



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 – CA5001251 1016 (Ed. Code § 94935, 5 5, CCR § 75010)



| | | | |
|-------------------|--|------------------------|----------------|
| Institution Name: | California Technical College Systems, Dba Modesto Technical College | Institution Telephone: | 209-524-7037 |
| Institution Code: | 5001251 | Administrator Name: | Teresa Sanchez |
| Street Address: | 1300 N 9 th Street Suite D Modesto, CA 95350 | Date of Inspection: | 10/18/16 |

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 | Subsection , Description, and Required Correction |
|--|--|
| CEC §94913. Institutional Web Site Requirements | <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>The institution's website does not contain an updated current school catalog.</p> <p>To remedy the violation, the institution's current website shall be updated to provide an updated current school catalog. The link to the catalog shall be available on the institution's homepage pursuant to 5, CCR §74117.</p> <p>A printout of or a link to the updated website shall be submitted with the institution's response to the NTC and the last page of this document by November 18, 2016.</p> |
| CEC §94913. Institutional Web Site Requirements | <p>(a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following:</p> <p>(2) A School Performance Fact Sheet for each educational program offered by the institution.</p> <p>The institution's website does not contain updated 2013/2014 Performance Fact Sheets.</p> <p>To remedy the violation, the institution's website shall be updated to contain the updated and corrected 2013/2014 Performance Fact Sheets. The link to the School Performance Fact Sheets shall be available on the institution's homepage pursuant to 5, CCR §74117.</p> |

Notice to Comply – CA 5001251 1016

Inspector's Initial: *MW*

Administrator's Initial: *TS*

T.S.

| | |
|--------------------------------------|--|
| | <p>A printout of or a link to the updated website shall be submitted with the institution's response to the NTC and the last page of this document by November 18, 2016.</p> |
| 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>A link to the most recent annual report submitted to the Bureau shall be made available on the institution's homepage.</p> <p>To remedy the deficiency, the institution shall provide a link to the institution's most recent annual report submitted to the Bureau, made available on the institution's homepage.</p> <p>A printout of or a link to the updated website shall be submitted with the institution's response to the NTC and the last page of this document by November 18, 2016.</p> |

STUDENT RECORDS

| Education Code or Code of Regulations | Subsection, Description, and Required Correction |
|---|--|
| 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:</p> <ol style="list-style-type: none"> (1) The degree or certificate granted and the date on which that degree or certificate was granted. (2) The courses and units on which the certificate or degree was based. (3) The grades earned by the student in each of those courses. <p>The institution did not maintain a permanent record (transcript) 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 for each graduate.</p> <p>To remedy this violation, the institution shall submit copies of graduate transcripts for the graduated student files reviewed 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 18, 2016.</p> |
| 5, CCR §71920. Student Records. | <p>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:</p> |

Notice to Comply – CA 5001251 1016

Inspector's Initial: *mm*

Administrator's Initial: *TS*

| | |
|---|---|
| | <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> <p>The institution did not maintain transcripts in each student file. Not all transcripts maintained included the courses that were completed, or were attempted but not completed and the dates of completion or withdrawal.</p> <p>To remedy this violation, the institution shall update the student and graduate 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 18, 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>(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 institution did not maintain student records which contained 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, or results from an ability-to-benefit examination.</p> <p>To remedy this violation, the institution shall update student files to contain verification of high school completion or equivalency or other documentation establishing the student's ability to do college level work, which may include: a copy of a recognized high school diploma, GED certificate, or results from an ability-to-benefit examination. 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> <p>The institution shall submit with their response copies of one current student file, one graduate student file, and one withdrawn student file with all required documents maintained in the students' files for those student and graduate files reviewed.</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 18, 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, signed enrollment agreement, signed financial aid documents, and all other documents requiring a student signature shall be maintained in the student's file or as an institutional record. 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 November 18, 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>The institution maintained a document in withdrawn student files which did not identify correct refund calculations made in accordance with 5, CCR §71750(c).</p> <p>To remedy this violation, the institution shall provide copies of documents correcting the withdrawal refund miscalculation showing refund calculations made in accordance with 5, CCR §71750(c), copies of the withdrawn student enrollment agreements, copies of documentation showing all monies received from or on behalf of the withdrawn student, and copies of documentation the institution issued the corrected refund to the withdrawn student. 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 18, 2016.</p> |
|--|---|

MISCELLANEOUS

| Education Code or Code of Regulations | Subsection, Description, and Required Correction |
|---|--|
| <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 did not provide an employee policy requiring instructors to complete 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 and procedure 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 18, 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: (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> <p>The institution did not maintain student files which were reviewed showing the students received a SPFS prior to signing the enrollment agreement. SPFS were not documented in student files, not initialed, signed and dated by the student.</p> |

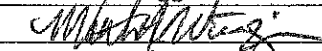
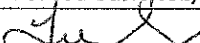
Notice to Comply – CA 5001251 1016

Inspector's Initial: *MW*

Administrator's Initial: *T.S.*

| | |
|---|---|
| | <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 18, 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 which showed the students received a SPFS prior to signing the enrollment agreement. SPFS were not documented in student files, not initialed, signed and dated by the student.</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 18, 2016.</p> |

Only minor violations are listed on this Notice to Comply.

| | |
|--|---|
| Inspector's Name | Matthew Wiggins |
| Inspector's Signature |  |
| Institution Administrator Name/Title: | Teresa Sanchez, Assistant Director |
| Institution Administrator's Signature: |  |

Education Code can be located at: http://www.bppe.ca.gov/lawsregs/ppa_act.shtml

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

Notice to Comply – CA 5001251 1016

Inspector's Initial: *MW*

Administrator's Initial: *TS*

RETURN THIS FORM BY NOVEMBER 18, 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 18, 2016**.

Notice to Comply – CA 5001251 1016

Inspector's Initial: MW

Administrator's Initial: KS