



Bureau for Private Postsecondary Education
 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833
 P.O. Box 980818, West Sacramento, CA 95798-0818
 P (916) 431-6959 F (916) 263-1897 www.bppe.ca.gov



NOTICE TO COMPLY – CU-1903281-0718 (Ed. Code §94935 & 5, CCR §75010)

Institution Name:	Alhambra Beauty College	Institution Telephone:	626-282-7765
Institution Code:	1903281	Administrator Name:	Tim Choe
Street Address:	200 West Main Street Alhambra, CA 91801	Date of Inspection:	7/26/18

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
§71770 - Admissions Standards and Transferred Credits Policy.	<p>(b) The institution shall specify the maximum credit it will transfer from another institution for each educational program, and the basis upon which the transferred credit will be awarded.</p> <p>The institution's catalog failed to list the maximum number of hours they would accept for transfer credits and any requirements to accept them.</p> <p>To remedy the violation, the institution shall include a statement indicating the maximum number of hours they will transfer from another institution and the basis upon which the transferred credit will be awarded.</p>
§71810 - Catalog.	<p>(a) Each institution shall provide a catalog pursuant to section 94909 of the Code, which shall be updated annually. Annual updates may be made by the use of supplements or inserts accompanying the catalog. If changes in educational programs, educational services, procedures, or policies required to be included in the catalog by statute or regulation are implemented before the issuance of the annually updated catalog, those changes shall be reflected at the time they are made in supplements or inserts accompanying the catalog.</p> <p>The institution failed to make annual updates to its school catalog. The catalog posted on the website and submitted with the school's Annual Report is dated 7/1/14 - 6/30/15.</p> <p>To remedy the violation, the institution shall update their catalog and provide a copy with current beginning and ending dates.</p>
§71810 - Catalog.	<p>(b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following:</p>

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Administrator's Initial: *TC*

	<p>(3) If the institution admits students from other countries, whether visa services are provided or whether the institution will vouch for student status, and any associated charges;</p> <p>The institution's catalog failed to include information regarding accepting students from other countries. The institution's website states the institution is approved through SEVIS to accept international students.</p> <p>To remedy the violation, the institution shall update their catalog to include all policies and costs for international students.</p>
§71810 - Catalog.	<p>(b)(7) The institution's policies and procedures for the award of credit for prior experiential learning, including assessment policies and procedures, provisions for appeal, and all charges that a student may be required to pay.</p> <p>The institution's catalog failed to include a statement indicating whether they accept experiential learning, and any policies related to it.</p> <p>To remedy the violation, the institution shall include a statement indicating whether they accept experiential learning, and any policies related to it.</p>
§71810 - Catalog.	<p>(b)(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.</p> <p>The institution's catalog failed to include the availability and approximate cost of housing located reasonably near the institution.</p> <p>To remedy the violation, the institution shall list the approximate cost of housing in the area. Please note: You may look up on-line the approximate cost of housing.</p>
§71810 - Catalog.	<p>(b)(15) Policies on the retention of student records.</p> <p>94900(a)(b)(1-3) (b) An institution shall maintain, for each student granted a degree or certificate by that institution, permanent records of all of the following: (1) The degree or certificate granted and the date on which that degree or certificate was granted. (2) The courses and units on which the certificate or degree was based. (3) The grades earned by the student in each of those courses.</p>

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Administrator's Initial: *TC*

	<p>The institution's retention of student records policy failed to include a statement indicating the institution would keep permanent records of the certificate awarded, the courses and units on which the certificate was awarded, and the grades earned by the student in each of those courses.</p> <p>To remedy the violation, the institution shall revise the catalog to include a statement indicating the institution would keep permanent records of a students' transcripts</p>
§94897 - Prohibited Business Practices.	<p>(1)(1) Use the terms "approval," "approved," "approval to operate," or "approved to operate" without stating clearly and conspicuously that approval to operate means compliance with state standards as set forth in this chapter. If the bureau has granted an institution approval to operate, the institution may indicate that the institution is "licensed" or "licensed to operate," but may not state or imply either of the following: (2) The approval to operate indicates that the institution exceeds minimum state standards as set forth in this chapter.</p>
	<p>The institution's catalog failed to include a compliant approval to operate statement. The catalog references a code from prior to the sunset (94915) and states renewal is every three years.</p> <p>To remedy the violation, the institution shall remove the current approval statement from their catalog and replace it with something similar to the following:</p> <p><i>This institution is a private institution approved to operate by the California Bureau for Private Postsecondary Education. Approval to operate means the institution is compliant with the minimum standards contained in the California Private Postsecondary Education Act of 2009 (as amended) and Division 7.5 of Title 5 of the California Code of Regulations</i></p>
§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: (6) If the educational program is designed to lead to positions in a profession, occupation, trade, or career field requiring licensure in this state, a notice to that effect and a list of the requirements for eligibility for licensure.</p> <p>The institution failed to include a list of requirements for eligibility for licensure.</p> <p>To remedy the violation, the institution shall include the requirements for licensure for all their approved programs</p>
§94909 - Minimum Requirements for School Catalog.	<p>(a)(8) A detailed description of institutional policies in the following areas:</p>

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(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).

The institution's catalog has conflicting cancellation policies. Page 9 of the catalog says the cancellation period is 5 days after class starts but doesn't mention 7th day after enrollment whichever is later. Page 12 has a compliant refund policy.

To remedy the violation, the institution shall remove the cancellation policy on page 9 or update the language to state charges paid through attendance at the first class session, or the seventh day after enrollment, whichever is later.

§94909 - Minimum Requirements for School Catalog.

(a)(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.

76215. Student Tuition Recovery Fund Disclosures

(a) A qualifying institution shall include the following statement on both its enrollment agreement and school catalog:

"The State of California established the Student Tuition Recovery Fund (STRF) to relieve or mitigate economic loss suffered by a student in an educational program at a qualifying institution, who is or was a California resident while enrolled, or was enrolled in a residency program, if the student enrolled in the institution, prepaid tuition, and suffered an economic loss. Unless relieved of the obligation to do so, you must pay the state-imposed assessment for the STRF, or it must be paid on your behalf, if you are a student in an educational program, who is a California resident, or are enrolled in a residency program, and prepay all or part of your tuition.

You are not eligible for protection from the STRF and you are not required to pay the STRF assessment, if you are not a California resident, or are not enrolled in a residency program."

(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:

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"It is important that you keep copies of your enrollment agreement, financial aid documents, receipts, or any other information that documents the amount paid to the school. Questions regarding the STRF may be directed to the Bureau for Private Postsecondary Education, 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833, (916) 431-6959 or (888) 370-7589.

To be eligible for STRF, you must be a California resident or are enrolled in a residency program, prepaid tuition, paid or deemed to have paid the STRF assessment, and suffered an economic loss as a result of any of the following:

1. The institution, a location of the institution, or an educational program offered by the institution was closed or discontinued, and you did not choose to participate in a teach-out plan approved by the Bureau or did not complete a chosen teach-out plan approved by the Bureau.
2. You were enrolled at an institution or a location of the institution within the 120 day period before the closure of the institution or location of the institution, or were enrolled in an educational program within the 120 day period before the program was discontinued.
3. You were enrolled at an institution or a location of the institution more than 120 days before the closure of the institution or location of the institution, in an educational program offered by the institution as to which the Bureau determined there was a significant decline in the quality or value of the program more than 120 days before closure.
4. The institution has been ordered to pay a refund by the Bureau but has failed to do so.
5. The institution has failed to pay or reimburse loan proceeds under a federal student loan program as required by law, or has failed to pay or reimburse proceeds received by the institution in excess of tuition and other costs.
6. You have been awarded restitution, a refund, or other monetary award by an arbitrator or court, based on a violation of this chapter by an institution or representative of an institution, but have been unable to collect the award from the institution.
7. You sought legal counsel that resulted in the cancellation of one or more of your student loans and have an invoice for services rendered and evidence of the cancellation of the student loan or loans.

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.

A student whose loan is revived by a loan holder or debt collector after a period of non-collection 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,

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Administrator's Initial: *re*

	<p>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 institution's catalog failed to include the most recent Student Tuition Recovery Fund Disclosures (STRF). As of 8/10/2017 the Student Tuition Recovery Disclosures (STRF) has changed.</p> <p>To remedy the violation, the institution shall replace the language above with the language currently listed in the school catalog.</p>
<p>§94909 - Minimum Requirements for School Catalog.</p>	<p>(a)(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."</p> <p>The institution's catalog failed to customize the above statement to list the school's name and what type of certificate, diploma or credits they award. The institution's statement should not include language about degrees.</p> <p>To remedy the violation, the institution shall revise their catalog for the sections highlighted in red above.</p>
<p>§76215 - Student Tuition Recovery Fund Disclosures.</p>	<p>76215. Student Tuition Recovery Fund Disclosures</p> <p>(a) A qualifying institution shall include the following statement on both its enrollment agreement and school catalog: "The State of California established the Student Tuition Recovery Fund (STRF) to relieve or mitigate economic loss suffered by a student in an educational program at a qualifying institution, who is or was a California resident while enrolled, or was enrolled in a residency program, if the student enrolled in the institution, prepaid tuition, and suffered an economic loss. Unless relieved of the obligation to do so, you must pay the state-imposed</p>

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	<p>assessment for the STRF, or it must be paid on your behalf, if you are a student in an educational program, who is a California resident, or are enrolled in a residency program, and prepay all or part of your tuition.</p> <p>You are not eligible for protection from the STRF and you are not required to pay the STRF assessment, if you are not a California resident, or are not enrolled in a residency program."</p> <p>The institution's enrollment agreement failed to include the most recent Student Tuition Recovery Fund Disclosures(STRF). As of 8/10/2017 the Student Tuition Recovery Disclosures (STRF) has changed.</p> <p>To remedy the violation, the institution shall replace the language above with the language currently listed in the enrollment agreement.</p>
<p>§94911 - Minimum Requirements for Enrollment Agreement.</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>The institution's cancellation policy is incorrect and does not meet the minimum requirements above. In addition, the title "STUDENTS RIGHT TO CANCEL" is missing.</p> <p>To remedy the violation, the institution shall revise their cancellation policy with the language above.</p>
<p>§94911 - Minimum Requirements for Enrollment Agreement.</p>	<p>(a)(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."</p> <p>The institution's enrollment agreement failed to customize the above statement listing the school's name and what type of certificate, diploma or credits they award. The</p>

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Administrator's Initial: *le*

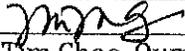
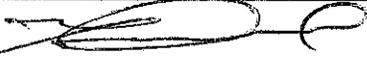
	<p>institution's statement should not include language about degrees.</p> <p>To remedy the violation, the institution shall revise their enrollment agreement for the sections highlighted in red above.</p>
§94909 - Minimum Requirements for School Catalog.	<p>(i) (1) The following statement: "Prior to signing this enrollment agreement, you must be given a catalog or brochure and a School Performance Fact Sheet, which you are encouraged to review prior to signing this agreement. These documents contain important policies and performance data for this institution. This institution is required to have you sign and date the information included in the School Performance Fact Sheet relating to completion rates, placement rates, license examination passage rates, salaries or wages, and the most recent three-year cohort default rate, if applicable, prior to signing this agreement."</p> <p>(2) Immediately following the statement required by paragraph (1), a line for the student to initial, including the following statement: "I certify that I have received the catalog, School Performance Fact Sheet, and information regarding completion rates, placement rates, license examination passage rates, salary or wage information, and the most recent three-year cohort default rate, if applicable, included in the School Performance Fact sheet, and have signed, initialed, and dated the information provided in the School Performance Fact Sheet."</p> <p>The institution's enrollment agreement failed to include the above statements verbatim. The missing language is highlighted above in red.</p> <p>To remedy the violation, the institution shall revise their enrollment agreement as advised above.</p>
§94913 - Institutional Web Site Requirements	<p>(a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following:</p> <ol style="list-style-type: none"> (1) The school catalog. (2) A School Performance Fact Sheet for each educational program offered by the institution. (3) Student brochures offered by the institution. (4) A link to the bureau's Internet Web site. (5) The institution's most recent annual report submitted to the bureau. <p>The institution's website failed to include a current catalog, a School Performance Fact Sheet for each educational program, and a link to the bureau's website.</p> <p>To remedy the violation, the institution shall update their website to include the required documents and links.</p>
§74117 - - Institutional Web Site Requirements	<p>In addition to the requirement in Section 94913(b) of the Code, an institution that maintains a website shall provide on the</p>

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Administrator's Initial: *rk*

	<p>homepage of that website clear and conspicuous links to all the items required in Section 94913(a) of the Code.</p> <p>The institution's website failed to include all the required links on their home page.</p> <p>To remedy the violation, the institution shall include links to all five items as listed above. If the school doesn't offer Student brochures, it's not required to be on your website.</p>
<p>§71930 - Maintenance of Records.</p>	<p>(e) All records that the institution is required to maintain by the Act or this chapter shall be made immediately available by the institution for inspection and copying during normal business hours by the Bureau and any entity authorized to conduct investigations.</p> <p>The institution failed to have records immediately available during normal business hours. The institution failed to provide the following documents: organizational chart, map of the institution, class schedules, and the General Information Form.</p> <p>To remedy the violation, the institution shall submit the missing documents noted above and the institution's policy and procedure for ensuring all records are immediately available during normal business hours.</p>
<p>§71735 - Facilities and Equipment.</p>	<p>(b) An institution's facilities, including heating and cooling, ventilation, lighting, classrooms, laboratories, and campus environs, shall be well-maintained. The institution shall maintain all valid permits required by any public agencies relating to the health and safety of the institution's facilities and equipment on file, and such permits shall be available to the Bureau upon request.</p> <p>The institution's facilities failed to be well-maintained. The institution had three out of five shampoo bowls out of order. The school also had several chairs with holes and tears in the fabric.</p> <p>To remedy the violation the institution shall provide photographs and documentation verifying the equipment has been repaired and is in good working order.</p>
<p>§71760 - Self-Monitoring Procedures.</p>	<p>Each institution shall develop and maintain adequate procedures used by the institution to assure that it is maintained and operated in compliance with the Act and this Division.</p> <p>The institution failed to provide a copy of their self-monitoring procedures.</p> <p>To remedy the violation, the institution shall provide a self-monitoring procedure.</p>

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Administrator's Initial: *Te*

Only minor violations are listed on a Notice to Comply.

Inspector's Name	Michelle Loo
Inspector's Signature	
Institution Administrator Name/Title:	Tim Choe, Owner
Institution Administrator's Signature:	

Education Code can be located at: http://www.bppe.ca.gov/lawsregs/pppe_act.shtml

Code of Regulations can be located at: <http://www.bppe.ca.gov/lawsregs/regs.shtml>

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Inspector's Initial: *ML*

Administrator's Initial: *TC*

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 8/27/2018

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Administrator's Initial: