



NOTICE TO COMPLY – CU-81663137-0622 (Ed. Code §94935 & 5, CCR §75010)

Institution Name:	Diablo Medical Training	Institution Telephone:	(925) 586-2532
Institution Code:	81663137	Administrator Name:	Mary Lightell-Seaman
Street Address:	929 Second Street Suite 18 Brentwood, CA 94513	Date of Inspection:	June 14, 2022

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:

CATALOG MINIMUM REQUIREMENTS

Item No.	Education Code (CEC) or Regulation (5, CCR)	Deficiency – Requested Submission
1	CEC §94909	<p>(a) Except as provided in subdivision (d), before 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>(3) The following statements: (A) “Any questions a student may have regarding this catalog that have not been satisfactorily answered by the institution may be directed to the Bureau for Private Postsecondary Education at (address), Sacramento, CA (ZIP Code), (internet website address), (telephone and fax numbers).”</p> <p>Although page 60 of the school’s 2019 catalog contains the required statement, the statement references the Bureau’s old physical address, 2535 Capital Oaks Drive, and old direct telephone number (916) 431-6959.</p> <p>To remedy this violation, the school shall update the school’s catalog with the Bureau’s current address 1747 N. Market Blvd. Suite 225 Sacramento, CA 95834, and current direct telephone number (916) 574-8900. The updated 2022 catalog shall be submitted with the institution’s response to the NTC and the last page of this document by July 14, 2022.</p>
2	CEC §94909	<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</p>

Notice to Comply – CU-81663137-0622
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		<p>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 requirements for completion identified on page 35 of the school's 2019 catalog is inconsistent with the policy on page 9 of the enrollment agreement.</p> <p>According to page 35 of the catalog, "Student's must pass the DMT didactic final examination, receive a pass (pass/fail) from the practical training in their clinical environment to receive the DMT Certificate of Completion; AND the pass national MMCI in order to be apply for State of California licensure as a Phlebotomy Technician 1." Whereas page 9 of the enrollment agreement states, "Student's must pass the DMT certification test and receive their certificate of completion; AND the pass national MMCI in order to be scheduled for externship with an approved hospital." The catalog and enrollment agreement must have consistent policies between the two documents.</p> <p>To remedy this violation, the school shall update the requirements for completion within the catalog and enrollment agreement to be consistent between the two documents. The updated 2022 catalog shall be submitted with the institution's response to the NTC and the last page of this document by July 14, 2022.</p>
3	5, CCR §76215	<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:</p> <p>"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.</p> <p>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

		<p>location of the institution, or were enrolled in an educational program within the 120 day period before the program was discontinued.</p> <p>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.</p> <p>4. The institution has been ordered to pay a refund by the Bureau but has failed to do so.</p> <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.</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>The STRF statement on page 37 of the school’s 2019 catalog, is missing parts of the verbatim disclosure. The school failed to include the following statement, “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.”</p>
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		<p>To remedy this violation, the school shall update the STRF disclosure located in its catalog to include all parts of the verbatim disclosure. The updated 2022 catalog shall be submitted with the institution’s response to the NTC and the last page of this document by July 14, 2022.</p>
4	CEC §94909	<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>The pro-rated refund policy on page 35 of the school’s catalog is inconsistent with the policy on page 9 of the enrollment agreement. According to page 35 of the school’s catalog, “The last day to withdrawal from the program and to qualify for a pro-rated refund is prior to the <u>first day</u> of the student’s scheduled Externship.” Whereas page 9 of the enrollment agreement states, “The last day to withdrawal from the program and to qualify for a pro-rated refund is prior to the <u>second day</u> of the student’s scheduled Externship”</p> <p>To remedy this violation, the school shall update the pro-rated refund policy within the catalog and enrollment agreement to be consistent between the two documents. The updated 2022 catalog shall be submitted with the institution’s response to the NTC and the last page of this document by July 14, 2022.</p>
5	CEC §94909	<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</p>

Notice to Comply – CU-81663137-0622

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		<p>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>The cancellation policy on page 42 of the school’s 2019 catalog is inconsistent with the cancellation policy on page 34 of the catalog and the cancellation policy identified in the enrollment agreement. The cancellation policy on page 42 states, “cancellation period, which ends on the seventh day after enrollment or on the <u>third day</u> of instruction, whichever is later.” Whereas the cancellation policy on page 34 and the enrollment agreement state, “You have the right to cancel your enrollment agreement with the School, including any equipment or other goods and services included in that agreement, and receive a full refund (less a deposit or application fee not to exceed \$100) through attendance of the <u>first class</u> session, or the seventh day after enrollment, whichever is later.”</p> <p>To remedy this violation, the school shall update the cancellation policy on page 42 of the school’s catalog to be consistent with the cancellation policy identified in the enrollment agreement on page 34 of the school catalog. The updated 2022 catalog shall be submitted with the institution’s response to the NTC and the last page of this document by July 14, 2022.</p>
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ENROLLMENT AGREEMENT MINIMUM REQUIREMENTS

Item No.	Education Code (CEC) or Regulation (5, CCR)	Deficiency - Requested Submission
6	CEC §94911	<p>An enrollment agreement shall include, at a minimum, all of the following:</p> <p>(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>(2) The disclosure shall contain the institution’s refund policy and a statement that, if the student has received federal student financial aid funds, the student is entitled to a refund of moneys not paid from federal student financial aid program funds.</p> <p>The pro-rated refund policy on page 9 of the enrollment agreement is inconsistent with the policy on page 35 of the school’s 2019 catalog.</p>

Notice to Comply – CU-81663137-0622

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		<p>According to page 9 of the enrollment agreement states, “The last day to withdrawal from the program and to qualify for a pro-rated refund is prior to the <u>second day</u> of the student’s scheduled Externship”. Whereas page 35 of the school’s 2019 catalog, “The last day to withdrawal from the program and to qualify for a pro-rated refund is prior to the <u>first day</u> of the student’s scheduled Externship.”</p> <p>To remedy this violation, the school shall update the pro-rated refund policy within the catalog and enrollment agreement to be consistent between the two documents. The updated enrollment agreement shall be submitted with the institution’s response to the NTC and the last page of this document by July 14, 2022.</p>
7	CEC §94911	<p>An enrollment agreement shall include, at a minimum, all of the following:</p> <p>(j) The following statements: (1) “Any questions a student may have regarding this enrollment agreement that have not been satisfactorily answered by the institution may be directed to the Bureau for Private Postsecondary Education at (address), Sacramento, CA (ZIP Code), (Internet Web site address), (telephone and fax numbers).”</p> <p>Although pages 1, 7 &13 of the school’s enrollment agreement contains the required statement, the statement references the Bureau’s old physical address, 2535 Capital Oaks Drive, and old direct telephone number (916) 431-6959.</p> <p>To remedy this violation, the school shall update the school’s enrollment agreement with the Bureau’s current address 1747 N. Market Blvd. Suite 225 Sacramento, CA 95834, and current direct telephone number (916) 574-8900. The updated enrollment agreement shall be submitted with the institution’s response to the NTC and the last page of this document by July 14, 2022.</p>

WEBSITE MINIMUM REQUIREMENTS

Item No.	Education Code (CEC) or Regulation (5, CCR)	Deficiency - Requested Submission
8	5, CCR § 74117	<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>The school’s homepage (https://diablomedicaltraining.org/) failed to contain clear and conspicuous links to all the items required in Section 94913(a) of the Code.</p>

Notice to Comply – CU-81663137-0622

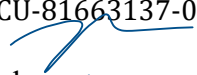
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		<p>To remedy this violation, the school shall update its homepage (https://diablomedicaltraining.org/) to include a clear and conspicuous links to the school’s catalog, school performance fact sheet, link to the bureau’s internet website, and a link to the school’s most recent annual report submitted to the bureau. As an alternate solution, the school may include a “Consumer Resource” link on the school’s homepage (https://diablomedicaltraining.org/) that when clicked, opens to all of the items required in Section 94913(a) of the code. The school shall submit a link or a print out of the homepage page containing the link(s) as evidence of the correction with the institution’s response to the NTC and the last page of this document by July 14, 2022.</p>
9	CEC §94913	<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 school’s homepage (https://diablomedicaltraining.org/) failed to contain a clear and conspicuous link to the school’s catalog.</p> <p>To remedy this violation, the school shall update its homepage to include a clear and conspicuous link to the school’s catalog. As an alternate solution, the school may include a “Consumer Resource” link on the school’s homepage (https://diablomedicaltraining.org/) that when clicked, opens to all of the items required in Section 94913(a) of the code, including a link to the school’s catalog. The school shall submit a link or a print out of the website containing the link as evidence of the correction with the institution’s response to the NTC and the last page of this document by July 14, 2022.</p>
10	CEC §94913	<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 school’s homepage (https://diablomedicaltraining.org/) failed to contain a clear and conspicuous link to the school’s 2019/2020 School Performance Fact Sheets.</p> <p>To remedy this violation, the school shall update its homepage to include a clear and conspicuous link to the school’s 2019/2020 School Performance Fact Sheets. As an alternate solution, the school may include a “Consumer Resource” link on the school’s homepage (https://diablomedicaltraining.org/) that when clicked, opens to all of the items required in Section</p>

Notice to Comply – CU-81663137-0622

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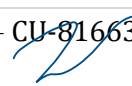
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		94913(a) of the code, including a link to the school's 2019/2020 School Performance Fact Sheets. The school shall submit a link or a print out of the website containing the link as evidence of the correction with the institution's response to the NTC and the last page of this document by July 14, 2022.
11	CEC §94913	<p>(a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following:</p> <p>(4) A link to the bureau's Internet Web site.</p> <p>The school's homepage (https://diablomedicaltraining.org/) failed to contain a clear and conspicuous link to the Bureaus Internet Website.</p> <p>To remedy this violation, the school shall update its homepage to include a clear and conspicuous link to the Bureaus Internet Website (http://www.bppe.ca.gov/). As an alternate solution, the school may include a "Consumer Resource" link on the school's homepage (https://diablomedicaltraining.org/) that when clicked, opens to all of the items required in Section 94913(a) of the code, including a link to the Bureaus Internet Website (http://www.bppe.ca.gov/). The school shall submit a link or a print out of the website containing the link as evidence of the correction with the institution's response to the NTC and the last page of this document by July 14, 2022.</p>
12	CEC §94913	<p>(b) An institution shall include information concerning where students may access the bureau's Internet Web site anywhere the institution identifies itself as being approved by the bureau.</p> <p>On the school's homepage (https://diablomedicaltraining.org/) under the "About Us Founded in 2007" statement, the school identifies itself as being approved by the Bureau, however statement failed to include information where students may access the bureau's Internet Web site.</p> <p>To remedy this violation, the school shall update the homepage (https://diablomedicaltraining.org/) under the "About Us Founded in 2007" statement, to include information where students may access the bureau's Internet Web (http://www.bppe.ca.gov/). The school shall submit a link or a print out of the homepage containing the link as evidence of the correction with the institution's response to the NTC and the last page of this document by July 14, 2022.</p>

STUDENT RECORDS MINIMUM REQUIREMENTS

Item No.	Education Code (CEC) or Regulation (5, CCR)	Deficiency - Requested Submission
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Notice to Comply – CU-81663137-0622


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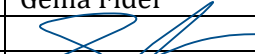

13	5, CCR §71920	<p>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:</p> <p>(5) In addition to the requirements of section 94900(b) of the Code, a transcript showing all of the following:</p> <p>(E) The name, address, website address, and telephone number of the institution.</p> <p>The school's failed to maintain a transcript within its graduate records.</p> <p>To remedy this violation, the school shall create a sample transcript with the school's name, address, website address, and telephone number of the school identified on the transcript. The school shall submit a sample transcript template and the school's policy for issuing the transcript to its graduates. The school shall submit the sample transcript and policy with the institution's response to the NTC and the last page of this document by July 14, 2022.</p>
14	CEC § 94900	<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> <p>(1) The degree or certificate granted and the date on which that degree or certificate was granted.</p> <p>(2) The courses and units on which the certificate or degree was based.</p> <p>(3) The grades earned by the student in each of those courses.</p> <p>The school failed to maintain a transcript within its graduate records that identifies the certificate granted and the date on which that degree or certificate was granted, the courses and units on which the certificate or degree was based, the grades earned by the student in each of those courses.</p> <p>To remedy this violation, the school shall create a sample transcript that identifies when the certificate granted and the date on which that degree or certificate was granted, the courses and units on which the certificate or degree was based, the grades earned by the student in each of those courses identified on the document. The school shall submit a sample transcript template and the school's policy for issuing the transcript to its graduates. The school shall submit the sample transcript and policy with the institution's response to the NTC and the last page of this document by July 14, 2022.</p>

Only minor violations are listed on a Notice to Comply.

Notice to Comply – CU-81663137-0622

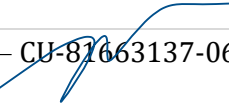
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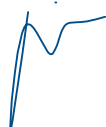
Administrator's Initial: 

Inspector's Name	Gema Fider
Inspector's Signature	
Institution Administrator Name/Title:	Mary Lightell-Seaman, 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>

Notice to Comply – CU-81663137-0622

Inspector's Initial: 

Administrator's Initial: 

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.

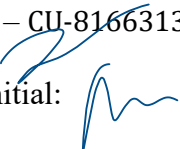
Signature

Date

Print Name and Title

THIS DECLARATION OR A NOTICE OF DISAGREEMENT MUST BE SUBMITTED TO THE BUREAU BY **July 14, 2022**

Notice to Comply – CU-81663137-0622

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Administrator's Initial: 