



Bureau for Private Postsecondary Education
 P.O. Box 980818, West Sacramento, CA 95798-0818
 (888) 370-7589 / www.bppe.ca.gov



NOTICE TO COMPLY – 000268 (Ed. Code § 94935, 5 CCR § 75010)

Institution Name:	Moler Barber College-San Pablo	Institution Telephone:	925-352-9839
Inst. Code:	32801867	Administrator Name:	Frank Quattro
Street Address:	143330 San Pablo Ave # C San Pablo	Administrator Signature:	<i>Frank Quattro</i>
Inspector:	<i>Wayne Brenner</i>	Inspector Printed Name:	WAYNE BRENNER
		Date:	5/2/2012

VIOLATION(S)				
✓	Educ. Code	Description	✓	Code of Regs Description
	§94802	Continuance of Former Approvals. Subsection(s): §94802		§71705 Mission and Objectives.
X	§94897	Prohibited Business Practices. Subsection(s): See attachment for individual Subsection.	X	§71710 Educational Program. Subsection(s): See attachment for individual Subsections.
	§94898	Merging Classes, Converting Method of Delivery, Changing Locations. Subsection(s): §94898		§71715 Instruction. Subsection(s): §71715
	§94899	Approval Required for Programs Leading to Licensed Profession.		§71716 Distance Educational Programs – Specific Provisions for Instruction Not in Real Time. Subsection(s): §71716
	§94899.5	Collection of Tuition. Subsection(s): §94899.5		§71717 Satellite Locations. Subsection(s): §71717
	§94900	Required Student Records. Subsection(s): §94900		§71720 Faculty. Subsection(s): See attachment for individual Subsections.
X	§94900.5	Required Institutional Records. Subsection(s): See attachment for individual Subsection.	X	§71730 Administration. Subsection(s): See attachment for individual Subsections.
	§94901	Requirements for Recruiters. Subsection(s): §94901		§71735 Facilities and Equipment. Subsection(s): §71735
X	§94902	General Enrollment Requirements. Subsection(s): See attachment for individual Subsection.	X	§71740 Library and Other Learning Resources. Subsection(s): §71740
	§94903	Waiving Provisions Prohibited.		§71750 Withdrawals and Refunds. Subsection(s): §71750
	§94904	Ability to Benefit Students.		§71760 Self-Monitoring Procedures.
	§94905	Professions Requiring Licensure, Internships. Subsection(s): §94905		§71770 Admissions Standards and Transferred Credits Policy. Subsection(s): See attachment for individual Subsections.
X	§94906	Language of Enrollment Agreement. Subsection(s): See attachment for individual Subsection.	X	§71800 Enrollment Agreement. Subsection(s): See attachment for individual Subsections.
	§94907	Mandatory Internal Dispute Resolution Prohibited.		§71810 Catalog. Subsection(s): See attachment for individual Subsections.
X	§94908	Size of Text in Required Documents.	X	§71850 Minimum Educational Requirements in Order to Award an Undergraduate Degree. Subsection(s): §71850
X	§94909	Minimum Requirements for School Catalog. Subsection(s): See attachment for individual Subsection.	X	§71865 Minimum Educational Requirements in Order to Award a Graduate Degree. Subsection(s): §71865
X	§94910	Minimum Requirements for School Performance Fact Sheet. Subsection(s): See attachment for individual Subsection.	X	§71920 Student Records. Subsection(s): See attachment for individual Subsections
X	§94911	Minimum Requirements for enrollment Agreement. Subsection(s): See attachment for individual Subsection.	X	§71930 Maintenance of Records. Subsection(s): See attachment for individual Subsections.
X	§94912	Signature, Initials Required.	X	§74112 Uniform Data - Annual Report, Perform. Fact Sheet. Subsection(s): §74112
	§94916	Statement On Loans To Students.		§74140 Retention of Advertising.
	§94918	Compliance with Federal Statutes.		§74150 Use of Term "University." Subsection(s): §74150
	§94919	Institutions Participating in Federal Student Financial Aid Programs. Subsection(s): §94919		§74190 Agents for Service of Process; Changes.
X	§94920	Mandatory Cancellation, Withdrawal, and Refund Policies. Subsection(s): See attachment for individual Subsection.	X	§76140 Record-Keeping Requirements. Subsection(s): See attachment for individual Subsections.
	§94922	Waiving Provisions Prohibited.		§76215 Student Tuition Recovery Fund Disclosures. Subsection(s): See attachment for individual Subsections.
	§94929	Reporting of Completion Rate. Subsection(s): §94929		Other Violation Description
	§94929.5	Reporting of Student Performance Data. Subsection(s): §94929.5		§00000 (a),(b),(c) Descriptions 1 of 3 spaces
	§94929.7	Documentation of Performance Data. Subsection(s): §94929.7		X 71260 SEE ATTACHED
	§94943.5	Agent for Service of Process.		

(White) Bureau (Yellow) Inspector (Pink) Institution



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NOTICE TO COMPLY - 000268

INSTITUTION NAME: Moler Barber College-San Pablo-32801867

INSPECTOR'S COMMENTS:

§94902 (b)(1)(3) General Enrollment Requirements. (1) The school does not provide students with a School Performance Fact Sheet. The school must provide the student with a School Performance Fact prior to signing the enrollment agreement. (3) The School Performance Fact Sheet must contain a line for the student to initial and shall be initialed and dated by the student. The school must provide the student with a School Performance Fact Sheet in order to initial and date.

§94920 (d) mandatory Cancellation, Withdrawal and Refund Policies. (d) The school must have a refund policy for the return of unearned institutional charges if the student cancels an enrollment agreement or withdraws during a period of attendance. The school does not maintain a documented refund policy. The school must provide a documented written refund policy.

§94910 Minimum Requirements for School Performance Fact Sheet. Prior to enrollment, an institution shall provide a prospective student with a School Performance Fact Sheet. The school does not maintain a current School Performance Fact Sheet. The institution must create a School Performance Fact Sheet to issue to prospective students.

§94912 Signature and Initials Required. Prior to the execution of an enrollment agreement, the information required to be disclosed pursuant to subdivisions of Section §94910, shall be signed and dated by the student and the institution. The school does not maintain a current School Performance Fact Sheet. The school must provide to the student a current School Performance Fact Sheet for signatures by the student and institution.

Comments continued on attached 7 page(s).

Inspection Date: 5/2/2012 Inspector's Printed Name: WAYNE BREWER Inspector Initialed: [Signature]

Institution Administrator Printed Name: FRANK QUATTRO Administrator Initialed: EQ

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 an inspection by the Bureau.

By no later than 30 days from the date of inspection, you must either: (1) Remedy the noncompliance(s) and sign 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 violations 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(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 for each violation was achieved. I declare under penalty of perjury that all violations identified in this Notice to Comply are corrected as described in the attachment.

Signature

Date

Printed Name and Title

THIS DECLARATION OR A NOTICE OF DISAGREEMENT MUST BE SUBMITTED TO THE BUREAU BY 6/4/2012

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ATTACHMENT TO NTC - #000268

Institution Name: Moler Barber College-San Pablo	Institution # 32801867
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Comments:

§94900.5 (a),(b) Required Institution Records. (a) a school shall maintain at its principal place of business in this state, the educational programs offered by the institution and the curriculum for each. The school could not produce the educational programs or curriculum for each approved program. The school must provide the requested material. (b) the institution must maintain records of the institution's faculty and records of the educational qualifications of each member of the faculty. The institution does not maintain all faculty educational qualifications. The institution will document and maintain all faculty educational qualifications.

§94897 (l) Fair Business Practices. The institution shall not use "approved" without stating clearly and conspicuously that approval to operate means compliance with state standards as set forth in the Ed. Code. The institutional catalog does not contain the required statement. The institution shall submit a revised catalog with the required statement

§71710 (e) Educational Program. The school educational program shall be comprised of a curriculum that includes specific learning outcomes tied to the sequence of the presentation of the material to measure the students' learning of the material. The institution failed to provide the required documentation indicating how students are achieving the knowledge of the material presented. The institution shall provide the requested documentation of the learning outcome achievement.

§71730 (b) Administration. The duties, responsibilities and performance evaluation criteria for each administrator shall be set forth in a personnel manual or other writing maintained by the institution. The institution does not maintain duties, responsibilities or performance evaluations. The institution shall create job duties, responsibilities and performance evaluations and maintain documentation in the administrative manual.

§71760 Self-Monitoring Procedures. The institution shall develop and maintain adequate procedures used by the institution to assure that it is maintained and operated in compliance with the Act. The institution failed to maintain an administrative manual with adequate procedures. The institution shall create an administrative manual with adequate procedures to assure compliance with the ACT.

§71720 (b)(1) Faculty. The institution shall employ instructors who possess the academic, experiential and professional qualifications to teach. The institution failed to maintain adequate documentation of instructor qualifications.

Institution Administrator: 	Date: 4/2/2012	Inspector: 
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ATTACHMENT TO NTC - #00268

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Comments:

§71930 (e) Maintenance of Records. All records that the institution is required to maintain by the Act or this chapter shall be made immediately available by the institution. The institution failed to produce school records for inspection upon request. Institution shall comply with requested documents.

§71920 (b)(4) Student Records. The institution shall maintain student records with the following information related to dates of enrollment, withdrawal, leaves of absence and graduation dates. The institution failed to maintain withdrawal and leave of absence dates for students. Institution shall maintain the required documentation in the student files.

§71920 (b)(5) Student Records. The institution shall maintain student records with the following information related to student transcripts. The institution failed to maintain student transcripts with the required student documentation related to course completion or attempted.

§71920 (b)(10) Student Records. The institution shall maintain student records with the following information related to student refunds. The institution failed to maintain documentation related to the method of calculating the refund, the date the refund was made. Institution shall create and maintain the documentation in the student file related to refunds.

§71920 (b)(1)(A) Student Records. The institution shall maintain student records with the following information related to verification of high school completion or equivalency or other documentation establishing the students ability to do college level work. The institution failed to maintain documentation of prior education completion in the student files. The institution shall verify prior education and maintain documentation in the student file.

§94908 Size of Text in Required Documents. Any information or statement required by this article to be included in the enrollment agreement shall be printed in at least the same size font as the majority of the text in that document. The institution submitted enrollment agreement with a second page with font smaller in size than the first page. Institution shall submit a revised enrollment agreement in compliance with the Act.

§94911 (b) Minimum Requirements for Enrollment Agreement. Institution submitted enrollment agreement without list of nonrefundable charges. Institution shall submit a revised enrollment agreement indicating nonrefundable fees and equipment fees.

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Comments:

§94911 (c) The enrollment agreement shall include total tuition in underlined capital letters on the same page as the students signature. The institution submitted the enrollment agreement without the required format. The institution shall submit a revised enrollment agreement with the required format.

§94911 (e)(1) The enrollment agreement shall include the following disclosures:

(1) A clear and conspicuous caption, "STUDENT'S RIGHT TO CANCEL," under which it is explained the student has the right to cancel and obtain a refund of charges paid through attendance at the first class session, or the seventh day after enrollment, whichever is later." The institution submitted an enrollment agreement with a "Student's Right to Cancel" policy that is not in compliance. The institution shall submit a revised enrollment agreement with the corrected required policy

§94911 (e)(2) The enrollment agreement shall include the following disclosures:

(2) 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 from federal financial aid program funds. The institution submitted an enrollment agreement with the hypothetical refund example incomplete and without the required federal financial aid program disclosure. The institution shall submit a revised enrollment agreement with the completed hypothetical refund example and the required federal financial aid program disclosure.

§94911 (h) The enrollment agreement shall include the transferability disclosure that is required to be included in the school catalog. The institution provided an enrollment agreement with a transferability disclosure that referenced the institution offering a certificate when the institution offers diplomas and had several typographical errors. The institution shall submit a revised enrollment agreement with a revised transferability disclosure showing corrections made to the certificate references and typographical errors.

§94911 (i)(1) The enrollment agreement shall include specific required statements and a line for the student to initial.

(1) The institution provided an enrollment agreement that had "prior to signing this agreement" missing at the end of the paragraph of this subsection. Please submit a revised enrollment agreement showing corrections made to the required statement.

Attachment Page 3 of 7

Institution Administrator: 	Date: 	Inspector: 
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Comments:

§94911 (i)(2) The enrollment agreement shall include specific required statements and a line for the student to initial.

(2) The institution provided an enrollment agreement that did not include a space for the student to initial immediately followed by the specific required statement. The institution shall provide a revised enrollment agreement with the space for the student to initial immediately followed by the required specific statement.

§94911 (j)(1) The enrollment agreement shall include specific required statements related to the Bureau and filing a complaint with the Bureau.

(2) The institution provided an enrollment agreement that included the incorrect web address for the Bureau. The institution shall submit a revised enrollment agreement showing corrections made to the specific required statement with the Bureau's corrected web address.

§94911 (j)(2) The enrollment agreement shall include specific required statements related to the Bureau and filing a complaint with the Bureau.

(2) The institution provided an enrollment agreement that included the incorrect web address for the Bureau. The institution shall submit a revised enrollment agreement showing corrections made to the specific required statement with the Bureau's corrected web address.

§71800 (a) The enrollment agreement shall contain the following:

(a) The name and address of the institution and the addresses where instruction will be provided. The institution provided an enrollment agreement that did not indicate the address where instruction will be provided. The institution shall submit a revised enrollment agreement showing corrections indicating the address where instruction is provided.

§71800 (b) The enrollment agreement shall contain the following:

(b) Period covered by the enrollment agreement. The institution provided an enrollment agreement that did not include the period covered by the enrollment agreement. The institution shall submit a revised enrollment agreement showing the period covered by the enrollment agreement.

§71800 (d) The enrollment agreement shall contain the following:

(d) The date by which the student must exercise his or her right to cancel or withdraw, and the refund policy. The institution provided an enrollment agreement with an incomplete hypothetical refund example. The institution shall provide a revised enrollment agreement with the corrected hypothetical refund example.

Attachment Page 4 of 7

Institution Administrator: 	Date: 5/12/2012	Inspector:
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Comments:

§71800 (e)(2) The enrollment agreement shall contain the following:

(e)(2) Itemization of all institutional charges and fees including, as applicable: (2) registration fee (non-refundable). The institution provided an enrollment agreement that identified the non-refundable text in an difficult to read font color. The institution shall submit a revised enrollment agreement showing corrections to the font.

§71800 (e)(3) The enrollment agreement shall contain the following:

(e)(3) Itemization of all institutional charges and fees including, as applicable: (3) equipment. The institution provided an enrollment agreement that did not identify any fees for equipment. The institution shall submit a revised enrollment agreement showing any fees relative to equipment.

§71800 (e)(11) The enrollment agreement shall contain the following:

(e)(11) Itemization of all institutional charges and fees including, as applicable: (11) Student Tuition Recovery Fund (non-refundable). The institution provided an enrollment agreement showing the Student Tuition Recovery Fund (non-refundable) of \$0. The institution shall submit a revised enrollment agreement showing corrections made to the Student Tuition Recovery Fund fee in the schedule of charges.

§76215 (a) The enrollment agreement and schedule of student charges shall include specific required language related to the Student Tuition Recovery Fund (STRF).

(a) The institution provided an enrollment agreement that did not quote the required disclosures verbatim. The institution shall submit a revised enrollment agreement showing the corrections to the required specific disclosures relative to STRF.

§94908 Size of Text in Required Documents. Any information or statement required by this article to be included in the catalog, School Performance Fact Sheet, or enrollment agreement shall be printed in at least the same size font as the majority of the text in that document. The institution submitted a catalog that contained the required Student Tuition Recovery Fund disclosures in smaller sized text. The institution shall submit the supplement or insert that is to accompany the catalog showing corrections made to the text size.

§94909 (a)(3)(B) The catalog shall contain specific required language that refers individuals wishing to file a complaint about the institution to the Bureau. The institution provided a catalog that did not show the Bureau's web address with the specific required language. Please submit the supplement or insert that is to accompany the catalog showing corrections made to the specific required language.

Attachment Page 5 of 7

Institution Administrator: 	Date: 5/2/2012	Inspector: 
(White) Bureau	(Yellow) Inspector	(Pink) Institution

(Rev. 4/17/11)

OSP 11 123418



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ATTACHMENT TO NTC - #000268

Institution Name:	Moler Barber College San Pablo	Institution #	32801867
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Comments:

§94909 (a)(5) The catalog shall contain 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 examination, any required internships or externships, and the total number of credit hours, clock hours, or other increments required for completion. The institution included in its catalog and enrollment agreement a program/course for Instructor Training. The institution does not have approval from the Bureau to offer an Instructor's Training Course. The institution shall submit the supplement or insert that is to accompany the catalog showing corrections made to the offered programs. The institution shall also submit a revised enrollment agreement showing the removal of the Instructor Training Course.

§94909 (a)(8)(B) The catalog shall contain 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 institution provided a catalog that states the student will receive a refund of charges paid less a registration fee, not to exceed the lesser amount of 5% of the total costs or \$75. The schedule of charges on the enrollment agreement states the registration fee is \$125 non-refundable. The policy is not consistent with the provisions of the Act. The institution shall submit the supplement or insert that is to accompany the catalog showing corrections to the refund policy.

§94909 (a)(9) The catalog shall contain the schedule of total charges for a period of attendance and an estimated schedule of total charges for the entire educational program. The institution provided an enrollment agreement that did not include any fees for equipment in the schedule of total fees. The institution shall submit the supplement or insert that is to accompany the catalog showing corrections made to the schedule of total charges.

§94909 (a)(11) The catalog shall contain a statement specifying that, if a student obtains a loan, the student will have to repay the full amount of the loan, plus interest, less the amount of any refund, and that, if the student received federal student financial aid funds, the student is entitled to a refund of the money not paid from federal financial aid funds. The institution provided a catalog that did not contain the required statement. The institution shall submit the supplement or insert that is to accompany the catalog showing the required statement.

Attachment Page 10 of 7

Institution Administrator:	Date:	Inspector:
<i>Julia [Signature]</i>	<i>5/1/11</i>	<i>[Signature]</i>
(White) Bureau	(Yellow) Inspector	(Pink) Institution

(Rev. 4/17/11)

OSP 11 123418



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ATTACHMENT TO NTC - #000268

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Comments:

§94909 (a)(15) The catalog shall contain specific required language that addresses transferability of credits and credentials. The institution provided a catalog that did not have the specific required language directly under the caption. The institution shall submit the supplement or insert that is to accompany the catalog showing corrections made to the specific required language.

§71810 (b)(3) The catalog shall contain:

(b)(3) If the institution admits students from other countries, specify whether visa services are provided or whether the institution will vouch for student status, and any associated charges. The institution provided a catalog that did not specify if the institution will vouch for student status. The institution shall submit the supplement or insert that is to accompany the catalog indicating whether the institution vouches for students.

§71260 (c) Facilities and Equipment. The description of the physical facilities shall include building diagrams or campus maps to assist the Bureau in locating these facilities. The diagrams or maps shall identify the location of classroom, laboratories, workshops, and libraries. A description of the facilities and of the types of equipment and materials that will be used for instruction. The institution provided a catalog that states the facilities have 18 barber chairs in the Practical Room, and that the Practical Room can accommodate a maximum of 25 students. The institution shall provide a diagram or campus map showing all 25 advertised barber chairs.

Institution Administrator: <i>[Signature]</i>	Date: <i>5/2/02</i>	Inspector: <i>[Signature]</i>
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(White) Bureau

(Yellow) Inspector

(Pink) Institution