



**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-1918921-0918 (Ed. Code §94935 & 5, CCR §75010)

Institution Name:	International Theological Seminary	Institution Telephone:	626-448-0023
Institution Code:	1918921	Administrator Name:	James Seung-Hyun Lee, PH.D.
Street Address:	3215-3225 N. Tyler Avenue El Monte, CA 91731	Date of Inspection:	Wednesday, September 12, 2018

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

**WEBSITE MINIMUM REQUIREMENTS**

Item No.	Referenced Law	Deficiency – Requested Submission
	CEC §94913 (a)(5)	<p>(a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following:</p> <p>(5) The institution’s most recent annual report submitted to the bureau.</p> <p><b>The school failed to include a link to its 2016 annual report on its website.</b></p> <p><b>To remedy this violation, the school shall include a link to its 2016 annual report on its website.</b></p>

**CATALOG MINIMUM REQUIREMENTS**

Item No.	Referenced Law	Deficiency – Requested Submission
	5, CCR §76215(a)	<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</p>

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 Administrator’s Initial: 

		<p>in an educational program, who is a California resident, or are enrolled in a residency program, and prepay all or part of your tuition. You are not eligible for protection from the STRF and you are not required to pay the STRF assessment, if you are not a California resident, or are not enrolled in a residency program.”</p> <p><b>The school failed to update the required Student Recovery Fund language in its catalog. The language was updated in September 2017.</b></p> <p><b>To remedy this violation the school shall update the language to read exactly as stated in §76215(a) in its catalog.</b></p>
	<p><b>5, CCR §76215(b)</b></p>	<p>(b) In addition to the statement required under subdivision (a) of this section, a qualifying institution shall include the following statement in its school catalog: “It is important that you keep copies of your enrollment agreement, financial aid documents, receipts, or any other information that documents the amount paid to the school. Questions regarding the STRF may be directed to the Bureau for Private Postsecondary Education, 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833, (916) 431-6959 or (888) 370-7589. To be eligible for STRF, you must be a California resident or are enrolled in a residency program, prepaid tuition, paid or deemed to have paid the STRF assessment, and suffered an economic loss as a result of any of the following:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>4. The institution has been ordered to pay a refund by the Bureau but has failed to do so.</li> <li>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.</li> </ol>

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		<p>6. You have been awarded restitution, a refund, or other monetary award by an arbitrator or court, based on a violation of this chapter by an institution or representative of an institution, but have been unable to collect the award from the institution.</p> <p>7. You sought legal counsel that resulted in the cancellation of one or more of your student loans and have an invoice for services rendered and evidence of the cancellation of the student loan or loans.</p> <p>To qualify for STRF reimbursement, the application must be received within four (4) years from the date of the action or event that made the student eligible for recovery from STRF.</p> <p>A student whose loan is revived by a loan holder or debt collector after a period of noncollection may, at any time, file a written application for recovery from STRF for the debt that would have otherwise been eligible for recovery. If it has been more than four (4) years since the action or event that made the student eligible, the student must have filed a written application for recovery within the original four (4) year period, unless the period has been extended by another act of law.</p> <p>However, no claim can be paid to any student without a social security number or a taxpayer identification number.”</p> <p><b>The school failed to update the required Student Recovery Fund language in its catalog. The language was updated in September 2017.</b></p> <p><b>To remedy this violation the school shall update the language to read exactly as stated in §76215(b) in its catalog.</b></p>
	<p><b>CEC §94909 (a)(8)(B)</b></p>	<p>(a) Except as provided in subdivision (d), prior to enrollment, an institution shall provide a prospective student, either in writing or electronically, with a school catalog containing, at a minimum, all of the following:</p> <p>(8) A detailed description of institutional policies in the following areas:</p> <p>(B) Cancellation, withdrawal, and refund policies, including an explanation that the student has the right to cancel the enrollment agreement and obtain a refund of charges paid through attendance at the first-class session, or the seventh day after enrollment, whichever is later. The text shall also include a description of the procedures that a student is required to follow to cancel the enrollment agreement or withdraw from the institution and obtain a refund consistent with the requirements of Article 13 (commencing with Section 94919).</p> <p><b>The school failed to have a cancellation, withdrawal, and refund policies, including an explanation that the student has the right to</b></p>

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		<p>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 in its catalog.</p> <p>To remedy this violation the school shall include a cancellation, withdrawal, and refund policies, including an explanation that the student has the right to cancel the enrollment agreement and obtain a refund of charges paid through attendance at the first-class session, or the seventh day after enrollment, whichever is later in its catalog.</p>
	<p>CEC §94909 (a)(11)</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>(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>The school failed to have 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 in its catalog.</p> <p>To remedy this violation the school shall include 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 in its catalog.</p>
	<p>CEC §94909 (a)(8)(D)</p>	<p>(a) Except as provided in subdivision (d), prior to enrollment, an institution shall provide a prospective student, either in writing or electronically, with a school catalog containing, at a minimum, all of the following:</p> <p>(8) A detailed description of institutional policies in the following areas:</p> <p>(D) Attendance policies.</p>

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		<p><b>The school failed to have its attendance policies in its catalog.</b></p> <p><b>To remedy this violation the school shall include its attendance policies in its catalog.</b></p>
	<p><b>CEC §94909 (a)(13)</b></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>(13) If the institution provides placement services, a description of the nature and extent of the placement services.</p> <p><b>The school failed to include a statement in its catalog specifying if the institution provides placement services.</b></p> <p><b>To remedy this violation the school shall include a statement in its catalog specifying if the institution provides placement services.</b></p>
	<p><b>5, CCR §71810(b)(15)</b></p>	<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><b>The school failed to have its policies on the retention of student records in its catalog.</b></p> <p><b>To remedy this violation the school shall include its policies on the retention of student records in its catalog.</b></p>

**ENROLLMENT AGREEMENT MINIMUM REQUIREMENTS**

<b>Item No.</b>	<b>Referenced Law</b>	<b>Deficiency – Requested Submission</b>
	<p><b>5, CCR §71800(a)</b></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 where instruction will be provided.</p> <p><b>The school failed to have the address or addresses where instruction will be provided in its enrollment agreement.</b></p>

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		<b>To remedy this violation the school shall include the address or addresses where instruction will be provided in its enrollment agreement.</b>
	<b>5, CCR §71800(d)</b>	<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>(d) Date by which the student must exercise his or her right to cancel or withdraw, and the refund policy, including any alternative method of calculation if approved by the Bureau pursuant to section 94921 of the Code.</p> <p><b>The school failed to have the date by which the student must exercise his or her right to cancel or withdraw in its enrollment agreement.</b></p> <p><b>To remedy this violation the school shall include the date by which the student must exercise his or her right to cancel or withdraw in its enrollment agreement.</b></p>
	<b>5, CCR §71800(e)(1)(2)(3)(4)(5)(6)(7)(8)(9)(10)(11)(12)</b>	<p>(e) Itemization of all institutional charges and fees including, as applicable:</p> <p>(1) Tuition;</p> <p>(2) Registration fee (non-refundable);</p> <p>(3) Equipment;</p> <p>(4) Lab supplies or kits;</p> <p>(5) Textbooks, or other learning media;</p> <p>(6) Uniforms or other special protective clothing;</p> <p>(7) in-resident housing;</p> <p>(8) Tutoring;</p> <p>(9) Assessment fees for transfer of credits;</p> <p>(10) Fees to transfer credits;</p> <p>(11) Student Tuition Recovery Fund fee (non-refundable);</p> <p>(12) Any other institutional charge or fee.</p>

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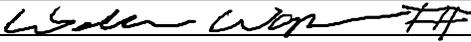
		<p><b>Page 1 – 2 of the school’s enrollment agreement contains the following statements: “Late Registration Fee (non-refundable) \$100.00”, “Course Materials (non-refundable) \$10.00 per course”, and “Audit Fee (non-refundable) \$100.00 per course”. This is in violation of the required refund policies.</b></p> <p><b>To remedy these violations the school shall edit or remove the above statements from its enrollment agreement.</b></p>
	<p><b>5, CCR §76215(b)</b></p>	<p>(b) In addition to the statement required under subdivision (a) of this section, a qualifying institution shall include the following statement in its school catalog:</p> <p>“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.</p> <p>To be eligible for STRF, you must be a California resident or are enrolled in a residency program, prepaid tuition, paid or deemed to have paid the STRF assessment, and suffered an economic loss as a result of any of the following:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>4. The institution has been ordered to pay a refund by the Bureau but has failed to do so.</li> <li>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.</li> <li>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.</li> </ol>

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		<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 school failed to update the required Student Recovery Fund language in its enrollment agreement. The language was updated in September 2017.</b></p> <p><b>To remedy this violation the school shall update the language to read exactly as stated in §76215(b) in its enrollment agreement.</b></p>
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**Only minor violations are listed on a Notice to Comply.**

Inspector's Name	William Walker III
Inspector's Signature	
Institution Administrator Name/Title:	James S. Lee / President
Institution Administrator's Signature:	

Education Code can be located at: [http://www.bppe.ca.gov/lawsregs/pppe\\_act.shtml](http://www.bppe.ca.gov/lawsregs/pppe_act.shtml)

Code of Regulations can be located at: <http://www.bppe.ca.gov/lawsregs/regs.shtml>

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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: **Wednesday, October 24, 2018**

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Administrator’s Initial: