



**Bureau for Private Postsecondary Education**  
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**NOTICE TO COMPLY - CU 3003191 1216 (Ed. Code § 94935, 5 CCR § 75010)**

Institution Name:	Hair California Beauty Academy	Institution Telephone:	714-633-7170
Institution Code:	3003191	Administrator Name:	Dr. Jonathan Nguyen
Street Address:	1110 North Tustin Ave. Orange, CA 92867	Date of Inspection:	12/7/16

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
§94913 - Institutional Web Site Requirements	<p>(a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following:</p> <ol style="list-style-type: none"> <li>(1) The school catalog.</li> <li>(2) A School Performance Fact Sheet for each educational program offered by the institution.</li> <li>(3) Student brochures offered by the institution.</li> <li>(4) A link to the bureau's Internet Web site.</li> <li>(5) The institution's most recent annual report submitted to the bureau.</li> </ol> <p><b>The institution failed to include a link to the bureau's internet website and a link to the most current Annual Report submitted to the bureau. The catalog is dated 2015 and the School Performance Fact Sheets are dated 2011-2012. The Performance Fact Sheet posted only includes the Cosmetology Program.</b></p> <p><b>To remedy the violation, the institution shall provide a link to the bureau's website, a link to the most recent annual report submitted to the bureau, current catalog and current School Performance Fact Sheets for all approved programs.</b></p> <p><b>A printout or a link to the updated website shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
§94897 - Prohibited Business Practices	<p>An institution shall not do any of the following: (j) In any manner make an untrue or misleading change in, or untrue or misleading statement related to, a test score, grade or record of grades, attendance record, record indicating student completion, placement, employment, salaries, or financial information, including any of the following: (3) Any other record or document required by this chapter or by the bureau.</p>

Notice to Comply – CU 3003191 1216

Inspector's Initial: *JH*

Administrator's Initial: *JN*

	<p><b>The institution's website advertises membership in American Association of Cosmetology . The school is not listed on the AACS website as a member.</b></p> <p><b>To remedy the violation the institution shall remove membership information from their website or provide documentation of membership.</b></p> <p><b>A printout or a link to the updated website or a letter from AACS stating membership shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
<p>§94897 - Prohibited Business Practices.</p>	<p>(l) 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.</p> <p>(2) The approval to operate indicates that the institution exceeds minimum state standards as set forth in this chapter.</p> <p><b>The institution's catalog failed to include a complete statement and included Education Codes from the Bureau for Private Post-Secondary and Vocational Education.</b></p> <p><b>To remedy this violation the institution shall revise their catalog including the complete required statement: (see example)</b></p> <p><b>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.</b></p> <p><b>In addition, the institution shall send an email to all current California students informing them of the revised version of the catalog with a hyperlink to where the revised catalog can be found on the institution's website.</b></p> <p><b>A copy of the e-mail sent to students and revised catalog shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
<p>§94909 - Minimum Requirements for School Catalog.</p>	<p>(a)(3)(C) "A student or any member of the public may file a complaint about this institution with the Bureau for Private Postsecondary Education by calling (toll-free telephone number) or by completing a complaint form, which can be obtained on the bureau's Internet Web site (Internet Web site address)."</p>


Notice to Comply – CU 3003191 1216

Inspector's Initial: *MM*

Administrator's Initial: *JL*

	<p><b>The institution failed to include the statement verbatim. The institution combined language for contacting their accreditor if they have a grievance.</b></p> <p><b>To remedy the violation the institution shall remove the language not included in the verbatim statement noted above.</b></p> <p><b>In addition, the institution shall send an email to all current California students informing them of the revised version of the catalog with a hyperlink to where the revised catalog can be found on the institution's website.</b></p> <p><b>A copy of the e-mail sent to students and revised catalog shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
<p>§94909 - Minimum Requirements for School Catalog.</p>	<p>(a) (4) The address or addresses where class sessions will be held.</p> <p><b>The institution's catalog failed to include a statement indicating where class sessions will be held.</b></p> <p><b>To remedy the violation, the institution shall add a statement indicating where all classes will be held.</b></p> <p><b>In addition, the institution shall send an email to all current California students informing them of the revised version of the catalog with a hyperlink to where the revised catalog can be found on the institution's website.</b></p> <p><b>A copy of the e-mail sent to students and revised catalog shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
<p>§94909 - Minimum Requirements for School Catalog.</p>	<p>(a)(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><b>The institution's catalog failed to contain a statement for the total charges for a period of attendance and total charges for entire program.</b></p> <p><b>To remedy the violation the institution shall add the total charges for a period of attendance and total charges for entire program. In addition the institution needs to add STRF fees as \$0 (non-refundable)</b></p> <p><b>In addition, the institution shall send an email to all current California students informing them of the revised version of the catalog with a hyperlink to where the revised catalog can be found on the institution's website.</b></p> <p><b>A copy of the e-mail sent to students and revised catalog shall</b></p>

Notice to Comply – CU 3003191 1216

Inspector's Initial: 

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<p>§94909 - Minimum Requirements for School Catalog.</p>	<p><b>be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p> <p>(a)(11) 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>The institution's catalog failed to include a statement specifying if a student obtains a loan to pay for an educational program the student will have the responsibility to repay the loan.</b></p> <p><b>To remedy the violation the institution shall add the required disclosure statement.</b></p> <p><b>In addition, the institution shall send an email to all current California students informing them of the revised version of the catalog with a hyperlink to where the revised catalog can be found on the institution's website.</b></p> <p><b>A copy of the e-mail sent to students and revised catalog shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
<p>§94909 - Minimum Requirements for School Catalog.</p>	<p>(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.</p> <p>§76215 (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:</p> <ol style="list-style-type: none"> <li>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</li> <li>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.</li> </ol> <p>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:</p> <ol style="list-style-type: none"> <li>1. You are not a California resident, or are not enrolled in a</li> </ol>

Notice to Comply – CU 3003191 1216  
Inspector's Initial: *W*  
Administrator's Initial: *JP*

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 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."


**The institution's catalog failed to include a description of the student's rights and responsibilities with respect to the Student Tuition Recovery Fund.**


**To remedy the violation, the institution shall update their catalog to include the required verbatim language including a description of the student's rights and responsibilities with respect to the Student Tuition Recovery Fund.**

**In addition, the institution shall send an email to all current California students informing them of the revised version of the catalog with a hyperlink to where the revised catalog can be found on the institution's website.**

**A copy of the e-mail sent to students and revised catalog shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.**

Notice to Comply - CUI 2003191 1216

Inspector's Initial: 

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<p>§94911 - Minimum Requirements for Enrollment Agreement.</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><b>The institution's enrollment agreement failed to include two of the required statements noted above and a student signature on the same page as the total charges.</b></p> <p><b>To remedy the violation the institution shall update their enrollment agreement to include the total charges for the current period of attendance, and the total charges the student is obligated to pay upon enrollment. In addition the institution shall include a line for a student signature.</b></p> <p><b>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
<p>§94911 - Minimum Requirements for Enrollment Agreement.</p>	<p>An enrollment agreement shall include, at a minimum, all of the following: (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>94909(a)(15) The following statement:</p> <p><b>"NOTICE CONCERNING TRANSFERABILITY OF CREDITS AND CREDENTIALS EARNED AT OUR INSTITUTION</b></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> <p><b>The institution's enrollment agreement failed to include this statement verbatim as shown above. The enrollment agreement also failed to specify whether the institution offers, credits, degrees or diplomas.</b></p> <p><b>To remedy the violation the institution shall remove the lines from under the statement to match what is shown above. The institution shall also customize all of the language in parenthesis to include only what the institution offers.</b></p>

Notice to Comply – CU 3003191 1216

Inspector's Initial: *JT*  
 Administrator's Initial: *ET*

	<p><b>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
<p>§94911 - Minimum Requirements for Enrollment Agreement.</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."  (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><b>The institution's enrollment agreement failed to include the required statements verbatim. The enrollment agreement is missing the three-year cohort default rate language.</b></p> <p><b>In order to remedy the violation the institution shall update their enrollment agreement to include the two required statements verbatim as shown above.</b></p> <p><b>To remedy the violation the institution shall remove the lines from under the statement as shown above. The institution shall also customize all of language in parenthesis to include only what the institution offers.</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>The institution did not maintain student files which showed the students received a SPFS prior to signing the enrollment agreement. SPFS were not documented in student files.</b></p> <p><b>To remedy this violation, the institution shall provide documentation showing students received the SPFS prior to signing an enrollment agreement. The institution shall submit with their NTC response an established policy and procedure</b></p>

Notice to Comply – CU 3003191 1216

Inspector's Initial: *MS*  
Administrator's Initial: *JR*

	<p>requiring all students to receive a SPFS prior to signing an enrollment agreement. They shall also submit signed School Performance Fact Sheets for three students who enroll in the next 30 days.</p> <p><b>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.</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>The institution did not maintain student files which showed the students received a SPFS prior to signing the enrollment agreement. SPFS were not documented in student files, not initialed, signed and dated by the student.</b></p> <p><b>To remedy this violation, the institution shall provide documentation showing students received, reviewed, and initialed, signed, and dated the SPFS prior to signing an enrollment agreement. The institution shall submit with their NTC response established policies and procedures requiring all students to receive, review, and initial, sign, and date a SPFS prior to signing an enrollment agreement. The institution shall submit with their NTC response an established policy and procedure requiring all students to receive a SPFS prior to signing an enrollment agreement. They shall also submit signed School Performance Fact Sheets for three students who enroll in the next 30 days.</b></p> <p><b>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.</b></p>
<p>§94900 - Required Student Records.</p>	<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> <ol style="list-style-type: none"> <li>(1) The degree or certificate granted and the date on which that degree or certificate was granted.</li> <li>(2) The courses and units on which the certificate or degree was based.</li> <li>(3) The grades earned by the student in each of those courses.</li> </ol> <p><b>The institution did not maintain a permanent record (transcript) containing the certificate awarded and the date on which that certificate was granted, the courses and units on which the certificate was based, and the grades earned by the student in each of those courses for each student awarded a certificate.</b></p>

Notice to Comply – CU 3003191 1216

Inspector's Initial: *M*

Administrator's Initial: *J*



	<p>To remedy this violation, the institution shall submit copies of graduate transcripts containing the certificate awarded and the date on which that certificate was granted, the courses and units on which the certificate was based, and the grades earned by the student in each of those courses for each student awarded a certificate. The institution shall submit with their NTC response documentation of an established policy and procedure for developing and maintaining a permanent transcript for each student awarded a certificate upon completion of the program.</p> <p>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p>
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Code of Regulations	Subsection, Description, and Required Correction
§74117- Website.	<p>In addition to the requirement in Section 94913(b) of the Code, an institution that maintains a website shall provide on the homepage of that website clear and conspicuous links to all the items required in Section 94913(a) of the Code.</p> <p>94913. Institutional Web Site Requirements  (a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following:  (1) The school catalog.  (2) A School Performance Fact Sheet for each educational program offered by the institution.  (3) Student brochures offered by the institution.  (4) A link to the bureau's Internet Web site.  (5) The institution's most recent annual report submitted to the bureau.</p> <p><b>The institution's website failed to include clear and conspicuous links to all the items required in section 94913(a) on their website home page.</b></p> <p><b>To remedy the violation, the institution shall provide clear and conspicuous links to all the items required to be maintained in section 94913 on the institution's home page.</b></p> <p><b>A printout or a link to the updated website shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
§71810 - Catalog.	<p>(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>

Notice to Comply – CU 3003191 1216

Inspector's Initial: *JW*  
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	<p><b>The institution's catalog failed to indicate documentation required by the school itself in addition to Saddleback College's minimum requirements for the level of English proficiency required.</b></p> <p><b>To remedy the violation the institution shall add a statement indicating the level of English required for proficiency in all approved programs.</b></p> <p><b>In addition, the institution shall send an email to all current California students informing them of the revised version of the catalog with a hyperlink to where the revised catalog can be found on the institution's website.</b></p> <p><b>A copy of the e-mail sent to students and revised catalog shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
§71810 - Catalog.	<p>(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following: (15) Policies on the retention of student records.</p> <p><b>The institution's catalog failed to include a complete retention of records policy. Student transcripts must be maintained indefinitely.</b></p> <p><b>To remedy the violation, the institution shall update their policy to include a complete records retention policy.</b></p> <p><b>In addition, the institution shall send an email to all current California students informing them of the revised version of the catalog with a hyperlink to where the revised catalog can be found on the institution's website.</b></p> <p><b>A copy of the e-mail sent to students and revised catalog shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
§76130 - Collection and Submission of Assessments	<p>(b) A qualifying institution shall complete the STRF Assessment Reporting Form (Rev. 2/10) and remit it with the STRF assessments collected from students to be received by the Bureau no later than the last day of the month following the close of the quarter as follows:</p> <ol style="list-style-type: none"> <li>(1) April 30 for the first quarter,</li> <li>(2) July 31 for the second quarter,</li> <li>(3) October 31 for the third quarter, and</li> <li>(4) January 31 for the fourth quarter. If the due date falls on a Saturday, Sunday or State or federal holiday, the due date shall be extended to the next regular business day for the Bureau.</li> </ol> <p>If the due date falls on a Saturday, Sunday, or State or federal holiday, the due date shall be extended to the next regular business day for the Bureau.</p>

Notice to Comply – CU 3003191 1216  
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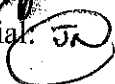
	<p><b>The institution failed to provide a copy of their submitted STRF Assessment Reporting Forms for 2<sup>nd</sup> and 3<sup>rd</sup> quarter 2016.</b></p> <p><b>To remedy the violation the institution shall provide a copy of their submitted STRF Assessment Reporting Forms for 2<sup>nd</sup> and 3<sup>rd</sup> quarter 2016.</b></p> <p><b>A copy of the STRF Assessment reporting forms shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
<p>§76140 - Record-Keeping Requirements.</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> <ol style="list-style-type: none"> <li>(1) Student identification number,</li> <li>(2) First and last names,</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> </ol> <p><b>The institution failed to provide a copy of their back-up data for their STRF Assessment Reporting Form for 2<sup>nd</sup> and 3<sup>rd</sup> quarter 2016.</b></p> <p><b>To remedy the violation the institution shall provide a copy of their back-up data used to substantiate the data reported on the STRF Assessment reporting form for 2<sup>nd</sup> and 3<sup>rd</sup> quarter 2016.</b></p> <p><b>A copy of the back-up data shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
<p>§74112 - Uniform Data - Annual Report, Performance Fact Sheet.</p>	<p>(a) Format. 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 and all titles and column headings shall be in bold 14 pt. type, which shall also identify the program for which the Performance Fact Sheet pertains. The Performance Fact Sheet shall contain all and only the information required or specifically permitted by sections 94910 and 94929.5 of the Code or this chapter. A separate Performance Fact Sheet shall be prepared for each program.</p>

Notice to Comply – CU/3003191 1216

Inspector's Initial: *WJ*  
 Administrator's Initial: *SR*

	<p><b>The institution was unable to provide Performance Fact Sheets in the correct format and including the required information specifically permitted by sections 94910 and 94929.5 of the Code or this chapter.</b></p> <p><b>To remedy the violation, the institution shall provide Performance Fact Sheets for all approved programs in the correct format including all the requirements listed in: 74112, 94910 and 94929.5. Specifically:</b></p> <p><b>Student's Initials: _____ Date: _____</b>  <b>Initial only after you have had sufficient time to read and understand the information.</b></p> <p><b>The above statement shall appear after all data a student is required to review.</b></p> <p><b>A copy of the Performance Fact Sheets shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
<p>§74112 - Uniform Data - Annual Report, Performance Fact Sheet.</p>	<p>(m) Documentation supporting all data reported shall be maintained electronically by the institution for at least five years from the last time the data was included in either an Annual Report or a Performance Fact Sheet, and shall be provided to the Bureau upon request; and the data for each program shall include at a minimum:</p> <p>(2) student name(s), address, phone number, email address, program completed, program start date, scheduled completion date, and actual completion dates.</p> <p><b>The institution failed to provide back-up data for the School Performance Fact Sheet to include; student name(s), address, phone number, email address, program completed, program start and completion dates.</b></p> <p><b>To remedy the violation the institution shall provide the back-up data required to substantiate the 2014-2015 School Performance Fact Sheet.</b></p> <p><b>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
<p>§74112 - Uniform Data - Annual Report, Performance Fact Sheet.</p>	<p>(n) The institution shall provide on a separate document along with the Performance Fact Sheet the same cancellation disclosure as that which is required to be included with the enrollment agreement by Section 94911(e)(1) of the Code. The separate document shall be substantially the same size as the Performance Fact Sheet and shall be captioned "STUDENT'S RIGHT TO CANCEL" using bold 14 pt. type.</p> <p><b>The institution's Performance Fact Sheet failed to provide a</b></p>

Notice to Comply – CU 3003191 1216



Inspector's Initial:   
 Administrator's Initial: 

	<p>separate sheet for <b>STUDENT'S RIGHT TO CANCEL</b> as required.</p> <p><b>To remedy the violation the institution shall provide on a separate document along with the Performance Fact Sheet the same cancellation disclosure as that which is required to be included with the enrollment agreement by Section 94911(e)(1) of the Code.</b></p> <p><b>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
<p>§71720 - Faculty.</p>	<p>(b) Instructors in an Educational Program Not Leading to a Degree.  (1) An institution shall employ instructors who possess the academic, experiential and professional qualifications to teach, including a minimum of three years of experience, education and training in current practices of the subject area they are teaching. If an instructor does not possess the required three years of experience, education and training in the subject area they are teaching, the institution shall document the qualifications the instructor possesses that are equivalent to the minimum qualifications.</p> <p><b>The institution failed to maintain copies of instructor files documenting that the institution employs instructors who possess the academic, experiential and professional qualifications to teach, including a minimum of three years of experience, education and training in current practices of the subject area they are teaching.</b></p> <p><b>To remedy the violation the institution shall provide documentation showing their faculty meets the minimum requirements to instruct at a non-degree granting institution. In addition the institution shall provide their policy and procedure for maintaining this information going forward.</b></p> <p><b>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
<p>§71720 - Faculty.</p>	<p>(b) Instructors in an Educational Program Not Leading to a Degree  (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><b>The institution's faculty files failed to contain documentation of continuing education in their subject area or classroom management.</b></p> <p><b>To remedy the violation the institution shall submit documentation of continuing education for each of their instructors along with the institution's policy and procedure for continuing education.</b></p>

Notice to Comply – CU 3003191 1216  
Inspector's Initial: *MJ*  
Administrator's Initial: *JN*


	<p><b>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
<p>§76215 - Student Tuition Recovery Fund Disclosures.</p>	<p>(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:</p> <ol style="list-style-type: none"> <li>1. The school closed before the course of instruction was completed.</li> <li>2. The school's failure to pay refunds or charges on behalf of a 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.</li> <li>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.</li> <li>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.</li> <li>5. An inability after diligent efforts to prosecute, prove, and collect on a judgment against the institution for a violation of the Act."</li> </ol> <p><b>The institution's enrollment agreement failed to include a description of the student's rights and responsibilities with respect to the Student Tuition Recovery Fund.</b></p> <p><b>To remedy the violation, the institution shall update their enrollment agreement to include the required verbatim language including a description of the student's rights and responsibilities with respect to the Student Tuition Recovery Fund.</b></p> <p><b>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></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</p>


	<p>where instruction will be provided.</p> <p><b>The institution's enrollment agreement failed to include a statement indicating where classes will be held.</b></p> <p><b>In order to remedy the violation the institution shall add a statement where all classes will be held.</b></p> <p><b>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
<p>§71920 - Student Records.</p>	<p>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:</p> <p>(1) Written records and transcripts of any formal education or training, testing, or experience that are relevant to the student's qualifications for admission to the institution or the institution's award of credit or acceptance of transfer credits including the following:</p> <p>(A) Verification of high school completion or equivalency or other documentation establishing the student's ability to do college level work, such as successful completion of an ability-to-benefit test.</p> <p><b>Student files failed to contain a copy of a recognized high school diploma, GED certificate, or results from an ability-to-benefit examination.</b></p> <p><b>To remedy this violation, the institution shall update student files to contain verification of high school completion or equivalency or other documentation establishing the student's ability to do college level work, which may include: a copy of a recognized high school diploma, GED certificate, or results from an ability-to-benefit examination. The institution shall submit with their NTC response documentation of an established policy and procedure showing the institution is including written records and transcripts documenting the student's ability to do college level work.</b></p> <p><b>The institution shall submit with their response copies of a high school diploma, GED certificate, or results from an ability to benefit for three students who enroll within the next 30 days.</b></p> <p><b>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
<p>§71920 - Student Records.</p>	<p>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:</p> <p>(5) In addition to the requirements of section 94900(b) of the Code, a transcript showing all of the following:</p> <p>(E) The name, address, website address, and telephone number of the institution.</p>

Notice to Comply – CU 3003191 1216  
 Inspector's Initial:   
 Administrator's Initial: 

	<p><b>The institution did not maintain transcripts with the institution's name, address, website address, and telephone number.</b></p> <p><b>To remedy this violation, the institution shall update the student and graduate files to contain the transcripts showing the institution's name, address, website address, and telephone number. All student and graduate files shall contain transcripts with the institution's name, address, website address, and telephone number. The institution shall submit with their NTC response documentation of an established policy and procedure showing the institution is placing transcripts in each student and graduate file.</b></p> <p><b>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.</b></p>
<p>§71920 - Student Records.</p>	<p>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:  (4) Records of the dates of enrollment and, if applicable, withdrawal from the institution, leaves of absence, and graduation.</p> <p><b>The institution did not maintain student records containing the dates of enrollment for each student. Withdrawn student files did not contain the dates of withdrawal or termination.</b></p> <p><b>To remedy this violation, the institution shall update student files to contain the dates of enrollment and, if applicable, dates of leaves of absence for each student. Withdrawn or terminated student files shall contain the date of withdrawal or termination. The institution shall submit with the NTC response copies of the date of withdrawal for a withdrawn student, The institution shall submit with their NTC response documentation of an established policy and procedure requiring the dates of enrollment, leaves of absences, and withdrawal date to be maintained in each student's file.</b></p> <p><b>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</b></p>
<p>§71920 - Student Records.</p>	<p>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:  (10) A document specifying the amount of a refund, including the amount refunded for tuition and the amount for other itemized charges, the method of calculating the refund, the date the refund was made, and the name and address of the person or entity to which the refund was sent.</p> <p><b>The institution did not maintain withdrawn student files which</b></p>

Notice to Comply – CU 3003191 1216

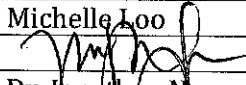
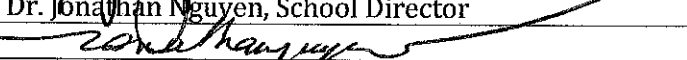
Inspector's Initial: 

Administrator's Initial: 





	<p>contained a document specifying the amount of refund obligated to the student, including the amount refunded for tuition and other itemized charges, the method of calculating the refund, and the date the refund was made, and the name and address of the person or entity to which the refund was sent.</p> <p>To remedy this violation, the institution shall provide copies of documents showing refund calculations made in accordance with 5, CCR §71750(c), copies of the withdrawn student enrollment agreements, copies of documentation showing all monies received from or on behalf of the withdrawn student, and copies of documentation the institution issued the corrected refund to the withdrawn student. The institution shall provide with their NTC response documentation of the institution's established policy and procedure for calculating and issuing refunds to students and maintaining that documentation in each withdrawn student's file.</p> <p>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.</p>
§71930 - Maintenance of Records.	<p>(e) All records that the institution is required to maintain by the Act or this chapter shall be made immediately available by the institution for inspection and copying during normal business hours by the Bureau and any entity authorized to conduct investigations.</p> <p>The institution failed to provide a copy of their Organizational Chart.</p> <p>To remedy the violation the institution shall provide an organizational chart with the institution's CEO, COO and CAO identified.</p> <p>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p>

Only minor violations are listed on a Notice to Comply.

Inspector's Name	Michelle Loo
Inspector's Signature	
Institution Administrator Name/Title:	Dr. Jonathan Nguyen, School 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>

Notice to Comply – CU 3003191 1216  
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 1/8/2017**

Notice to Comply – CU 3003191 1216

Inspector's Initial: *W*

Administrator's Initial: *JL*