



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 – CA 1940981 1017 (Ed. Code § 94935, 5 5, CCR § 75010)



Institution Name:	DiFai City College	Institution Telephone:	323-750-0449
Institution Code:	1940981	Administrator Name:	Chimezie Duruhesie
Street Address:	2107 West Manchester Ave #206 Los Angeles, CA 90047	Date of Inspection:	10/26/17

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:

STUDENT TUITION RECOVERY FUND

Education Code (CEC) or Code of Regulations (5, CCR)	Subsection, Description, and Required Correction
1 5, CCR §76130. Collection and Submission of Assessment	<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> <p>(1) April 30 for the first quarter, (2) July 31 for the second quarter, (3) October 31 for the third quarter, and (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. 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> <p>The institution did not provide the Bureau their 3rd Quarter 2016 and 3rd Quarter 2015 STRF Assessment Reporting Forms.</p> <p>To remedy this violation, the institution shall submit their 3rd Quarter 2016 and 3rd Quarter 2015 STRF Assessment Reporting Forms to Michael Ojeda of the Bureau's Administration Unit. A copy of the documents submitted shall be submitted with the institution's NTC response.</p> <p>The 3rd Quarter 2016 and 3rd Quarter 2015 STRF Assessment Reporting Forms shall be submitted with the institution's response to the NTC and the last page of this document by Monday, November 27, 2017.</p>
2 5, CCR §76140. Record-Keeping Requirements	<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> <p>(1) Student identification number,</p>

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		<p>(2) First and last names, (3) Email address, (4) Local or mailing address, (5) Address at the time of enrollment, (6) Home address, (7) Date enrollment agreement signed, (8) Courses and course costs, (9) Amount of STRF assessment collected, (10) Quarter in which the STRF assessment was remitted to the Bureau, (11) Third-party payer identifying information, (12) Total institutional charges charged, and (13) Total institutional charges paid.</p> <p>(b) The qualifying institution shall maintain the data required under this section in an electronic format that is readily available and open to inspection by the Bureau upon request. The institution shall make the records immediately available to a Bureau representative conducting a site inspection or, upon written request, shall provide a copy within 14 calendar days of the request. All records shall be provided to the Bureau in an intelligible and orderly manner and in an electronic format.</p>
		<p>The institution did not maintain or provide records of STRF eligibility for any students.</p> <p>To remedy this violation, the institution shall establish and maintain records of eligibility for each student. The records shall be maintained in an electronic format, and organized in an intelligible and orderly manner. The institution shall submit their policy and procedure for documenting and maintaining STRF substantiating information.</p> <p>The STRF eligibility documentation shall be submitted with the institution's response to the NTC and the last page of this document by Monday, November 27, 2017.</p>

STUDENT RECORDS

	Education Code (CEC) or Code of Regulations (5, CCR)	Subsection, Description, and Required Correction
3	CEC §94900. Required Student Records	<p>(b) An institution shall maintain, for each student granted a degree or certificate by that institution, permanent records of all of the following: (1) The degree or certificate granted and the date on which that degree or certificate was granted.</p> <p>The institution did not maintain a permanent record (transcript) containing the certificate awarded.</p> <p>To remedy this violation, the institution shall submit copies of graduate transcripts containing the certificate awarded. The institution shall submit with their NTC response documentation of an established policy and procedure for</p>

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		<p>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 Monday, November 27, 2017.</p>
4	<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>(E) The name, address, website address, and telephone number of the institution.</p> <p>The transcripts found in each graduated student file did not contain the institution's name, address, and telephone number. Not all transcripts maintained included the institution's name, address, website address, and telephone number.</p> <p>To remedy this violation, the institution shall update the transcripts to contain the institution's name, 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 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 Monday, November 27, 2017.</p>
5	<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>(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>The student files reviewed did not contain verification of high school completion or equivalency or other documentation establishing the student's ability to do college level work. Student files did not contain a copy of a recognized high school diploma, GED certificate.</p> <p>To remedy this violation, 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.</p>

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		<p>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document by Monday, November 27, 2017.</p>
6	<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 files maintained by the institution did not contain a signed School 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, signed enrollment agreement, signed financial aid documents, and all other documents requiring a student signature shall be maintained in the student's file. The institution shall submit with their NTC response, 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 Monday, November 27, 2017.</p>
7	<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 provide 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</p>

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Administrator's Initial: *AD*

	<p>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 Monday, November 27, 2017.</p>
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INSTITUTIONAL RECORDS

	Education Code (CEC) or Code of Regulations (5, CCR)	Subsection, Description, and Required Correction
	5, CCR §71930. Maintenance of Records.	(d) The institution shall maintain a second set of all academic and financial records required by the Act and this chapter at a different location unless the original records, including records stored pursuant to subdivision (b) of this section, are maintained in a manner secure from damage or loss. An acceptable manner of storage under this subsection would include fire resistant cabinets.
8		<p>Student files were maintained in locked metal cabinets. The files were not secure from damage or loss, and the institution did not maintain a second set of all records.</p> <p>To remedy this violation, the institution shall establish a policy and procedure to secure student records from damage or loss, or maintain a second set of records at an alternative location.</p> <p>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document no later than Monday, November 27, 2017.</p>
9	5, CCR §71750. Withdrawal and Refunds	(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>The institution did not provide documentation of a cancellation and withdrawal log.</p> <p>To remedy this violation, the institution shall establish policies and procedures showing the institution is documenting and maintain the cancellation and withdrawal log.</p>

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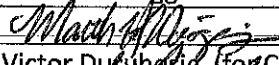
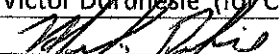
The records correction shall be submitted with the institution's response to the NTC and the last page of this document by Monday, November 27, 2017

MISCELLANEOUS

	Education Code (CEC) or Code of Regulations (5, CCR)	Subsection, Description, and Required Correction
	5, CCR §71660. Notification of Non-Substantive Changes.	<p>An institution shall notify the Bureau of a non-substantive change including: change of location of less than 10 miles; addition of a program related to the approved programs offered by the institution; addition of a new branch five miles or less from the main or branch campus; addition of a satellite; and change of mailing address. All such notifications shall be made within 30 days of the change and sent to the Bureau, in writing, to the address listed in section 70020.</p> <p>The General Information Form provided while onsite did not contain information which matched Bureau records.</p> <p>The General Information Form reported the institution's address at 2107 W. Manchester Ave, Suite 206; however, Bureau records show the institution is as suite 202.</p>
10		<p>The General Information Form reported the contact person is Chimezie or Victor Duruhesie. Bureau records list only Chimezie Duruhesie as the institution's contact person.</p> <p>The General Information Form reported the Agent for Service of Process is the Institution, and at the institution's address. The agent for service of process shall be at an address other than the institution's. Bureau records indicates Chimezie Duruhesie is the agent for service of process at 1208 Denwall Drive, Carson, CA 90746.</p> <p>To remedy this violation, please submit any corrections to the institution's information to the Bureau's Licensing Unit in writing with the updated information. A copy of the updated information shall be submitted with the NTC response. Please provide the institution's policy for keeping the Bureau updated with changes.</p> <p>The corrections and written policy shall be submitted with the institution's response to the NTC and the last page of this document by Monday, November 27, 2017.</p>
11	5, CCR §71720. Faculty.	<p>(b) Instructors in an Educational Program Not Leading to a Degree.</p> <p>(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 did not provide an employee policy requiring instructors to maintain their knowledge by completing continuing education courses in his or her subject area, classroom management or other courses related to teaching.</p> <p>To remedy this violation, the institution shall submit with their NTC response an established policy requiring instructors to 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 records correction shall be submitted with the institution's response to the NTC and the last page of this document by Monday, November 27, 2017.</p>
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Only minor violations are listed on this Notice to Comply.

Inspector's Name	Matthew Wiggins
Inspector's Signature	
Institution Administrator Name/Title:	Victor Duruhesie (for Chimezie Duruhesie)
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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RETURN THIS FORM BY MONDAY, NOVEMBER 27, 2017 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
Monday, November 27, 2017.

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Business, Consumer Services and Housing Agency – Governor Edmund G. Brown, Jr.

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October 26, 2017

School Director
DiFai City College
2107 West Manchester Ave #202
Los Angeles, CA 90047

Dear School Director,

On October 26, 2017 your institution DiFai City College was inspected by Matthew Wiggins.

~~At the conclusion of the inspection a Notice to Comply (NTC) for minor violations was issued.~~
However, the inspector determined that potential material violations exist or may exist that requires additional investigation. As a result an Enforcement Referral will be generated and forwarded to the Bureau's Investigations Unit.

Pursuant to CEC §94937 –

“a "material violation" includes, but is not limited to, misrepresentation, fraud in the inducement of a contract, and false or misleading claims or advertising, upon which a student reasonably relied in executing an enrollment agreement and that resulted in harm to the student.”

Additionally, a violation of 5, CCR 74112 Uniform Data – Annual Report, Performance Fact Sheet, is generally considered a material violation.

Should you have any additional questions after your inspection, please contact Matthew Wiggins via email at Matthew.Wiggins@dca.ca.gov or by phone at (916) 431-6928.

Sincerely,

Matthew Wiggins
Compliance Inspector
Bureau for Private Postsecondary Education
2535 Capitol Oaks Suite 400
Sacramento, CA 95798

Institution Administrator Initials: *ND*

Inspectors Initials: *MW*