or (888) 370-7589. To be eligible for STRF, you must be a California resident or are enrolled in a residency program, prepaid tuition, paid or deemed to have paid the STRF assessment, and suffered an economic loss as a result of any of the following:</p>
	<ol style="list-style-type: none"> 1. The institution, a location of the institution, or an educational program offered by the institution was closed or discontinued, and you did not choose to participate in a teach-out plan approved by the Bureau or did not complete a chosen teach-out plan approved by the Bureau. 2. You were enrolled at an institution or a location of the institution within the 120 day period before the closure of the institution or location of the institution, or were enrolled in an educational program within the 120 day period before the program was discontinued. 3. You were enrolled at an institution or a location of the institution more than 120 days before the closure of the institution or location of the institution, in an educational program offered by the institution as to which the Bureau determined there was a significant decline in the quality or value of the program more than 120 days before closure. 4. The institution has been ordered to pay a refund by the Bureau but has failed to do so. 5. The institution has failed to pay or reimburse loan proceeds under a federal student loan program as required by law, or has failed to pay or reimburse proceeds received by the institution in excess of tuition and other costs.

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	<p>6. You have been awarded restitution, a refund, or other monetary award by an arbitrator or court, based on a violation of this chapter by an institution or representative of an institution, but have been unable to collect the award from the institution.</p> <p>7. You sought legal counsel that resulted in the cancellation of one or more of your student loans and have an invoice for services rendered and evidence of the cancellation of the student loan or loans.</p> <p>To qualify for STRF reimbursement, the application must be received within four (4) years from the date of the action or event that made the student eligible for recovery from STRF.</p> <p>A student whose loan is revived by a loan holder or debt collector after a period of noncollection may, at any time, file a written application for recovery from STRF for the debt that would have otherwise been eligible for recovery. If it has been more than four (4) years since the action or event that made the student eligible, the student must have filed a written application for recovery within the original four (4) year period, unless the period has been extended by another act of law.</p> <p>However, no claim can be paid to any student without a social security number or a taxpayer identification number.”</p> <p>International College January 8, 2018-December 21, 2018 catalog failed to include the most current STRF disclosure listed above.</p> <p>To remedy this violation, the institution shall update their catalog to include the most current STRF disclosure listed above.</p>
<p>CEC §94909(a)(8)(B)</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>(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>International College cancellation and withdrawal policies on page 14 of the January 8, 2018-December 21, 2018 catalog failed to include the mandatory cancellation, withdrawal and refund policies pursuant to CEC §94920.</p> <p>To remedy this violation, the institution shall update page 14 of the catalog to include the mandatory cancellation, withdrawal and refund policies pursuant to CEC §94920. Refer to the code listed below for guidance.</p> <p>CEC §94920 Mandatory Cancellation, Withdrawal, and Refund Policies</p> <p>An institution that does not participate in the federal student financial aid programs shall do all of the following(a) The institution shall advise each student that a notice of cancellation shall be in writing, and that a withdrawal may be effectuated by the</p>



	<p>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) Institutions shall refund 100 percent of the amount paid for institutional charges, less a reasonable deposit or application fee not to exceed two hundred fifty dollars (\$250), if notice of cancellation is made through attendance at the first class session, or the seventh day after enrollment, whichever is later.</p>
5, CCR §71810(b)(11)	<p>Catalog</p> <p>(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:</p> <p>(11) 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>International College distance education disclaimer on page 11 of the January 8, 2018-December 21, 2018 catalog failed to include 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>To remedy this violation, the institution shall update their catalog to include 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>
5, CCR §71800(e)(12)	<p>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>(12) Any other institutional charge or fee.</p>
	<p>International College enrollment agreement's itemization list failed to include all nonrefundable charges identified in the institution's catalog.</p> <p>To remedy this violation, the institution shall update their enrollment agreement to include all nonrefundable charges identified in the institution's catalog.</p>
5, CCR §76215(a)	<p>Student Tuition Recovery Fund Disclosures</p> <p>(a) A qualifying institution shall include the following statement on both its enrollment agreement and school catalog:</p> <p>"The State of California established the Student Tuition Recovery Fund (STRF) to relieve or mitigate economic loss suffered by a student in an educational program at a qualifying institution, who is or was a California resident while enrolled, or was enrolled in a residency program, if the student enrolled in the institution, prepaid tuition, and suffered an economic loss. Unless relieved of the obligation to do so, you must pay the state-imposed assessment for the STRF, or it must be paid on your behalf, if 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.</p> <p>You are not eligible for protection from the STRF and you are not required to pay the STRF assessment, if you are not a California resident, or are not enrolled in a residency program."</p>

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Inspector's Initial: 

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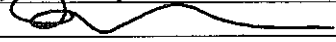
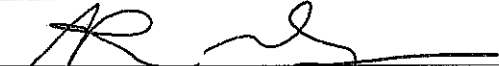
	<p>International College enrollment agreement failed to provide the most current description of the student's rights and responsibilities with respect to the Student Tuition Recovery Fund.</p> <p>To remedy this violation, the institution shall update their enrollment agreement to include the most current description and disclosures of the student's rights and responsibilities with respect to the Student Tuition Recovery Fund as listed above.</p>
CEC §94911(e)(1)	<p>Minimum Requirements for Enrollment Agreements</p> <p>An enrollment agreement shall include, at a minimum, all of the following: (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>International College enrollment agreement failed to include correct cancellation disclosures. The following statement on International College enrollment agreement is incorrect and misleading "Upon cancellation, students may obtain a refund of unearned institutional charges if notice of cancellation is made before attending the first class session, or by the seventh class day after enrollment, whichever is later." This suggests that a student is not entitled to obtain a refund of all charges paid less a reasonable deposit or application fee not to exceed two hundred fifty dollars (\$250) through attendance at the first class session, or the seventh day after enrollment, whichever is later.</p> <p>To remedy this violation, the institution shall update their enrollment agreement to include correct cancellation disclosures as seen above. Refer to the following for guidance: CEC §94920(b) An institution that does not participate in the federal student financial aid programs shall do all of the following: (b) Institutions shall refund 100 percent of the amount paid for institutional charges, less a reasonable deposit or application fee not to exceed two hundred fifty dollars (\$250), if notice of cancellation is made through attendance at the first class session, or the seventh day after enrollment, whichever is later.</p>
CEC §94909(a)	<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: 15) The following statement:</p> <p>"NOTICE CONCERNING TRANSFERABILITY OF CREDITS AND CREDENTIALS EARNED AT OUR INSTITUTION</p> <p>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>

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 Inspector's Initial: 
 Administrator's Initial: 

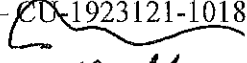

International College enrollment agreement failed to include the complete NOTICE CONCERNING TRANSFERABILITY OF CREDITS AND CREDENTIALS EARNED AT OUR INSTITUTION mandatory statement.

To remedy this violation, the institution shall update their enrollment agreement to include the complete NOTICE CONCERNING TRANSFERABILITY OF CREDITS AND CREDENTIALS EARNED AT OUR INSTITUTION mandatory statement.

Only minor violations are listed on a Notice to Comply.

Inspector's Name	Jessica Espinoza
Inspector's Signature	
Institution Administrator Name/Title:	Rogelio Gomez
Institution Administrator's Signature:	

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>

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Inspector's Initial: 
Administrator's Initial: 

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.

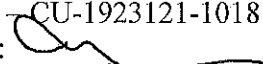
Signature

Date

Print Name and Title

THIS DECLARATION OR A NOTICE OF DISAGREEMENT MUST BE SUBMITTED TO THE BUREAU BY **November 28, 2018**.

Notice to Comply - CU-1923121-1018

Inspector's Initial: 

Administrator's Initial: 