



Bureau for Private Postsecondary Education
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NOTICE TO COMPLY - CA-3014471-0317 (Ed. Code § 94935, 5 CCR § 75010)

| | | | |
|-------------------|---|------------------------|------------------|
| Institution Name: | American Liberty University | Institution Telephone: | 949-646-2022 |
| Institution Code: | 3014471 | Administrator Name: | Kevin H. Soltani |
| Street Address: | 3101 W. Coast Highway #400 Newport Beach, CA 92663 | Date of Inspection: | March 6, 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:

STUDENT TUITION RECOVERY FUND

| California Education Code (CEC) or Code of Regulations (5, CCR) | Subsection, Description, and Required Correction |
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| 5, CCR §76140 | <p>Record-Keeping Requirements.</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 under the Fund. Such records shall include the following for each student:</p> <ol style="list-style-type: none"> (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. <p>The institution failed to maintain records of STRF eligibility for all students.</p> <p>To remedy this violation, the institution shall submit establish and maintain records of eligibility for each student.</p> <p>The STRF eligibility documentation shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p> |

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| <p>5, CCR §76140</p> | <p>Record-Keeping Requirements. (b) The qualifying institution shall maintain the data required under this section in an electronic format that is readily available and open to inspection by the Bureau upon request. The institution shall make the records immediately available to a Bureau representative conducting a site inspection or, upon written request, shall provide a copy within 14 calendar days of the request. All records shall be provided to the Bureau in an intelligible and orderly manner and in an electronic format.</p> <p>The institution did not maintain the 13 required data points for each student in an electronic format. The documentation was not made immediately available.</p> <p>To remedy this violation, the institution shall maintain the required data points in an electronic format and in an intelligible and orderly manner.</p> <p>The STRF eligibility documentation shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p> |
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CATALOG

| <p>California Education Code (CEC) or Code of Regulations (5, CCR)</p> | <p>Subsection, Description, and Required Correction</p> |
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| <p>CEC §94909</p> | <p>Minimum Requirements for School Catalog. (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: (12) A statement specifying whether the institution has a pending petition in bankruptcy, is operating as a debtor in possession, has filed a petition within the preceding five years, or has had a petition in bankruptcy filed against it within the preceding five years that resulted in reorganization under Chapter 11 of the United States Bankruptcy Code (11 U.S.C. Sec. 1101 et seq.).</p> <p>The catalog states "American Liberty University has no pending petition in bankruptcy nor operates as a debtor in possession." The catalog does not contain the entire bankruptcy statement. The catalog failed to specify whether a petition within the preceding fivers, or if a petition in bankruptcy filed against it within the preceding five years that resulted in reorganization under Chapter 11 of the United States Bankruptcy Code (11 U.S.C. Sec. 1101 et seq.).</p> <p>To remedy this violation, the institution shall update and submit the catalog with the entire required bankruptcy statement.</p> <p>The catalog correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p> |
| <p>§ CEC §94909</p> | <p>Minimum Requirements for School Catalog. (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: (8) A detailed description of institutional policies in the following areas:</p> |

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| | <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 catalog contains conflicting refund policies. The "REFUND POLICY AFTER ACCEPTANCE OF ENROLLMENT BY UNIVERSITY" on page 45 of the catalog is not in compliance and conflicts with page 46 "STUDENT'S RIGHT TO CANCEL" (which is correct).</p> <p>To remedy this violation, the institution shall update and submit the catalog to reflect conformity with the cancellation, withdrawal and refund policies identified in CEC 94920.</p> <p>The catalog correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p> |
| <p>CEC §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>(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>The catalog failed to provide the correct STRF information in the schedule of total charges. Page 41 of the catalog states "STRF Fee (California Residents ONLY)\$2.50 per \$1,000 of charges (as required by BPPE)**" The language stating "California Residents ONLY" is incorrect.</p> <p>To remedy this violation, the institution shall update and submit the catalog with the correct language according to 5, CCR 76215 (a) Student Tuition Recovery Fund Disclosures.</p> <p>The catalog correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p> |
| <p>CEC §94897</p> | <p>Prohibited Business Practices.</p> <p>An institution shall not do any of the following:</p> <p>(p) Offer an associate, baccalaureate, master's, or doctoral degree without disclosing to prospective students prior to enrollment whether the institution or the degree program is unaccredited and any known limitation of the degree, including, but not limited to, all of the following:</p> <p>(3) That a student enrolled in an unaccredited institution is not eligible for federal financial aid programs.</p> <p>The catalog failed to include the above required statement with applicable disclosure.</p> <p>To remedy this violation, the institution shall update and submit the catalog with the required statement and applicable disclosures.</p> <p>The catalog correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p> |

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ENROLLMENT AGREEMENT

| California Education Code (CEC) or Code of Regulations (5, CCR) | Subsection, Description, and Required Correction |
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| CEC §94911 | <p>Minimum Requirements for Enrollment Agreement. An enrollment agreement shall include, at a minimum, all of the following: (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 enrollment agreement failed to 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>To remedy this violation, the institution shall update and submit the enrollment agreement with 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 enrollment agreement correction shall be submitted with the institution’s response to the NTC and the last page of this document within the specified time frame.</p> |
| CEC §94911 | <p>Minimum Requirements for Enrollment Agreement. An enrollment agreement shall include, at a minimum, all of the following: (h) The transferability disclosure that is required to be included in the school catalog, as specified in paragraph (15) of subdivision (a) of Section 94909.</p> <p>“NOTICE CONCERNING TRANSFERABILITY OF CREDITS AND CREDENTIALS EARNED AT OUR INSTITUTION</p> <p>The transferability of credits you earn at (name of institution) is at the complete discretion of an institution to which you may seek to transfer. Acceptance of the (degree, diploma, or certificate) you earn in (name of educational program) is also at the complete discretion of the institution to which you may seek to transfer. If the (credits or degree, diploma, or certificate) that you earn at this institution are not accepted at the institution to which you seek to transfer, you may be required to repeat some or all of your coursework at that institution. For this reason you should make certain that your attendance at this institution will meet your educational goals. This may include contacting an institution to which you may seek to transfer after attending (name of institution) to determine if your (credits or degree, diploma, or certificate) will transfer.”</p> <p>The enrollment agreement failed to contain the above verbatim statement.</p> <p>To remedy this violation, the institution shall update and submit the enrollment agreement to include the required verbatim statement.</p> <p>The enrollment agreement correction shall be submitted with the institution’s response to the NTC and the last page of this document within the specified time frame.</p> |

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| <p>5, CCR §71800</p> | <p>Enrollment Agreement. 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: (a) The name and address of the institution and the addresses where instruction will be provided.</p> <p>The enrollment agreement failed to specify the address where instruction will be provided.</p> <p>To remedy this violation, the institution shall update and submit the enrollment agreement with the address or addresses of where institution will be provided.</p> <p>The enrollment agreement correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame</p> |
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Website

| <p>California Education Code (CEC) or Code of Regulations (5, CCR)</p> | <p>Subsection, Description, and Required Correction</p> |
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| <p>CEC §94913</p> | <p>Institutional Web Site Requirements (a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following: (1) The school catalog. (2) A School Performance Fact Sheet for each educational program offered by the institution. (5) The institution's most recent annual report submitted to the bureau.</p> <p>The institution's website failed to contain a current school catalog, School Performance Fact Sheets, and Annual Report.</p> <p>To remedy the violation, the institution's current website shall be updated to provide a current school catalog.</p> <p>A printout of or a link to the updated website shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p> |

ANNUAL REPORT AND FINANCIAL STATEMENTS

| <p>California Education Code (CEC) or Code of Regulations (5, CCR)</p> | <p>Subsection, Description, and Required Correction</p> |
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| <p>5, CCR §74110</p> | <p>Annual Report (b) In addition to the information required by section 94934 and this section provided under penalty of perjury, the institution shall have annual financial statements prepared for the institution's prior fiscal year and signed under penalty of perjury, and shall submit a hard copy under separate cover of such statements in conjunction with its annual report. The form, content and mode of preparation of financial statements shall comply with Section 74115 of this Division. The Bureau may request that the institution immediately make available for inspection to a representative of the Bureau, these financial statements at the offices of the institution.</p> |

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| | <p>The institution failed to provide upon request the cash flow statements for the year 2014 and 2015.</p> <p>To remedy this violation, the institution submit cash flow statements for year 2014 and 2015 as identified in 74115(b)(2).</p> <p>The enrollment agreement correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p> |
| 5, CCR §74115 | <p>Financial Statements.</p> <p>(b) A set of financial statements shall contain, at a minimum, a balance sheet, an income statement, and a cash flow statement, and the preparation of financial statements, shall comply with all of the following:</p> <p>(2) Financial statements prepared on an annual basis as required by section 74110(b) shall be prepared in accordance with the generally accepted accounting principles established by the American Institute of Certified Public Accountants. Nonprofit institutions shall provide annual financial statements as required under generally accepted accounting principles for nonprofit organizations.</p> <p>The institution failed to provide a statement of cash flow statement for 2014 and 2015.</p> <p>To remedy this violation, the institution shall provide cash flow statement for 2014 and 2015 in accordance with the generally accepted accounting principles established by the American Institute of Certified Public Accountants.</p> <p>The enrollment agreement correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p> |

SCHOOL PERFORMANCE FACT SHEET

| California Education Code (CEC) or Code of Regulations (5, CCR) | Subsection, Description, and Required Correction |
|---|--|
| CEC §94910 | <p>Minimum Requirements for School Performance Fact Sheet.</p> <p>Except as provided in subdivision (d) of Section 94909 and Section 94910.5, prior to enrollment, an institution shall provide a prospective student with a School Performance Fact Sheet containing, at a minimum, the following information, as it relates to the educational program:</p> <p>(f) All of the following:</p> <p>(2) A statement informing the reader of where he or she may obtain from the institution a list of the employment positions determined to be within the field for which a student received education and training for the calculation of job placement rates as required by subdivision (b).</p> <p>The institution's 2013/2014 and 2014/2015 School Performance Fact Sheets failed to include the required statement informing the reader of where he or she may obtain from the institution a list of the employment positions.</p> <p>To remedy this violation, the institution shall update and submit School Performance Fact Sheets with the required statement informing the reader of where he or she may obtain</p> |

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| | <p>from the institution a list of the employment positions.</p> <p>The School Performance Fact Sheets correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p> |
| <p>CEC §94910</p> | <p>Minimum Requirements for School Performance Fact Sheet. Except as provided in subdivision (d) of Section 94909 and Section 94910.5, prior to enrollment, an institution shall provide a prospective student with a School Performance Fact Sheet containing, at a minimum, the following information, as it relates to the educational program:</p> <p>(f) All of the following: (3) A statement informing the reader of where he or she may obtain from the institution a list of the objective sources of information used to substantiate the salary disclosure as required by subdivision (d).</p> <p>The institution's 2013/2014 and 2014/2015 School Performance Fact Sheets failed to include the required statement informing the reader of where he or she may obtain from the institution a list of the objective sources of information used to substantiate the salary disclosure as required by subdivision (d).</p> <p>To remedy this violation, the institution shall update and submit School Performance Fact Sheets with the required statement informing the reader of where he or she may obtain from the institution a list of the objective sources of information used to substantiate the salary disclosure as required by subdivision (d).</p> <p>The School Performance Fact Sheets correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p> |
| <p>CEC §94928</p> | <p>Definitions As used in this article, the following terms have the following meanings:</p> <p>(a) "Cohort population" means the number of students that began a program on a cohort start date.</p> <p>(b) "Cohort start date" means the first class day after the cancellation period during which a cohort of students attends class for a specific program.</p> <p>(c) "On-time graduates" means the number of students who complete a program within 100 percent of the published program length. An institution may separately state completion information for students completing the program within 150 percent of the original contracted time, but that information may not replace completion information for students completing within the original scheduled time. Completion information shall be separately stated for each campus or branch of the institution.</p> <p>(d) "Graduates available for employment" means the number of graduates minus the number of graduates unavailable for employment.</p> <p>(e) (1) "Graduates employed in the field" means graduates who are gainfully employed in a single position for which the institution represents the program prepares its graduates, beginning within six months after a student completes the applicable educational program. For occupations for which the state requires passing an examination, the period of employment shall begin within six months of the announcement of the examination results for the first examination available after a student completes an applicable educational program.</p> <p>(f) "Graduates unavailable for employment" means graduates who, after graduation, die, become incarcerated, are called to active military duty, are international students that leave the United States or do not have a visa allowing employment in the United States, or are</p> |

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| | <p>continuing their education at an accredited or bureau-approved postsecondary Institution. (g) "Students available for graduation" means the cohort population minus the number of students unavailable for graduation. (h) "Students unavailable for graduation" means students who have died, been incarcerated, or called to active military duty.</p> <p>The institution's 2013/2014 and 2014/2015 School Performance Fact Sheets failed to include the required definitions.</p> <p>To remedy this violation, the institution shall update and submit School Performance Fact Sheets with the required definitions.</p> <p>The School Performance Fact Sheets correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p> |
| <p>5, CCR §74112</p> | <p>Uniform Data - Annual Report, Performance Fact Sheet.</p> <p>(d) In addition to the definitions contained in section 94928 of the Code:</p> <p>(1) "Number of Students Who Began the Program" means the number of students who began a program who were scheduled to complete the program within 100% of the published program length within the reporting calendar year, and excludes all students who cancelled during the cancellation period.</p> <p>(2) "Number of On-time Graduates" means the number of students who completed the program within 100% of the published program length within the reporting calendar year.</p> <p>(3) "Gainfully Employed" means:</p> <p>(A)(i) The graduate is employed in a job classification under the United States Department of Labor's Standard Occupational Classification codes, using the Detailed Occupation (six-digit) level, for which the institution has identified in its catalog and in its employment positions list required by section 94910(f)(2) of the Code that the program prepares its graduates; and (ii) The graduate is employed in a single position or concurrent aggregated positions totaling at least 30 hours per week for 5 weeks (35 calendar days), or totaling at least 20 hours per week for 5 weeks (35 calendar days) with a statement signed by the graduate stating that he or she chose to seek part-time employment rather than fulltime employment after graduation; or (B) The graduate is employed by the same employer that employed the graduate before enrollment, and any of the following conditions are met:</p> <p>(i) the graduate is employed in an occupation with a different Detailed Occupation (six-digit) level Standard Occupational Classification code than applies to the position in which the graduate was employed before enrollment; or (ii) the employer or the graduate provides a statement to the effect that the employment after graduation was the result of a promotion with increased pay, due at least in part to graduation from the program; or (iii) the employer or the graduate provides a statement to the effect that the degree or the completed program was required as a condition of continued employment; or (C) The graduate is self-employed or working freelance as reasonably evidenced by, but not limited to, a business license, fictitious business name statement, advertising (other than business cards), website, or business receipts or other evidence of income from business; or an attestation signed by the graduate of self-employment or freelance work and dated after graduation.</p> <p>The 2013/2014 and 2014/2015 School Performance Fact Sheets failed to contain the required definitions.</p> |

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| | <p>To remedy this violation, the institution shall update and submit School Performance Fact Sheets with the required definitions.</p> <p>The School Performance Fact Sheets correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>5, CCR §74112</p> | <p>Uniform Data - Annual Report, Performance Fact Sheet. (k) Salary and Wage Information. All Salary and Wage Information shall be reported to the Bureau pursuant to sections 94910(d) and 94929.5(a)(3) of the Code and shall be included in the Performance Fact Sheet, for each educational program, in a format substantially similar to the chart below (dates, numbers, salaries, and other data shown are for example only). Salary and Wage Information (includes data for the two calendar years prior to reporting) Name of Educational Program (Program Length)</p> <p>The institution's 2013/2014 and 2014/2015 School Performance Fact Sheets Salary and Wage Information.</p> <p>To remedy this violation, the institution shall update and submit School Performance Fact Sheets with the required salary and wage information.</p> <p>The School Performance Fact Sheets correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>5, CCR §74112</p> | <p>Uniform Data - Annual Report, Performance Fact Sheet. (i) Job Placement Rates. (4) Placement rate shall be calculated as follows: the number of graduates employed in the field as defined in section 94928(e)(1) of the Code in conjunction with section 74112(d)(3) divided by the number of graduates available for employment as defined in section 94928(d) of the Code. Job Placement rates and related disclosures shall be included in the Performance Fact Sheet in a format substantially similar to the charts below, (dates, numbers, and other data shown are for example only): Job Placement Rates (includes data for the two calendar years prior to reporting)</p> <p>The 2013/2014 and 2014/2015 School Performance Fact Sheets are not formatted correctly.</p> <p>To remedy this violation, the institution shall update and submit School Performance Fact Sheets formatted substantially similar to the below chart.</p> <p>The School Performance Fact Sheets correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p> <p>Name of Educational Program (Program Length) <i>Placement</i></p> <table border="0"> <tr> <td><i>Number of</i></td> <td><i>Graduates</i></td> <td><i>Graduates</i></td> <td><i>Rate %</i></td> <td></td> <td></td> </tr> <tr> <td><i>Calendar</i></td> <td><i>Students</i></td> <td><i>Number</i></td> <td><i>Available for</i></td> <td><i>Employed</i></td> <td><i>Employed</i></td> </tr> <tr> <td><i>Year</i></td> <td><i>Who</i></td> <td><i>of</i></td> <td><i>Employment</i></td> <td><i>in</i></td> <td><i>in</i></td> </tr> <tr> <td></td> <td><i>Began</i></td> <td><i>Graduates</i></td> <td><i>the Field</i></td> <td><i>the Field</i></td> <td></td> </tr> <tr> <td></td> <td><i>the</i></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td><i>Program</i></td> <td></td> <td></td> <td></td> <td></td> </tr> </table> | <i>Number of</i> | <i>Graduates</i> | <i>Graduates</i> | <i>Rate %</i> | | | <i>Calendar</i> | <i>Students</i> | <i>Number</i> | <i>Available for</i> | <i>Employed</i> | <i>Employed</i> | <i>Year</i> | <i>Who</i> | <i>of</i> | <i>Employment</i> | <i>in</i> | <i>in</i> | | <i>Began</i> | <i>Graduates</i> | <i>the Field</i> | <i>the Field</i> | | | <i>the</i> | | | | | | <i>Program</i> | | | | |
| <i>Number of</i> | <i>Graduates</i> | <i>Graduates</i> | <i>Rate %</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <i>Calendar</i> | <i>Students</i> | <i>Number</i> | <i>Available for</i> | <i>Employed</i> | <i>Employed</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <i>Year</i> | <i>Who</i> | <i>of</i> | <i>Employment</i> | <i>in</i> | <i>in</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <i>Began</i> | <i>Graduates</i> | <i>the Field</i> | <i>the Field</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <i>the</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <i>Program</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| 20XX | 100 | 70 | 70 | 55 | 79% |
| 20XY | 80 | 55 | 55 | 20 | 36% |

STUDENT RECORDS

| Education Code or Code of Regulations | Subsection, Description, and Required Correction |
|---------------------------------------|---|
| 5, CCR §71920 | <p>Student Record.</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>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 SPFS shall be maintained in the student's file or as an institutional record. The institution shall submit with their NTC 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 NTC and the last page of this document within the specified time frame.</p> |

INSTITUTIONAL RECORDS

| Education Code or Code of Regulations | Subsection, Description, and Required Correction |
|---------------------------------------|---|
| 5, CCR §71930 | <p>Maintenance of Records.</p> <p>(a) An institution shall maintain all records required by the Act and this chapter. The records shall be maintained in this state.</p> |

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| | <p>The institution did not maintain all records required by the Act and this Chapter. Student files did not contain School Performance Fact Sheet, and the Student Tuition Recovery Fund data was not made available.</p> <p>To remedy this violation, the institution shall provide a policy and procedure for the maintenance of the Student Tuition Recovery Fund data, and of the School Performance Fact Sheet in the student files.</p> <p>The records of correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p> |
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MISCELLANEOUS

| Education Code or Code of Regulations | Subsection, Description, and Required Correction |
|---------------------------------------|--|
| CEC §94902 | <p>General Enrollment Requirements.</p> <p>(b) An enrollment agreement is not enforceable unless all of the following requirements are met:</p> <p>(1) The student has received the institution's catalog and School Performance Fact Sheet prior to signing the enrollment agreement.</p> <p>The institution did not maintain student files which showed the students received a SPFS prior to signing the enrollment agreement. SPFS were not documented in student files, or were signed after the student signed the enrollment agreement.</p> <p>To remedy this violation, the institution shall provide documentation showing students received the catalog and SPFS prior to signing an enrollment agreement. The institution shall submit with their NTC response an established policy and procedure requiring all students to receive a catalog and SPFS prior to signing an enrollment agreement.</p> <p>The records correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p> |
| CEC §94902 General | <p>Enrollment Requirements.</p> <p>(b) An enrollment agreement is not enforceable unless all of the following requirements are met:</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>The institution did not maintain student files which showed the students received a SPFS prior to signing the enrollment agreement. SPFS were not documented in student files, not initialed, signed and dated by the student, or were initial, signed and dated after the student</p> |

Notice to Comply – CA-3014471-0317

Inspector's Initial: *WA*

Administrator's Initial:

| | |
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| | <p>signed the enrollment agreement.</p> <p>To remedy this violation, the institution shall provide documentation showing students received, reviewed, and initialed, signed, and dated the SPFS prior to signing an enrollment agreement. The institution shall submit with their NTC response established policies and procedures requiring all students to receive, review, and initial, sign, and date a SPFS prior to signing an enrollment agreement.</p> <p>The records correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p> |
| CEC §94912. | <p>Signature, Initials Required.</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>The institution did not maintain student files which showed the students received a SPFS prior to signing the enrollment agreement. SPFS were not documented in student files, not initialed, signed and dated by the student, or were initial, signed and dated after the student signed the enrollment agreement.</p> <p>To remedy this violation, the institution shall provide documentation showing students received, reviewed, and initialed, signed, and dated the SPFS prior to signing an enrollment agreement. The institution shall submit with their NTC response established policies and procedures requiring all students to receive, review, and initial, sign, and date a SPFS prior to signing an enrollment agreement.</p> <p>The records correction shall be submitted with the institution's response to the NTC and the last page of this document within the specified time frame.</p> |

Only minor violations are listed on a Notice to Comply.

| | |
|--|---------------------------------------|
| Inspector's Name | Michele Alleger |
| Inspector's Signature | <i>Michele Alleger</i> |
| Institution Administrator Name/Title: | Kevin Soltani, Owner |
| Institution Administrator's Signature: | <i>Declined to sign - MA 3/6/2017</i> |

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 – CA-3014471-0317
Inspector's Initial: *MA*
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 April 6, 2017

Notice to Comply – CA-3014471-0317

Inspector's Initial: *WV*

Administrator's Initial: