



NOTICE TO COMPLY – CU-1905431-0519 (Ed. Code §94935 & 5, CCR §75010)

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| Institution Name: | Newberry School of Beauty | Institution Telephone: | 818-366-3211 |
| Institution Code: | 1905431 | Administrator Name: | Sheri Rushforth |
| Street Address: | 16852 Devonshire St. Granada Hills, CA 91344 | Date of Inspection: | 5/7/19 |

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 |
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| §94913 – Website | <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"> (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>The institution’s website failed to include a link to the bureau’s website and a current catalog.</p> <p>To remedy the violation, the institution shall add a link on their website to the bureau’s website and a current catalog. A copy of the link shall be submitted with the last page of this document by the date listed below.</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> <ol style="list-style-type: none"> (8) A detailed description of institutional policies in the following areas: <ol style="list-style-type: none"> (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 the transfer of credits earned in the program of instruction. If the |

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| | <p>institution has not entered into an articulation or transfer agreement with any other college or university, the institution shall disclose that fact.</p> <p>The institution's catalog failed to include a compliant ATB admissions policy. The catalog states that ATB students can gain admittance to the institution after completing 225 hours at the institution. ATB students can only be accepted by taking an ATB exam approved by the Department of Education.</p> <p>To remedy the violation, the institution shall either remove their ATB admissions policy or revise it to include ATB admissions through an independently administered exam approved by the Department of Education. The institution shall submit a revised catalog with the last page of this document by the date listed below.</p> |
| <p>§94909 - Minimum Requirements for School Catalog.</p> | <p>(a) Except as provided in subdivision (d), prior to enrollment, an institution shall provide a prospective student, either in writing or electronically, with a school catalog containing, at a minimum, all of the following: (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.</p> <p>76215. Student Tuition Recovery Fund Disclosures</p> <p>(a) A qualifying institution shall include the following statement on both its enrollment agreement and school catalog: "The State of California established the Student Tuition Recovery Fund (STRF) to relieve or mitigate economic loss suffered by a student in an educational program at a qualifying institution, who is or was a California resident while enrolled, or was enrolled in a residency program, if the student enrolled in the institution, prepaid tuition, and suffered an economic loss. Unless relieved of the obligation to do so, you must pay the state-imposed assessment for the STRF, or it must be paid on your behalf, if you are a student in an educational program, who is a California resident, or are enrolled in a residency program, and prepay all or part of your tuition.</p> |

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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:

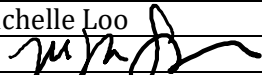
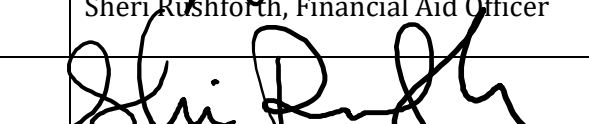
1. The institution, a location of the institution, or an educational program offered by the institution was closed or discontinued, and you did not choose to participate in a teach-out plan approved by the Bureau or did not complete a chosen teach-out plan approved by the Bureau.
2. You were enrolled 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 educational program within the 120 day period before the program was discontinued.
3. You were enrolled at an institution or a location of the institution more than 120 days before the closure of the institution or location of the institution, in an educational program offered by the institution as to which the Bureau determined there was a significant decline in the quality or value of the program more than 120 days before closure.
4. The institution has been ordered to pay a refund by the Bureau but has failed to do so.
5. The institution has failed to pay or reimburse loan proceeds under a federal student loan program as required by law, or has failed to pay or reimburse proceeds received by the institution in excess of tuition and other costs.
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

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| | <p>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>The institution's catalog failed to include the current STRF disclosure statement.</p> <p>To remedy the violation, the institution shall remove the STRF statement in their catalog and replace it with the language shown above. The institution shall submit a revised catalog with the last page of this document by the date listed below.</p> |
| <p>§94909 - Minimum Requirements for School Catalog.</p> | <p>(a) Except as provided in subdivision (d), prior to enrollment, an institution shall provide a prospective student, either in writing or electronically, with a school catalog containing, at a minimum, all of the following:</p> <p>(15) The following statement:</p> <p>"NOTICE CONCERNING TRANSFERABILITY OF CREDITS AND CREDENTIALS EARNED AT OUR INSTITUTION 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</p> |

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| | <p>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>The institution’s catalog failed to include the title shown above verbatim.</p> <p>To remedy the violation, the institution shall revise their catalog to include the title NOTICE CONCERNING TRANSFERABILITY OF CREDITS AND CREDENTIALS EARNED AT OUR INSTITUTION as shown. The institution shall submit a revised catalog with the last page of this document by the date listed below.</p> |
| §71810 - Catalog. | <p>(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:</p> <p>(13) Housing information including all of the following:</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>The institution’s catalog failed to include the availability and approximate cost of housing located reasonably near the institution.</p> <p>To remedy the violation, the institution shall add the required housing information. The institution shall submit a revised catalog with the last page of this document by the date listed below.</p> |
| §71810 - Catalog. | <p>(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:</p> <p>(15) Policies on the retention of student records.</p> <p>71930</p> <p>(a) An institution shall maintain all records required by the Act and this chapter. The records shall be maintained in this state.</p> <p>(b)(1) In addition to permanently retaining a transcript as required by section 94900(b) of the Code, the institution shall maintain for a period of 5 years the pertinent student records described in Section 71920 from the student's date of completion or withdrawal.</p> |

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| | <p>The institution's records retention policy failed to state the institution would maintain permanent records of student transcripts.</p> <p>To remedy the violation, the institution shall add a policy stating student transcripts would be maintained permanently. The institution shall submit a revised catalog with the last page of this document by the date listed below.</p> |
| §71760 - Self-Monitoring Procedures. | <p>Each institution shall develop and maintain adequate procedures used by the institution to assure that it is maintained and operated in compliance with the Act and this Division.</p> <p>The institution failed to develop and maintain a policy ensuring the institution would be operated in compliance with the Act and Division.</p> <p>To remedy the violation, the institution shall develop a self-monitoring policy and procedure. The institution shall submit the policy with the last page of this document by the date listed below.</p> |
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Only minor violations are listed on a Notice to Comply.


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| Inspector's Name | Michelle Loo |
| Inspector's Signature |  |
| Institution Administrator Name/Title: | Sheri Rushforth, Financial Aid Officer |
| 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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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 **JUNE 7, 2019**

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Inspector's Initial: *my*

Administrator's Initial: *SK*