



Bureau for Private Postsecondary Education
 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833
 P.O. Box 980818, West Sacramento, CA 95798-0818
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Notice to Comply – CA 85210125 0217 (Ed. Code § 94935, 5 5, CCR § 75010)



Institution Name:	Medical Career College	Institution Telephone:	510-445-0319
Institution Code:	85210125	Administrator Name:	Marilyn Castillo
Street Address:	41300 Christy Street Fremont, CA 94538	Date of Inspection:	February 15, 2017

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:

ANNUAL REPORT & SCHOOL PERFORMANCE FACT SHEET

Education Code or Code of Regulations	Subsection, Description, and Required Correction
CEC §94929.7. Documentation of Performance Date	<p>(a) The information used to substantiate the rates and information calculated pursuant to Sections 94929 and 94929.5 shall do both of the following:</p> <p>(1) Be documented and maintained by the institution for five years from the date of the publication of the rates and information.</p> <p>The institution did not document and maintain information to substantiate the rates and information in the Performance Fact Sheet for five years from the date of publication. The institution did not collect and maintain information to substantiate the placement and license examination passage rates identified in the Performance Fact Sheet.</p> <p>To remedy the violation, the institution shall collect and maintain documentation to substantiate the data reported in the current 2014/2015 School Performance Fact Sheet for five years from the last date of publication. The documentation shall be maintained in an electronic format pursuant to CEC §94929.7(a)(2). The institution document their policy and procedure for collecting and maintaining information used to substantiate the rates and information reported in the School Performance Fact Sheet.</p> <p>The corrections to the School Performance Fact Sheet substantiating documentation shall be submitted with the institution’s response to the Notice to Comply and the last page of this document by March 17, 2017.</p>
5, CCR §74112. Uniform Data-Annual Report,	<p>(m) Documentation supporting all data reported shall be maintained electronically by the institution for at least five years from the last time the data was included in either an Annual Report or a Performance Fact Sheet and shall be provided to the Bureau upon request; the data for each</p>

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Performance Fact Sheet	<p>program shall include at a minimum:</p> <ol style="list-style-type: none"> (1) the list of job classifications determined to be considered gainful employment for the educational program; (2) student name(s), address, phone number, email address, program completed, program start date, scheduled completion date, and actual completion date; (3) graduate's place of employment and position, date employment began, date employment ended, if applicable, actual salary, hours per week, and the date employment was verified; (4) for each employer from which employment or salary information was obtained, the employer name(s) address and general phone number, the contact person at the employer and the contact's phone number and email address, and all written communication with employer verifying student's employment or salary; (5) for students who become self-employed, all documentation necessary to demonstrate self-employment; (6) a description of all attempts to contact each student or employer; (7) any and all documentation used to provide data regarding license examinations and examination results; (8) for each student determined to be unavailable for graduation or unavailable for employment, the identity of the student, the type of unavailability, the dates of unavailability, and the documentation of the unavailability; and (9) the name, email address, phone number, and position or title of the institution's representative who was 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>The institution did not provide documentation of information to substantiate the rates and information in the Performance Fact Sheet for five years from the date of publication. The documentation provided did not support the data reported in each of the School Performance Fact Sheets.</p> <p>To remedy the violation, the institution shall collect and maintain documentation to substantiate the data reported in the current 2014/2015 School Performance Fact Sheet. The documentation shall be maintained in an electronic format pursuant to CEC §94929.7(a)(2). The institution document their policy and procedure for collecting and maintaining information used to substantiate the rates and information reported in the School Performance Fact Sheet. In verifying placement rates, the institution shall verify the graduates employed in the field are gainfully employed utilizing the definition set forth by all subsections of 5, CCR §74112(d)(3).</p> <p>The corrections to the School Performance Fact Sheet substantiating documentation shall be submitted with the institution's response to the Notice to Comply and the last page of this document by March 17, 2017.</p>
CEC §94910. Minimum Requirements for School Performance Fact Sheet.	<p>(e) If a program is too new to provide data for any of the categories listed in this subdivision, the institution shall state on its fact sheet: "This program is new. Therefore, the number of students who graduate, the number of students who are placed, or the starting salary you can earn after finishing the educational program are unknown at this time. Information regarding general salary and placement statistics may be available from government sources or from the institution, but is not equivalent to actual performance data."</p>

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	<p>The institution did not provide a School Performance Fact Sheet for the new Medical Assistant program being advertised, as the program was too new. The Performance Fact Sheet did not contain the required disclosure when the program is too new to provide the data.</p> <p>To remedy the violation, the institution shall document a School Performance Fact Sheet for the Medical Assistant program with the specific required disclosure verbatim to the quoted language above.</p> <p>The Medical Assistant School Performance Fact Sheet shall be submitted with the institution's response to the Notice to Comply and the last page of this document by March 17, 2017.</p>
<p>5, CCR §74112. Uniform Data-Annual Report, Performance Fact Sheet</p>	<p>(b) An institution offering educational programs that are too new to provide the required two years of data shall include the date the program began as well as the statement required by section 94910(e) of the Code. The Performance Fact Sheet shall also disclose the estimated date of availability for two full years of data for those programs.</p> <p>The institution did not provide a School Performance Fact Sheet for the new Medical Assistant program being advertised, as the program was too new. The Performance Fact Sheet did not contain the date when the program began and the estimated date of availability for two full years of data for those programs.</p> <p>To remedy the violation, the institution shall document a School Performance Fact Sheet for the Medical Assistant program with the specific required disclosure verbatim to the quoted language above containing the date when the program began and the estimated date of availability for two full years of data for those programs.</p> <p>The Medical Assistant School Performance Fact Sheet shall be submitted with the institution's response to the Notice to Comply and the last page of this document by March 17, 2017.</p>

STUDENT RECORDS

Education Code or Code of Regulations	Subsection, Description, and Required Correction
<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: (5) In addition to the requirements of section 94900(b) of the Code, a transcript showing all of the following: (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 complete student files for withdrawn students. Student files for withdrawn students only contained enrollment agreements. A transcript containing the courses that were completed, or were attempted but not completed and the dates of completion or withdrawal was not provided for withdrawn students.</p> <p>To remedy this violation, the institution shall update the withdrawn student files to contain the transcripts showing the courses that were completed, or were attempted but not</p>

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	<p>completed and the dates of completion or withdrawal. The institution shall submit with their Notice to Comply response documentation of an established policy and procedure showing the institution is maintaining transcripts for withdrawn students.</p> <p>The records correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document by March 17, 2017.</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>(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 institution did not maintain complete student files for withdrawn students. Student files for withdrawn students only contained enrollment agreements. A transcript containing the name, address, website address, and telephone number of the institution was not provided for withdrawn students.</p> <p>To remedy this violation, the institution shall update the withdrawn student files to contain the transcripts containing the name, address, website address, and telephone number of the institution. The institution shall submit with their Notice to Comply response documentation of an established policy and procedure showing the institution is maintaining transcripts for withdrawn students.</p> <p>The records correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document by March 17, 2017.</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 for withdrawn or cancelled students which contained verification of high school completion or equivalency or other documentation establishing the student's ability to do college level work.</p> <p>To remedy this violation, the institution shall update withdrawn or cancelled 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 Notice to Comply response</p>

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	<p>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>Documentation of compliance shall be submitted with the institution's response to the Notice to Comply and the last page of this document by March 17, 2017.</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>All 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 School Performance Fact Sheet, 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 Notice to Comply 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 Notice to Comply and the last page of this document by March 17, 2017.</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>(4) Records of the dates of enrollment and, if applicable, withdrawal from the institution, leaves of absence, and graduation.</p> <p>The institution did not maintain withdrawn or cancelled student records containing the dates of enrollment for each student, including dates of leaves of absences and the dates of withdrawal or termination.</p> <p>To remedy this violation, the institution shall update student files to contain the dates of</p>

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	<p>enrollment and, if applicable, dates of leaves of absence for each student. Withdrawn or terminated student files shall contain the date of withdrawal or termination. Graduated student files shall contain the date of graduation. The institution shall submit with the Notice to Comply response copies of documentation in a current student file showing the dates enrollment, the dates of leaves of absence, the date of withdrawal for a withdrawn student. The institution shall submit with their Notice to Comply response documentation of an established policy and procedure requiring the dates of enrollment, leaves of absences, withdrawal be maintained in each student's file.</p> <p>Documentation of compliance shall be submitted with the institution's response to the Notice to Comply and the last page of this document by March 17, 2017.</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>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 Notice to Comply 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 Notice to Comply and the last page of this document by March 17, 2017.</p>

INSTITUTIONAL RECORDS

Education Code or Code of Regulations	Subsection, Description, and Required Correction
<p>5, CCR §71750. Withdrawal and Refunds</p>	<p>(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>

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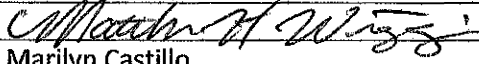

Administrator's Initial: *mm*

The institution did not provide documentation of a cancellation and withdrawal log.

To remedy this violation, the institution shall provide documentation of a cancellation and withdrawal log for 2016-2017, 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. The institution shall establish policies and procedures showing the institution is documenting and maintain the cancellation and withdrawal log.

The records correction shall be submitted with the institution's response to the Notice to Comply and the last page of this document by March 17, 2017

Only minor violations are listed on this Notice to Comply.

Inspector's Name	Matthew Wiggins
Inspector's Signature	
Institution Administrator Name/Title:	Marilyn Castillo
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 MARCH 17, 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 **March 17, 2017**.

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