



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-90323886-0718 (Ed. Code §94935 & 5, CCR §75010)

Institution Name:	Jade Beauty and Barber College	Institution Telephone:	408-226-5081
Institution Code:	90323886	Administrator Name:	Raymond Tran
Street Address:	1045 East Capitol Express Way San Jose, CA 95121	Date of Inspection:	07/24/2018


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:

Code of Regulations	Subsection, Description, and Required Correction
5, CCR §76130(b)	<p>(b) A qualifying institution shall complete the STRF Assessment report 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.</p> <p>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 school failed to submit it’s 2016 Student Tuition Recovery Fund fourth quarter assessment form by the <u>January 31, 2016, deadline for the fourth quarter 2016.</u></p> <p>To remedy this violation, the school shall submit it’s <u>2016 fourth quarter Student Tuition Recovery Fund assessment form for the 2016 second quarter</u> to the Bureau.</p> <p>➤ Attached you will find a copies of the needed 2016 Student Tuition Recovery Fund assessment form. Please complete the attached needed Student Tuition Recovery Fund assessment forms and return it to the Bureau.</p>
5, CCR §71810(b)(10)	<p>(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:</p>

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	<p>(10) A description of library and other learning resources and the procedures for student access to those resources;</p> <p>The school failed to include in its catalog a description of the procedures for the students to access the library materials.</p> <p>To remedy this violation the school shall include procedures for the students to access the stated library materials.</p>
<p>CEC §94909(a)(5)</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>(5) A description of the programs offered and a description of the instruction provided in each of the courses offered by the institution, the requirements for completion of each program, including required courses, any final tests or examinations, any required internships or externships, and the total number of credit hours, clock hours, or other increments required for completion.</p> <p>The school failed to include in its catalog a description of the following programs offered:</p> <ul style="list-style-type: none"> • Barber (hybrid – theory online) • Cosmetology (hybrid – theory online) • Cosmetology / Barber Instructor (hybrid – theory online) • Esthetician (hybrid – theory online) • Manicurist (hybrid – theory online) <p>To remedy this violation the school shall to include in its catalog a description of the programs listed above if offered.</p>
<p>CEC §94909(a)(6)</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>(6) If the educational program is designed to lead to positions in a profession, occupation, trade, or career field requiring licensure in this state, a notice to that effect and a list of the requirements for eligibility for licensure.</p> <p>The school failed to include in its catalog licensing requirements for Barber, Barber (hybrid – theory online), Cosmetology, Cosmetology (hybrid – theory online), Esthetician, Esthetician (hybrid – theory online), Manicurist, and Manicurist (hybrid – theory online).</p> <p>To remedy this violation the school shall include <u>all</u> requirements for licensure through the California Board of Barbering and Cosmetology.</p>

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	<ul style="list-style-type: none"> • http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=BPC&sectionNum=7321
<p>5, CCR §76215(a)</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. 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>The school failed to update the required Student Recovery Fund language in its catalog. The language was updated in September 2017.</p> <p>To remedy this violation the school shall update the language to read exactly as stated in §76215(a) in its catalog.</p>
<p>5, CCR §76215(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"> 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.

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	<p>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.</p> <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. 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 school failed to update the required Student Recovery Fund language in its catalog. The language was updated in September 2017.</p> <p>To remedy this violation the school shall update the language to read exactly as stated in §76215(b) in its catalog.</p>
<p>CEC §94920(b)</p>	<p>An institution that does not participate in the federal student financial aid programs shall do all of the following:</p> <p>(b) Institutions shall refund 100 percent of the amount paid for institutional charges, less a reasonable deposit or application fee not to exceed two hundred fifty dollars (\$250), if notice of cancellation is made through attendance at the first class session, or the seventh day after enrollment, whichever is later.</p> <p>The school failed to include the required refund policy on page 18 of its catalog. The schools catalog indicates the following: “You have the right to withdraw at any time from the education service after midnight of the fifth business day described above (RIGHT TO CANCELLATION).</p> <p>To remedy this violation the school shall update the above statement to reflect the required refund policy of CEC §94920(b).</p>
<p>5, CCR §71810(b)(11)</p>	<p>(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:</p> <p>(11) If the institution offers distance education, the approximate number of days that will elapse between the institution's receipt of student lessons, projects, or dissertations and the institution's mailing of its response or evaluation.</p>

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Administrator’s Initial:

RJ

	<p>The school failed to include if the institution offers distance education in its catalog.</p> <p>To remedy this violation the school shall include if the institution offers distance education in its catalog.</p>
CEC §94911(c)	<p>An enrollment agreement shall include, at a minimum, all of the following:</p> <p>(c) In underlined capital letters on the same page of the enrollment agreement in which the student’s signature is required, the total charges for the current period of attendance, the estimated total charges for the entire educational program, and the total charges the student is obligated to pay upon enrollment.</p> <p>The school failed to have the following verbatim statement in its enrollment agreement underlined and in capital letters: <u>TOTAL CHARGES FOR THE CURRENT PERIOD OF ATTENDANCE, THE ESTIMATED TOTAL CHARGES FOR THE ENTIRE EDUCATIONAL PROGRAM, AND THE TOTAL CHARGES THE STUDENT IS OBLIGATED TO PAY UPON ENROLLMENT.</u></p> <p>To remedy this violation the school shall include the above verbatim statement in its enrollment agreement <u>UNDERLINED AND IN CAPITAL LETTERS</u> on the same page in which the student’s signature is required.</p>
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 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>The school failed to update the required Student Recovery Fund language in its enrollment agreement. The language was updated in September 2017.</p> <p>To remedy this violation the school shall update the language to read exactly as stated in §76215(a) in its enrollment agreement.</p>

Only minor violations are listed on a Notice to Comply.

Inspector’s Name	William Walker III
Inspector’s Signature	
Institution Administrator Name/Title:	

Notice to Comply –

Inspector’s Initial: *W.W.*

Administrator’s Initial: *P.T.*

Institution Administrator's Signature:	
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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>

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 **August 24, 2018**

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Inspector's Initial: *WCLW*
Administrator's Initial: *R.A.*