



Bureau for Private Postsecondary Education
 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833
 P.O. Box 980818, West Sacramento, CA 95798-0818
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NOTICE TO COMPLY – CA 25861094 1016 (Ed. Code § 94935, 5 5, CCR § 75010)



Institution Name:	The Hemodialysis Training School	Institution Telephone:	510-475-5630
Institution Code:	25861094	Administrator Name:	Angelina Guieb-Alphonso
Street Address:	Four Union Square Suite B Union City, CA 94587	Date of Inspection:	10/26/2016

Nature and Facts of the Violation(s), Including a Reference to the Statute or Regulation Violated, and Manner in Which the Institution Must Correct the Violation to Achieve Compliance:

INSTITUTIONAL WEBSITE AND ADVERTISEMENTS

Education Code or Code of Regulations	Subsection, Description, and Required Correction
5, CCR §74117. Website Requirements	<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>The institution's website does not contain a link on their homepage for each of the following items required to be on their website:</p> <ol style="list-style-type: none"> 1. School catalog 2. School Performance Fact Sheet (SPFS) 3. Student Brochures 4. A link to the Bureau's Internet Website 5. The most recent Annual Report provided to the Bureau <p>To remedy this violation, the institution shall provide links to all five required items on their homepage.</p> <p>A printout of or a link to the updated website shall be provided to me at the onsite inspection on Wednesday October 26, 2016.</p>

ANNUAL REPORT & SCHOOL PERFORMANCE FACT SHEET

Education Code or Code of Regulations	Subsection, Description, and Required Correction
5, CCR §74110. Annual Report.	<p>(b) In addition to the information required by section 94934 provided under penalty of perjury, the institution shall have annual financial statements prepared for the institution's prior fiscal year and signed under penalty of perjury, and shall submit a hard copy under separate cover of such statements in conjunction with its annual report. The form, content and mode of preparation of financial statements shall comply with Section 74115 of this Division. The Bureau may request that the institution immediately make available for inspection to a representative of the Bureau, these financial statements at</p>

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Inspector's Initial: *MMW*

Administrator's Initial: *A*

	<p>the offices of the institution.</p> <p>The institution did not provide their financial statements with their annual report for the 2014 or 2015 reporting years.</p> <p>To remedy the violation, the institution shall provide their financial statements, which shall include, at a minimum, the balance sheet, cash flow statement, and income statement, as required by 5, CCR §74115(b)(2).</p> <p>The corrections to the SPFS substantiating documentation shall be submitted with the institution's response to the NTC and the last page of this document by November 28, 2016.</p>
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STUDENT RECORDS

Education Code or Code of Regulations	Subsection, Description, and Required Correction
<p>CEC §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> <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>The institution did not maintain a permanent record (transcript) in each graduated student's file 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.</p> <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 by November 28, 2016.</p>
<p>5, CCR §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>(A) The courses or other educational programs that were completed, or were attempted but not completed, and the dates of completion or withdrawal.</p>

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Inspector's Initial: *AMW*

Administrator's Initial: *N*

	<p>The institution did not maintain transcripts in each graduated and cancelled or withdrawn student file. There was no other evidence of the courses completed, or attempted but not completed, and the dates of completion or withdrawal.</p> <p>To remedy this violation, the institution shall update the withdrawn and graduates student files to contain the transcripts showing the courses that were completed, or were attempted but not completed and the dates of completion or withdrawal. 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.</p> <p>The records correction shall be submitted with the institution's response to the NTC and the last page of this document by November 28, 2016.</p>
<p>5, CCR §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>(3) Copies of all documents signed by the student, including contracts, instruments of indebtedness, and documents relating to financial aid.</p> <p>Student records maintained by the institution did not contain a signed Performance Fact Sheet pursuant to CEC §94902(b)(3) and §94912.</p> <p>CEC §94902(b)(3) states, "Prior to the execution of the enrollment agreement, the student and the institution have signed and dated the information required to be disclosed in the Student Performance Fact Sheet pursuant to subdivisions (a) to (d), inclusive, of Section 94910. Each of these items in the Student Performance Fact Sheet shall include a line for the student to initial and shall be initialed and dated by the student."</p> <p>CEC §94912 states, "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>To remedy this violation, the signed SPFS and all other documents requiring a student signature shall be maintained in the student's file. The institution shall submit with their NTC response, copies of signed SPFS for each new student enrolled and documentation of an established policy and procedure requiring all documents signed by the student to be placed and maintained in the student's file.</p> <p>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document by November 28, 2016.</p>
<p>5, CCR §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>

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Inspector's Initial: *MM*

Administrator's Initial: *V*

	<p>(4) Records of the dates of enrollment and, if applicable, withdrawal from the institution, leaves of absence, and graduation.</p> <p>The institution did not maintain student files containing the dates of enrollment for each student, including dates of leaves of absences and graduation. Withdrawn student files did not contain the dates of withdrawal or termination.</p> <p>To remedy this violation, the institution shall update current 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. Graduated student files shall contain the date of graduation. The institution shall submit with the NTC response copies of documentation in a current student file showing the dates enrollment, the dates of leaves of absence, the date of withdrawal for a withdrawn student, and the date of graduation for a graduate student. The institution shall submit with their NTC response documentation of an established policy and procedure requiring the dates of enrollment, leaves of absences, withdrawal, and graduation be maintained in each student's file.</p> <p>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document by November 28, 2016.</p>
<p>5, CCR §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>(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>The institution did not maintain withdrawn student files which contain 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 with their NTC response documentation of the institution's established policy and procedure for calculating and issuing accurate 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 by November 28, 2016.</p>

INSTITUTIONAL RECORDS

Education Code or Code of Regulations	Subsection, Description, and Required Correction
<p>5, CCR §71750. Withdrawal and Refunds</p>	<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>The institution did not provide documentation of a cancellation and withdrawal log providing the dates of cancellation or withdrawal on a monthly basis.</p> <p>To remedy this violation, the institution shall provide documentation of a cancellation and withdrawal log for 2016, 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. The institution shall establish policies and procedures showing the institution is documenting and maintaining the cancellation and withdrawal log.</p> <p>The records correction shall be submitted with the institution's response to the NTC and the last page of this document by November 28, 2016</p>
<p>5, CCR §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>The institution provided a verbal employee policy requiring instructors to continuing education in accordance with their licensure requirements each year; however, the institution did not provide a written policy and procedure to substantiate that. Documentation of continuing education was not maintained in faculty records.</p> <p>To remedy this violation, the institution shall update each faculty member file with documentation of their completed continuing education courses. The institution shall submit with their NTC response an established policy and procedure for the number of hours of continuing education required of faculty, and for updating and maintaining faculty files with each faculty member's continuing education documentation.</p> <p>The records correction shall be submitted with the institution's response to the NTC and the last page of this document by November 28, 2016.</p>

Notice to Comply – CA 25861094 1016

Inspector's Initial: *MMW*


Administrator's Initial: *J*

MISCELLANEOUS

Education Code or Code of Regulations	Subsection, Description, and Required Correction
<p>CEC §94902. General Enrollment Requirements.</p>	<p>(a) A student shall enroll solely by means of executing an enrollment agreement. The enrollment agreement shall be signed by the student and by an authorized employee of the institution.</p> <p>The institution did not maintain student files which showed the enrollment agreements were signed by the student and an authorized employee of the institution. Several student files contained enrollment agreement not signed by an authorized employee of the institution, or signed several days after the student signed the enrollment agreement.</p> <p>To remedy this violation, the institution shall provide documentation showing the enrollment agreements are signed by the student and an authorized employee at the time of enrollment. The institution shall submit with their NTC response an established policy and procedure requiring all enrollment agreements be signed by the student and an authorized employee at the time of enrollment.</p> <p>The records correction shall be submitted with the institution's response to the NTC and the last page of this document by November 28, 2016.</p>
<p>CEC §94902. General Enrollment Requirements.</p>	<p>(b) An enrollment agreement is not enforceable unless all of the following requirements are met:</p> <p>(1) The student has received the institution's catalog and School Performance Fact Sheet prior to signing the enrollment agreement.</p> <p>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.</p> <p>To remedy this violation, the institution shall provide documentation showing students received the catalog and 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 catalog and SPFS prior to signing an enrollment agreement.</p> <p>The records correction shall be submitted with the institution's response to the NTC and the last page of this document by November 28, 2016.</p>
<p>CEC §94902. General Enrollment Requirements.</p>	<p>(b) An enrollment agreement is not enforceable unless all of the following requirements are met:</p> <p>(3) Prior to the execution of the enrollment agreement, the student and the institution have signed and dated the information required to be disclosed in the Student Performance Fact Sheet pursuant to subdivisions (a) to (d), inclusive, of Section 94910. Each of these items in the Student Performance Fact Sheet shall include a line for the student to initial and shall be initialed and dated by the student.</p>

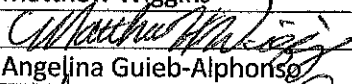

Notice to Comply – CA 25861094 1016

Inspector's Initial: 

Administrator's Initial: 

	<p>The institution did not maintain student files containing a School Performance Fact Sheet.</p> <p>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.</p> <p>The records correction shall be submitted with the institution's response to the NTC and the last page of this document by November 28, 2016.</p>
<p>CEC §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>The institution did not maintain student files containing a School Performance Fact Sheet.</p> <p>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.</p> <p>The records correction shall be submitted with the institution's response to the NTC and the last page of this document by November 28, 2016.</p>

Only minor violations are listed on this Notice to Comply.

Inspector's Name	Matthew Wiggins
Inspector's Signature	
Institution Administrator Name/Title:	Angelina Guieb-Alphoriso
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: *MW*

Administrator's Initial: *AG*

RETURN THIS FORM BY NOVEMBER 28, 2016 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, 2016.

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Inspector's Initial: *mw*

Administrator's Initial: *[Signature]*