



**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 - CU-1903671-0618 (Ed. Code §94935 & 5, CCR §75010)**

Institution Name:	Academy of Beauty	Institution Telephone:	310-837-0411
Institution Code:	1903671	Administrator Name:	Tim Nguyen
Street Address:	3834 Main Street Culver City, CA 90232	Date of Inspection:	6/26/18

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:

Referenced Law	Subsection , Description, and Required Correction
§71770 - Admissions Standards and Transferred Credits Policy.	<p>(a) The institution shall establish specific written standards for student admissions for each educational program. These standards shall be related to the particular educational program. An institution shall not admit any student who is obviously unqualified or who does not appear to have a reasonable prospect of completing the program. In addition to any specific standards for an educational program, the admissions standards must specify as applicable that:</p> <p>(1) Each student admitted to an undergraduate degree program, or a diploma program, shall possess a high school diploma or its equivalent, or otherwise successfully take and pass the relevant examination as required by section 94904 of the Code.</p> <p><b>The institution's catalog states that foreign students without a diploma can self-certify high school completion. This is in violation of the regulations. Foreign students without a high school diploma must take and pass an Ability-to Benefit test if they cannot produce a high school diploma.</b></p> <p><b>To remedy the violation, the institution shall revise their admissions policy for foreign students.</b></p>
§71770 - Admissions Standards and Transferred Credits Policy.	<p>(b) The institution shall specify the maximum credit it will transfer from another institution for each educational program, and the basis upon which the transferred credit will be awarded.</p> <p><b>The institution's catalog failed to list the maximum number of hours they would accept for transfer credits and any requirements to accept them.</b></p> <p><b>To remedy the violation, the institution shall include a statement indicating the maximum number of hours they will accept transfers for and whether there are restrictions on where the hours come from.</b></p>

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<p>§71810 - Catalog.</p>	<p>(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:</p> <p>(4) Language proficiency information, including:</p> <p>(A) the level of English language proficiency required of students and the kind of documentation of proficiency, such as the Test of English as a Foreign Language (TOEFL), that will be accepted; and</p> <p>(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>(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><b>The institution's catalog failed to include the level of English and Spanish proficiency required of students and the documentation that will be accepted.</b></p> <p><b>To remedy the violation, the institution shall revise their catalog to include language proficiency information for both their English and Spanish students.</b></p>
<p>§71810 - Catalog.</p>	<p>(13) Housing information including all of the following:</p> <p>(A) Whether the institution has dormitory facilities under its control;</p> <p>(B) The availability of housing located reasonably near the institution's facilities and an estimation of the approximate cost or range of cost of the housing.</p> <p><b>The institution's catalog failed to include whether the institution has dormitory facilities under its control and the availability and approximate cost of housing located reasonably near the institution.</b></p> <p><b>To remedy the violation, the institution shall list whether they have dormitories under their control and the approximate cost of housing in the area. Please note: You may look up on-line the approximate cost of housing.</b></p>
<p>§71810 - Catalog.</p>	<p>(15) Policies on the retention of student records.</p> <p>94900(b)(1-3)</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><b>The institution's catalog failed to include a complete records retention policy. The institution's catalog states that records</b></p>

	<p>will be maintained for five years but failed to indicate they would keep permanent records of student transcripts.</p> <p><b>To remedy the violation, the institution shall revise their record retention policy to include language for permanently maintaining student transcripts</b></p>
§94897 - Prohibited Business Practices.	<p>(1) Use the terms "approval," "approved," "approval to operate," or "approved to operate" without stating clearly and conspicuously that approval to operate means compliance with state standards as set forth in this chapter. If the bureau has granted an institution approval to operate, the institution may indicate that the institution is "licensed" or "licensed to operate," but may not state or imply either of the following:</p> <p>(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 and website failed to include a compliant approval to operate statement. The catalog and website reference an Education Code from prior to the sunset (94311.1) and states renewal is every three years.</b></p> <p><b>To remedy the violation, the institution shall remove the current approval statement from their catalog and replace it with something similar to the following:</b></p> <p><i>This institution is a private institution approved to operate by the California Bureau for Private Postsecondary Education. Approval to operate means the institution is compliant with the minimum standards contained in the California Private Postsecondary Education Act of 2009 (as amended) and Division 7.5 of Title 5 of the California Code of Regulations.</i></p>
§94909 - Minimum Requirements for School Catalog.	<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>(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 all class sessions will be held.</b></p> <p><b>To remedy the violation, the institution shall update their catalog with the address or addresses where class sessions will be held.</b></p>
§94909 - Minimum Requirements for School Catalog.	<p>(8) A detailed description of institutional policies in the following areas:</p> <p>(A) Admissions policies, including the institution's policies regarding the acceptance of credits earned at other institutions or through challenge examinations and achievement tests, admissions requirements for ability-to-benefit students, and a list describing any transfer or articulation agreements between the institution and any other college or university that provides for</p>

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	<p>the transfer of credits earned in the program of instruction. If the institution has not entered into an articulation or transfer agreement with any other college or university, the institution shall disclose that fact.</p> <p><b>The institution's catalog failed to include detailed admissions policies for ATB students. The institution's catalog doesn't state whether the exam is independently administered, the passing scores and the institution's policy for re-taking the test if a student fails it.</b></p> <p><b>In addition, the institution's admissions policy allows students from foreign countries without transcripts to self-certify high school completion. A student who cannot provide a diploma or transcripts is required to take and pass an ATB examination.</b></p> <p><b>To remedy the violation, the institution shall revise their admissions policy with the requirements listed above.</b></p>
<p>§94909 - Minimum Requirements for School Catalog.</p>	<p>(9) The schedule of total charges for a period of attendance and an estimated schedule of total charges for the entire educational program.</p> <p><b>The institution's catalog failed to include the total charges for a period of attendance. The catalog lists the charges for the total program but failed to include the total charges for a period of attendance.</b></p> <p><b>To remedy the violation, the institution shall include a statement indicating the total charges for a period of attendance. If the charges for a period of attendance and the total charges for the entire program are the same, a statement indicating this will meet compliance.</b></p>
<p>§94909 - Minimum Requirements for School Catalog.</p>	<p>(12) A statement specifying whether the institution has a pending petition in bankruptcy, is operating as a debtor in possession, has filed a petition within the preceding five years, or has had a petition in bankruptcy filed against it within the preceding five years that resulted in reorganization under Chapter 11 of the United States Bankruptcy Code (11 U.S.C. Sec. 1101 et seq.).</p> <p><b>The institution's catalog failed to include a statement indicating whether the institution has a pending petition in bankruptcy, is operating as a debtor in possession, has filed a petition within the preceding five years or has had a bankruptcy filed against it within the preceding five years.</b></p> <p><b>To remedy the violation, the institution shall include a statement in their catalog that addresses all the statements above. You may state that the institution does not have a pending petition, is not operating as a debtor, has not filed a petition and has not had a bankruptcy filed against it.</b></p>

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§94909 - Minimum Requirements for School Catalog.

(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.

76215. Student Tuition Recovery Fund Disclosures

(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."

(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:

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

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	<p>educational program within the 120 day period before the program was discontinued.</p> <p>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.</p> <p>4. The institution has been ordered to pay a refund by the Bureau but has failed to do so.</p> <p>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.</p> <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><b>The institution's catalog failed to include the most recent Student Tuition Recovery Fund Disclosures(STRF). As of 8/10/2017 the Student Tuition Recovery Disclosures (STRF) has changed.</b></p> <p><b>To remedy the violation, the institution shall replace the language above with the language currently listed in the school catalog.</b></p>
<p>§94909 - Minimum Requirements for School Catalog.</p>	<p>(16) A statement specifying whether the institution, or any of its degree programs, are accredited by an accrediting agency recognized by the United States Department of Education. If the institution is unaccredited and offers an associate, baccalaureate,</p>

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	<p>master's, or doctoral degree, or is accredited and offers an unaccredited program for an associate, baccalaureate, master's, or doctoral degree, the statement shall disclose the known limitations of the degree program, including, but not limited to, all of the following:  (C) That a student enrolled in an unaccredited institution is not eligible for federal financial aid programs.</p> <p><b>The institution's catalog failed to include a statement indicating whether the institution was accredited by an accrediting agency recognized by the Department of Education and statement alerting students to your institution not being eligible for federal financial aid programs.</b></p> <p><b>To remedy the violation, the institution shall add a statement to your catalog stating your institution and programs are not accredited and students aren't eligible for federal loans.</b></p>
<p>§76215 - Student Tuition Recovery Fund Disclosures.</p>	<p>76215. Student Tuition Recovery Fund Disclosures  (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.</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> <p><b>The institution's enrollment agreement failed to include the most recent Student Tuition Recovery Fund Disclosures(STRF). As of 8/10/2017 the Student Tuition Recovery Disclosures (STRF) has changed.</b></p> <p><b>To remedy the violation, the institution shall replace the language above with the language currently listed in the enrollment agreement.</b></p>
<p>§94911 - Minimum Requirements for Enrollment Agreement.</p>	<p>(e) (1) A disclosure with a clear and conspicuous caption, "STUDENT'S RIGHT TO CANCEL," under which it is explained that the student has the right to cancel the enrollment agreement and obtain a refund of charges paid through attendance at the first class session, or the seventh day after enrollment, whichever is later.</p>

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	<p><b>The institution's enrollment agreement failed to include the title "STUDENT'S RIGHT TO CANCEL," above the institution's cancellation and refund policy.</b></p> <p><b>To remedy the violation, the institution shall include the above title above their institution's cancellation and refund policy.</b></p>
<p>§94911 - Minimum Requirements for Enrollment Agreement.</p>	<p>(i) (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, <b>and the most recent three-year cohort default rate, if applicable,</b> prior to signing this agreement."</p> <p>(2) Immediately following the statement required by paragraph (1), a line for the student to initial, including the following statement: "I certify that I have received the catalog, School Performance Fact Sheet, and information regarding completion rates, placement rates, license examination passage rates, salary or wage information, <b>and the most recent three-year cohort default rate, if applicable,</b> 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 bolded language listed above.</b></p> <p><b>To remedy the violation the institution shall revise their enrollment agreement to include the language bolded above.</b></p>
<p>§74117 - Websites Requirements.</p>	<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</p> <p>(a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following:</p> <p>(1) The school catalog.</p> <p>(2) A School Performance Fact Sheet for each educational program offered by the institution.</p> <p>(3) Student brochures offered by the institution.</p> <p>(4) A link to the bureau's Internet Web site.</p> <p>(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 the institution's homepage.</b></p>

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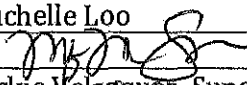
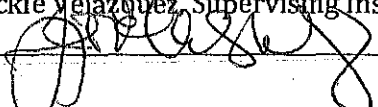
Inspector's Initial: *MD*

Administrator's Initial: *Q*




	<p><b>To remedy the violation, the institution shall have links to the required documents on their homepage or one link that includes all the required items</b></p>
§71720 - Faculty.	<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 failed to maintain records of continuing education for their instructors. The institution has a written policy for continuing education requiring instructors to complete 12 hours of continuing education each year.</b></p> <p><b>To remedy the violation, the institution shall provide their policy to ensure they are requesting copies of instructors completed Continuing Education Units.</b></p>
§71920 - Student Records.	<p>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:  (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>Three out of five current student files failed to contain verification of high school completion or equivalency. All graduate files included copies of high school completion or equivalent.</b></p> <p><b>To remedy the violation, the institution shall provide their policy ensuring they receive copies of student's high school completion or equivalent prior to enrolling in the program.</b></p>


Only minor violations are listed on a Notice to Comply.

Inspector's Name	Michelle Loo
Inspector's Signature	
Institution Administrator Name/Title:	Jackie Velazquez, Supervising Instructor
Institution Administrator's Signature:	

Education Code can be located at: [http://www.bppe.ca.gov/lawsregs/ppe\\_act.shtml](http://www.bppe.ca.gov/lawsregs/ppe_act.shtml)  
Code of Regulations can be located at: <http://www.bppe.ca.gov/lawsregs/regs.shtml>

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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 JULY 27, 2018**

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