



**NOTICE TO COMPLY** – CU-1501111-0220 (Ed. Code §94935 & 5, CCR §75010)

Institution Name:	Zoom Graphics	Institution Telephone:	(661) 324-5739
Institution Code:	1501111	Administrator Name:	Rick Garcia
Street Address:	1800 Oak Street, Suite D Bakersfield, CA 93301	Date of Inspection:	2/25/2020

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:

Referenced Law	Subsection , Description, and Required Correction
CEC §94909. Minimum Requirements for School Catalog	<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>(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><b>The catalog does not contain the statement describing 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.</b></p> <p><b>To remedy this violation, the current catalog shall be updated to include the statement stating whether or not the institution 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.</b></p> <p><b>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.</b></p>
CEC §94909. 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

Notice to Comply – CU-1501111-0220 (Ed. Code §94935 & 5, CCR §75010)

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Administrator’s Initial: *RG*



	<p>electronically, with a school catalog containing, at a minimum, all of the following:        (3) The following statements:        (B) "As a prospective student, you are encouraged to review this catalog prior to signing an enrollment agreement. You are also encouraged to review the School Performance Fact Sheet, which must be provided to you prior to signing an enrollment agreement."</p> <p><b>The catalog does not contain the specific required statement verbatim to the language quoted above.</b></p> <p><b>To remedy this violation, the current catalog shall be updated to include the statement verbatim to the specific quoted language above.</b></p> <p><b>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.</b></p>
<p>5, CCR §71810. Catalog.</p>	<p>(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:        (2) A statement of the institution's missions and purposes and the objectives underlying each of its educational programs.</p> <p><b>The Institution failed to provide the institution's missions and purpose.</b></p> <p><b>To remedy the violation, the current catalog shall be updated to contain the institution's missions and purpose.</b></p> <p><b>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.</b></p>
<p>CEC §94909. 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:        (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 Web site address*), (telephone and fax numbers*)."                *The following may be used for parentheticals:</p>

Notice to Comply – CU-1501111-0220 (Ed. Code §94935 & 5, CCR §75010)

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	<p>Address: 1747 N. Market Blvd. Ste 225 Sacramento, CA 95834          P.O. Box 980818, West Sacramento, CA 95798-0818          Website Address: <a href="http://www.bppe.ca.gov">www.bppe.ca.gov</a>          Telephone and Fax #'s: (888) 370-7589 or by fax (916) 263-1897          (916) 574-8900 or by fax (916) 263-1897</p> <p><b>The catalog does not contain the specific required statement verbatim to the language quoted above.</b></p> <p><b>To remedy this violation, the current catalog shall be updated to include the statement verbatim to the specific quoted language above.</b></p> <p><b>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.</b></p>
<p>CEC §94909. 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>(15) The following statement:          "NOTICE CONCERNING TRANSFERABILITY OF CREDITS AND CREDENTIALS EARNED AT OUR INSTITUTION          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."  <i><b>*If institution offers more than one educational program, "the educational program" may be inserted.</b></i></p> <p><b>The catalog failed to contain the specific required statement verbatim to the language above.</b></p>

Notice to Comply – CU-1501111-0220 (Ed. Code §94935 & 5, CCR §75010)

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Administrator's Initial: *RG*



	<p><b>To remedy the violation, the current catalog shall be updated to include the specific required statement verbatim and in the style shown above.</b></p> <p><b>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.</b></p>
<p>CEC §94909. 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>(8) A detailed description of institutional policies in the following areas:</p> <p>(A) Admissions policies, including the institution’s policies regarding the acceptance of credits earned at other institutions or through challenge examinations and achievement tests, admissions requirements for ability-to-benefit students, and a list describing any transfer or articulation agreements between the institution and any other college or university that provides for the transfer of credits earned in the program of instruction. If the institution has not entered into an articulation or transfer agreement with any other college or university, the institution shall disclose that fact.</p> <p><b>The catalog failed to contain an admissions policy that included a list describing any transfer or articulation agreement between the institution and any other college or university that provides for the transfer of credits earned in the program of instruction, or a statement the institution has not entered into an articulation or transfer agreement with any other college or university.</b></p> <p><b>To remedy the violation, the current catalog shall be updated to include a list describing any transfer or articulation agreement between the institution and any other college or university that provides for the transfer of credits earned in the program of instruction, or a statement the institution has not entered into an articulation or transfer agreement with any other college or university.</b></p> <p><b>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.</b></p>
<p>5, CCR §71810. Catalog.</p>	<p>(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:</p> <p>(7) The institution’s policies and procedures for the award of credit for prior experiential learning, including assessment policies and</p>

Notice to Comply – CU-1501111-0220 (Ed. Code §94935 & 5, CCR §75010)

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	<p>procedures, provisions for appeal, and all charges that a student may be required to pay.</p> <p><b>The catalog did not contain the institution’s policies and procedures for the award of credit for prior experiential learning. The policy in the catalog for the award of credit for prior experiential learning did not include assessment policies and procedures, provisions for appeal, and all charges that a student may be required to pay.</b></p> <p><b>To remedy the violation, the current catalog shall be updated to include a policy for the award of credit for prior experiential learning. If credit is not granted, the policy shall state so. The policy in the catalog shall address assessment policies and procedures, provisions for appeal, and all charges that a student may be required to pay.</b></p> <p><b>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.</b></p>
<p>CEC §94909. 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>(14) A description of the student’s rights and responsibilities with respect to the Student Tuition Recovery Fund. This statement shall specify that it is a state requirement that a student who pays his or her tuition is required to pay a state-imposed assessment for the Student Tuition Recovery Fund. This statement shall also describe the purpose and operation of the Student Tuition Recovery Fund and the requirements for filing a claim against the Student Tuition Recovery Fund.</p> <p><b>The catalog failed to contain a description of the student’s rights and responsibilities with respect to the Student Tuition Recovery Fund. 5, 5, CCR §76215(a)(b) provide specific required disclosures that satisfy this section. Those disclosures are not included in the catalog.</b></p> <p><b>To remedy the violation, the current catalog shall be updated to contain a description of the student’s rights and responsibilities with respect to the Student Tuition Recovery Fund. The catalog shall contain 5, 5, CCR §76215(a)(b).</b></p>

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	<p><b>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.</b></p>
<p>CEC §94909. 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>(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><b>The catalog does not contain a provision for student to cancel the enrollment agreement and obtain a refund of all charges through the first class session, or the seventh day after enrollment, whichever is later. The catalog does not contain a withdrawal and refund policy that gives the student the right to a pro-rata refund for students who withdraw and have completed 60% or less of the scheduled period of attendance. The text does not 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</b></p> <p><b>To remedy this violation, the current catalog shall be updated to contain a cancellation policy providing a student to cancel the enrollment agreement and obtaining a refund of all charges through the first class session, or the seventh day after enrollment, whichever is later. The current catalog shall be updated to contain a withdrawal and refund policy that entitles a student the right to a pro-rata refund if a student has complete 60% or less of the scheduled period of attendance and withdraws. The current catalog shall be updated with text that includes 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 .</b></p>

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	<p><b>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.</b></p>
<p>5, CCR §71810. Catalog</p>	<p>(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:          (14) Policies on student rights, including the procedure for addressing student grievances</p> <p><b>The catalog does not contain the institution’s policies addressing student grievances.</b></p> <p><b>To remedy this violation, the current catalog shall be updated to contain the institution’s policies addressing student grievances.</b></p> <p><b>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.</b></p>
<p>5, CCR §71810. Catalog</p>	<p>(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:          (12) A description of all student services.</p> <p><b>The catalog does not contain a description of all student services offered by the institution.</b></p> <p><b>To remedy this violation, the current catalog shall be updated to contain a description of all student services offered by the institution.</b></p> <p><b>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.</b></p>
<p>5, CCR §71810. 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:          (13) If the institution provides placement services, a description of the nature and extent of the placement services.</p> <p><b>The catalog does not contain a description of placement services offered by the institution.</b></p> <p><b>To remedy this violation, the current catalog shall be updated to contain a description of all student services offered by the institution.</b></p>

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	<p><b>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.</b></p>
<p>5, CCR §71810. Catalog.</p>	<p>(b)The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:        (13)Housing information including all of the following:        (A)Whether the institution has dormitory facilities under its control;        (B)The availability of housing located reasonably near the institution's facilities and an estimation of the approximate cost or range of cost of the housing; and        (C)If the institution has no responsibility to find or assist a student in finding housing, a clear and conspicuous statement so indicating. A statement that the program is "non-residential" does not satisfy this subparagraph.</p> <p><b>The Institution failed to provide a complete housing statement.</b></p> <p><b>To remedy this violation revise statement in the catalog to include all 3 statements.</b></p> <p><b>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.</b></p>
<p><b>§76140 - Record-Keeping Requirements.</b></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:        (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> <p><b>The institution’s STRF Assessment Reporting Form back-up data for forth quarter 2018 failed to include all 13 categories.</b></p>

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Administrator’s Initial: *RG*





	<p><b>To remedy the violation the institution shall provide the back-up data to substantiate the information reported on the STRF Assessment Reporting form for forth quarter 2018.</b></p> <p><b>A copy of the required documents shall be submitted with the response to the Notice to Comply and the last page of this document within the specified time frame.</b></p>
<p><b>CEC §94913. Institutional Web Site Requirements</b></p>	<p>(a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following:          (1) The school catalog.</p> <p><b>The institution’s website does not contain an active link to the current school catalog.</b></p> <p><b>To remedy the violation, the institution’s current website shall be updated to provide a current school catalog.</b></p> <p><b>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.</b></p>

**Only minor violations are listed on a Notice to Comply.**

Inspector’s Name	Greg A Seib
Inspector’s Signature	
Institution Administrator Name/Title:	Rick Garcia/Director
Institution Administrator’s Signature:	

Education Code can be located at: [http://www.bppe.ca.gov/lawsregs/ppe\\_act.shtml](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-1501111-0220 (Ed. Code §94935 & 5, CCR §75010)

Inspector’s Initial:

Administrator’s Initial:

RG



**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 **March 26, 2020****

Notice to Comply – CU-1501111-0220 (Ed. Code §94935 & 5, CCR §75010)

Inspector's Initial: *W*

Administrator's Initial: *RB*