



**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-74722265-0316 (Ed. Code § 94935, 5 CCR § 75010)**

Institution Name:	American CareQuest, Inc.	Institution Telephone:	415-885-9100
Institution Code:	74722265	Administrator Name:	Margarita Riskin
Street Address:	1426 Fillmore Street, Suite 205 San Francisco, CA 94115	Date of Inspection:	March 30, 2016

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:

Education Code	Subsection , Description, and Required Correction
<b>§94909 - Minimum Requirements for School Catalog.</b>	<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>(7) Information regarding the faculty and their qualifications.</p> <p><b>The institution failed to include the required information.</b></p> <p><i>The institution shall submit a copy of its revised catalog that includes the faculty information to show their experience, minimum of three years, of the subject area they are teaching.</i></p>
<b>§94909 - Minimum Requirements for School Catalog.</b>	<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 institution failed to include complete cancellation and withdrawal policies.</b></p> <p><i>Institution shall submit a copy of its revised catalog that</i></p>

Notice to Comply – CA-74722265-0316

Inspector's Initial: *JR*

Administrator's Initial: *MR*

	<p><i>includes all amounts that the student has paid shall be subject to refund unless the Enrollment Agreement and the Catalog refund policy outline that amounts paid for registration (no more than \$250.00), books, supplies, or equipment are non-refundable. In addition, the Catalog refund policies should match the Enrollment Agreement refund policies.</i></p>
<p><b>§94909 - Minimum Requirements for School Catalog.</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>(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 failed to include all of the required information.</b></p> <p><i>The institution shall submit a copy of its revised catalog that includes an estimated schedule of total charges for the entire program.</i></p>
<p><b>§94911 - Minimum Requirements for Enrollment Agreements.</b></p>	<p>An enrollment agreement shall include, at a minimum, all of the following:</p> <p>(b) A schedule of total charges, including a list of any charges that are nonrefundable and the student's obligations to the Student Tuition Recovery Fund, clearly identified as nonrefundable charges.</p> <p><b>Institution enrollment agreement did not include required information.</b></p> <p><i>Institution shall submit a copy of its revised enrollment agreements to include a schedule of total charges, including charges that are nonrefundable.</i></p>
<p><b>§94912 - Signature, Initials Required.</b></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><b>Institution did not maintain the required documents.</b></p> <p><i>The institution shall submit three (3) recently enrolled student files with SPFS initialed, signed, and dated by student as well as signed and dated by institution.</i></p>
<p><b>§94913 - Institutional Web Site Requirements.</b></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><b>Institution website needs a revised catalog posted.</b></p>

Notice to Comply – CA-74722265-0316

Inspector's Initial: *JR*

Administrator's Initial: *MR*

	<b><i>Institution shall update Internet Web site with a current revised catalog.</i></b>
<b>§94913 – Institutional Web Site Requirements.</b>	<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><b>Institution website needs a current SPFS for each educational program.</b></p> <p><b><i>The institution shall update Internet Web site with current revised SPFS for each approved program.</i></b></p>
<b>§94913 – Institutional Web Site Requirements.</b>	<p>(a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following:</p> <p>(3) Student brochures offered by the institution.</p> <p><b>Institution website needs a current student brochure.</b></p> <p><b><i>Institution shall update Internet Web site with current revised student brochure.</i></b></p>
<b>§94913 – Institutional Web Site Requirements.</b>	<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>Institution website needs a current student brochure.</b></p> <p><b><i>The institution shall update Internet Web site with institution's 2014 Annual Report submitted to the bureau.</i></b></p>

<b>Code of Regulations</b>	<b>Subsection, Description, and Required Correction</b>
<b>§71720 – Faculty.</b>	<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><b>The institution failed to maintain the required continuing education courses information.</b></p> <p><b><i>Institution shall submit copies of the current instructors continuing education courses completed in the past 12 months.</i></b></p>
<b>§71920 – Student Records.</b>	<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</p>

Notice to Comply – CA-74722265-0316

Inspector's Initial: *JR*  
 Administrator's Initial: *MR*

	<p>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><b>The institution failed to maintain the proper documentation of student records.</b></p> <p><i>The institution shall submit a copy of three (3) current student files with verification of high school completion or equivalent.</i></p>
<p><b>§71920 – Student Records.</b></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><b>The institution failed to maintain the proper documentation of student records.</b></p> <p><i>Institution shall submit a copy of three (3) recently graduated student files with the revised transcript form to reflect institution information.</i></p>
<p><b>§71920 – Student Records.</b></p>	<p>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:</p> <p>(9) A document showing the total amount of money received from or on behalf of the student and the date or dates on which the money was received;</p> <p><b>The institution failed to maintain the proper documentation of student records.</b></p> <p><i>The institution shall submit a copy of three (3) student files with an accounting ledger.</i></p>
<p><b>§71800 – Enrollment Agreement.</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>(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 institution failed to include the required information.</b></p>

Notice to Comply – CA-74722265-0316

Inspector's Initial: *JR*

Administrator's Initial: *MR*

	<p><b><i>Institution shall submit a copy of its revised enrollment agreements that all amounts that the student has paid shall be subject to refund unless the Enrollment Agreement and the Catalog refund policy outline that amounts paid for registration (no more than \$250.00), books, supplies, or equipment are non-refundable. In addition, the Enrollment Agreement refund policies should match the Catalog refund policies.</i></b></p>
<p><b>§74110 – Annual Report.</b></p>	<p>(c) An institution shall file its annual report by September 1st. The Bureau may extend the period for filing if the institution demonstrates evidence of substantial need but in no case longer than 60 days. The institution shall not change the date of its filing its annual report because of a change in the fiscal year without the Bureau's approval.</p> <p>(d) The annual report shall be electronically filed by submitting the information required by section 94934 of the Code via the Bureau's website, electronically attaching, as directed, the School Performance Fact Sheet and the school catalog. An institution without the capability to submit the information electronically shall inform the Bureau not less than 45 days prior to the date the information is required by subdivision (c), and receive direction on alternative means of submission.</p> <p><b>The institution failed to submit the requested information.</b></p> <p><b><i>The institution must submit the 2014 Annual Report electronically via the Bureau's website.</i></b></p>
<p><b>§74112 – Uniform Data – Annual Report, Performance Fact Sheet.</b></p>	<p>(h) Documentation supporting all data reported shall be maintained by the institution for at least five years from the time included in either an Annual Report or a Performance Fact Sheet, and shall include at a minimum: student name(s), address, phone number, email address, program completed, program start and completion dates, place of employment and position, salary, hours, and a description of all attempts to contact each student. Documentation shall also include the name, email address, phone number, and position or title of the institution's representative who is primarily responsible for obtaining the students' completion, placement, licensing, and salary and wage data, the date that the information was gathered, and copies of notes, letters or emails through which the information was requested and gathered.</p> <p><b>The institution failed to include the complete supporting data.</b></p> <p><b><i>Institution must provide the supporting data for 2014 and 2015 that includes the minimum requirements listed above completed and on a separate Excel spreadsheet than the STRF supporting data.</i></b></p>
<p><b>§76140 - Record-Keeping Requirements.</b></p>	<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</p>

Notice to Comply – CA-74722265-0316

Inspector's Initial: *JP*

Administrator's Initial: *HR*

under the Fund. Such records shall include the following for each student:

- (1) Student identification number,
- (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.

**The institution failed to include the complete records.**

***Institution must submit records to substantiate the data reported on the STRF forms for the past two quarters with all 13 fields listed above completed and on a separate Excel spreadsheet than the SPFS back-up data.***

**Only minor violations are listed on this Notice to Comply.**

Notice to Comply – CA-74722265-0316

Inspector's Initial: *JR*

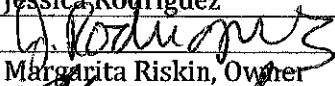

Administrator's Initial: *MR*

Additional material violations have been found? Y / N (Circle one)

If yes, material violations will be forwarded to Enforcement for further review. A Bureau representative will contact the institution with additional guidance.

RETURN THIS FORM WITHIN THE SPECIFIED TIME FRAME WITH EITHER: 1) VERIFICATION OF COMPLIANCE OR 2) A NOTICE OF DISAGREEMENT

---

Inspector's Name	Jessica Rodriguez
Inspector's Signature	
Institution Administrator Name/Title:	Margarita Riskin, Owner
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>

Notice to Comply – CA-74722265-0316

Inspector's Initial: *JR*

Administrator's Initial: *MR*

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 **May 02, 2016**

Notice to Comply – CA-74722265-0316

Inspector's Initial: *JK*

Administrator's Initial: *MR*