



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-4102501-0419 (Ed. Code §94935 & 5, CCR §75010)

Institution Name:	VIP Nursing School, Inc.	Institution Telephone:	(510) 481-0240
Institution Code:	4102501	Administrator Name:	Josephine V. Dondriano
Street Address:	16388 East 14 th Street San Leandro, CA 94578	Date of Inspection:	April 10, 2019

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 or Code of Regulations	Subsection, Description, and Required Correction
5, CCR §71810	<p>Catalog</p> <p>(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:</p> <p>(4) Language proficiency information, including: (A) the level of English language proficiency required of students and the kind of documentation of proficiency, such as the Test of English as a Foreign Language (TOEFL), that will be accepted; and (B) whether English language services, including instruction such as ESL, are provided and, if so, the nature of the service and its cost;</p> <p>Pages 22 and 25 of VIP Nursing School, Inc.’s November 30, 2018- November 30, 2019 catalog failed to include the level of English language proficiency required and the kind of documentation of proficiency that is used as proof of English level verification for acceptance.</p> <p>To remedy this violation, the institution updated their November 30, 2018- November 30, 2019 catalog to include the level of English language proficiency required and the kind of documentation of proficiency that is used as proof of English level verification for acceptance.</p> <p>Documentation of compliance shall be submitted with the institution’s response to the NTC and the last page of this document by May 11, 2019.</p>
5, CCR §76215	<p>Student Tuition Recovery Fund Disclosures</p> <p>(a) A qualifying institution shall include the following statement on both its enrollment agreement and school catalog:</p> <p>“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</p>

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Inspector’s Initial: *[Handwritten Signature]*

Administrator’s Initial: *[Handwritten Signature]*

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.”

(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:

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.
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.
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.
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>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.</p> <p>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>Page 21 of VIP Nursing School, Inc.’s November 30, 2018- November 30, 2019 catalog failed to include the most current STRF disclosure listed above.</p> <p>To remedy this violation, the institution updated their November 30, 2018- November 30, 2019 catalog to include the most current STRF disclosure listed above. The institution shall also ensure the STRF disclosures are also updated in student brochures and fliers.</p> <p>Documentation of compliance shall be submitted with the institution’s response to the NTC and the last page of this document by May 11, 2019.</p>
<p>CCR §94909</p>	<p>Minimum Requirements for School Catalog</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>Pages 5, 8, 9 and 13 of VIP Nursing School, Inc.’s November 30, 2018- November 30, 2019 catalog failed to include accurate program clock hours required for students to complete the Nursing Assistant Training Program. Per BPPE approval the institution’s Nursing Assistant Training Program is approved for 150-hour program. Pages 5, 8, 9 and 13 of the catalog is promoting the Nursing Assistant Training Program as a 160-hour program.</p> <p>To remedy this violation, the institution shall update their November 30, 2018- November 30, 2019 catalog to include accurate program clock hours required for students to complete the Nursing Assistant Training 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 May 11, 2019.</p>

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Inspector’s Initial: 

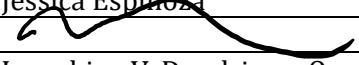
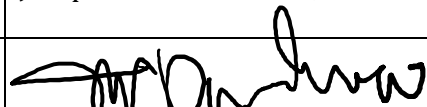
Administrator’s Initial: 

<p>5, CCR §76215</p>	<p>Student Tuition Recovery Fund Disclosures</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>Pages 4 and 5 of VIP Nursing School, Inc.’s enrollment agreements failed to include the most current STRF disclosure listed above.</p> <p>To remedy this violation, the institution shall update all enrollment agreements to include the most current STRF disclosure listed above. The institution shall ensure enrollment agreements for all of their programs are updated and in compliance.</p> <p>Documentation of compliance shall be submitted with the institution’s response to the NTC and the last page of this document by May 11, 2019.</p>
<p>CEC §94911</p>	<p>Minimum Requirements for Enrollment Agreements</p> <p>An enrollment agreement shall include, at a minimum, all of the following: (e) (1) A disclosure with a clear and conspicuous caption, “STUDENT’S RIGHT TO CANCEL,” under which it is explained 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.</p> <p>Item #5. under the STUDENT’S RIGHT TO CANCEL section on page 3 of VIP Nursing School, Inc.’s enrollment agreements failed to comply with the required refund pursuant to CEC§ 94920 and CCR§ 71750(a)(c)(3). The following statements on are not in compliance.</p> <ul style="list-style-type: none"> • Item #5. If the Enrollment Agreement is cancelled by the applicant, or the applicant does not show or start attending the program, or is not accepted the school, the institution will refund the student any money he/she paid, less the Non-Refundable Registration fee not to exceed \$100.00, and less any deduction for uniform, supplies, and textbooks not returned in new condition within 14 days after the notice of cancellation is received. <p>To remedy this violation, the institution shall update all enrollment agreements by correction item #5 on page 3. All charges paid during the cancellation period are</p>

	<p>refundable except for the Non-Refundable Registration fee not to exceed \$250. The institution shall ensure enrollment agreements for all of their programs are updated and in compliance. The institution shall also update their Student's Right to Cancel information listed on their SPFS's and website.</p> <p>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document by May 11, 2019.</p>
<p>CEC §94911</p>	<p>Minimum Requirements for Enrollment Agreements An enrollment agreement shall include, at a minimum, all of the following: (i) (1) The following statement: "Prior to signing this enrollment agreement, you must be given a catalog or brochure and a School Performance Fact Sheet, which you are encouraged to review prior to signing this agreement. These documents contain important policies and performance data for this institution. This institution is required to have you sign and date the information included in the School Performance Fact Sheet relating to completion rates, placement rates, license examination passage rates, salaries or wages, and the most recent three-year cohort default rate, if applicable, prior to signing this agreement." (2) Immediately following the statement required by paragraph (1), a line for the student to initial, including the following statement: "I certify that I have received the catalog, School Performance Fact Sheet, and information regarding completion rates, placement rates, license examination passage rates, salary or wage information, and the most recent three-year cohort default rate, if applicable, included in the School Performance Fact sheet, and have signed, initialed, and dated the information provided in the School Performance Fact Sheet." Page 2 of VIP Nursing School, Inc.'s enrollment agreements failed to include the complete verbatim statements listed about and failed to include a line for the student to initial between both verbatim statements listed above. To remedy this violation, the institution shall update all enrollment agreements to include the complete verbatim statements listed about and failed to include a line for the student to initial between both verbatim statements listed above. Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document by May 11, 2019.</p>
<p>5, CCR §71920</p>	<p>Student Records (a) The institution shall maintain a file for each student who enrolls in the institution whether or not the student completes the educational service. (b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records: (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,</p>

	<p>the date the refund was made, and the name and address of the person or entity to which the refund was sent;</p> <p>VIP Nursing School, Inc. refund documentation currently being used failed to include 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>To remedy this violation, the institution shall update the refund documentation to include 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>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document by May 11, 2019.</p>
CEC §94902	<p>General Enrollment Requirements</p> <p>(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>Five out of fifteen student files randomly selected and reviewed were missing SPFS.</p> <p>To remedy this violation, the institution shall submit procedures on how they will ensure SPFS are being provided and signed by students during the enrollment process and prior to starting class.</p> <p>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document by May 11, 2019.</p>

Only minor violations are listed on a Notice to Comply.

Inspector's Name	Jessica Espinoza
Inspector's Signature	
Institution Administrator Name/Title:	Josephine V. Dondriano, Owner
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 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

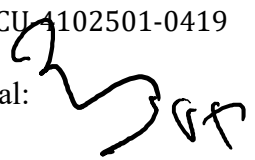
Print Name and Title

THIS DECLARATION OR A NOTICE OF DISAGREEMENT MUST BE SUBMITTED TO THE BUREAU BY **May 11, 2019**.

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Inspector's Initial:

Administrator's Initial:

Handwritten initials for the Inspector and Administrator. The Inspector's initials appear to be 'R' and the Administrator's initials appear to be 'SPT'.