

Bureau for Private Postsecondary Education 1747 N. Market Blvd. Ste 225 Sacramento, CA 95834 P.O. Box 980818, West Sacramento, CA 95798-0818 P (916) 574-8900 F (916) 263-1897 www.bppe.ca.gov



NOTICE TO COMPLY – CA 2800341 1122 (Ed. Code § 94935; 5, CCR § 75010)

| Institution Name: | The Culinary Institute of America | Institution Telephone: | 707- 967-0600 |
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| Institution Code: | 2800341 | Administrator Name: | Steven Woods |
| Street Address: | 2555 Main St. | Date of Inspection: | November 30, 2022 |
| | St Helena, CA 94574 | | |

Nature and Facts of the Violation(s), Including a Reference to the Statute or Regulation Violated, and Manner in Which the Institution Must Correct the Violation to Achieve Compliance:

CATALOG MINIMUM REQUIREMENTS

| | Education Code (CEC) or | Deficiency – Requested Submission |
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| | Regulation (5, CCR) | |
| 1 | 5, CCR §71810(b)(1). Catalog | (b) The catalog shall contain the information prescribed by Section 94909 of the Code and all of the following: (1) The specific beginning and ending dates defining the time period covered by the catalog The institution's catalog does not specify the specific beginning and ending dates defining the time period covered by the catalog. To remedy this violation, please update the catalog to specify the specific beginning and ending dates defining and ending dates defining the time period covered by the catalog. The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than |
| | | December 30, 2022. |
| 2 | CEC §94909(a)(3)(B). Minimum Requirements for School Catalog | (a) Except as provided in subdivision (d), before enrollment, an institution shall provide a prospective student, either in writing or electronically, with a school catalog containing, at a minimum, all of the following: (3) The following statements: (B) "As a prospective student, you are encouraged to review this catalog before signing an enrollment agreement. You are also encouraged to review the School Performance Fact Sheet, which must be provided to you before signing an enrollment agreement." The institution's catalog contained a form of the required text; however, the text was not verbatim to the specific required statement above. To remedy this violation, the institution shall update the catalog to contain the specific required verbatim statement in quotations above. The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than December 30, 2022. |

| 3 | CEC §94909(a)(3)(A). Minimum Requirements for School Catalog | (a) Except as provided in subdivision (d), before enrollment, an institution shall provide a prospective student, either in writing or electronically, with a school catalog containing, at a minimum, all of the following: (3) The following statements: (A) "Any questions a student may have regarding this catalog that have not been satisfactorily answered by the institution may be directed to the Bureau for Private Postsecondary Education at (address), Sacramento, CA (ZIP Code), (internet website address), (telephone and fax numbers)." <i>BPPE phone numbers: 916-574-8900 or 888-370-7589</i> The institution's catalog contained a form of the required text; however, the institution used the Bureau's old phone number. To remedy this violation, the institution shall update the catalog to contain the specific required verbatim statement utilizing the Bureau's current phone number. |
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| | | Page of this document to the Notice to Comply Analyst no later than |
| | | December 30, 2022. |
| 4 | CEC §94909(a)(3)(C). Minimum Requirements for School Catalog | (a) Except as provided in subdivision (d), before enrollment, an institution shall provide a prospective student, either in writing or electronically, with a school catalog containing, at a minimum, all of the following: (3) The following statements: (C) "A student or any member of the public may file a complaint about this institution with the Bureau for Private Postsecondary Education by calling (toll-free telephone number) or by completing a complaint form, which can be obtained on the bureau's internet website (internet website address)." The institution's catalog contained a form of the required text; however, the text was not verbatim to the specific required statement above. |
| | | To remedy this violation, the institution shall update the catalog to contain |
| | | the specific required verbatim statement in quotations above. |
| | | The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than December 30, 2022. |
| | | (a) Except as provided in subdivision (d), before enrollment, an institution shall provide a prospective student, either in writing or electronically, with a school catalog containing, at a minimum, all of the following: |
| | CEC §94909(a)(15). | (15) The following statement: |
| 5 | Minimum Requirements for School Catalog | "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 |
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| | | 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." The institution's catalog contained a form of the required text; however, the text was not verbatim to the specific required statement above. Additionally, the title caption shall be in all capital letters. To remedy this violation, the institution shall update the catalog to contain the specific required verbatim statement in quotations above. The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than December 30, 2022. |
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| 6 | CEC §94909(a)(9). Minimum Requirements for School Catalog | (a) Except as provided in subdivision (d), before enrollment, an institution shall provide a prospective student, either in writing or electronically, with a school catalog containing, at a minimum, all of the following: (9) The schedule of total charges for a period of attendance and an estimated schedule of total charges for the entire educational program. The schedule of total charges does not identify the actual STRF fee for the educational programs offered in California. Additionally, the schedule of total charges does not include all fees which may be withheld upon withdrawal or graduation. To remedy this violation, the catalog shall be updated to contain a schedule of total charges for a period of attendance and the entire educational program, with the actual STRF Fee for each program and any other fees which may be charged. The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than December 30, 2022. |
| 7 | 5, CCR §76215(b). Student Tuition Recovery Fund Disclosures. | (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: "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, 1747 North Market Blvd., Suite 225, Sacramento, California, 95834, (916) 574-8900 or (888) 370-7589. To be eligible for STRF, you must be a California resident or 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 |
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| 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 noncollection may, at any time, file a written application for recovery from STRF for the debt that would have otherwise been eligible for recovery. If it has been more than four (4) years since the action or event that made the student eligible, the student must have filed a written application for recovery within |
| the original four (4) year period, unless the period has been extended by another act of law. |
| However, no claim can be paid to any student without a social security number or a taxpayer identification number." |
| The institution's catalog contained a form of the required text; however, the institution used the Bureau's old address and telephone number. |
| To remedy this violation, the institution shall update the catalog to contain the specific required verbatim statement utilizing the Bureau's current address and telephone number. |
| The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than December 30, 2022. |

| 8 | CEC §94909(a)(8)(B). Minimum Requirements for School Catalog | (a) Except as provided in subdivision (d), before enrollment, an institution shall provide a prospective student, either in writing or electronically, with a school catalog containing, at a minimum, all of the following: (B) A detailed description of institutional policies in the following areas: (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). CEC §94919. Institution Participating in Federal Student Financial Aid Programs (c) The institution shall also provide a pro rata refund of nonfederal student financial aid program moneys paid for institutional charges to students who have completed 60 percent or less of the period of attendance. (d) Institutions shall refund 100 percent of the amount paid for institutional charges, less a reasonable deposit or application fee not to exceed two hundred fifty dollars (5250), if notice of cancellation is made through attendance at the first class session, or the seventh day after enrollment, whichever is later. CEC §94844. Institutional Charges "Institutional charges" means charges for an educational program paid directly to an institution. The refund policy identified in the catalog states on-campus housing and board fees are non-refundable after 14 days from the start date and a \$175 cancellation fee is charged for residence hall cancellations. On-campus housing, or any housing offered through the institution, and board fees are non-refundable charges. Institutional charges are subject to a prorata refu |
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ENROLLMENT AGREEMENT MINIMUM REQUIREMENTS

| | Education Code (CEC) or | |
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| | Regulation (5, CCR) | Deficiency – Requested Submission |
| 9 | 5, CCR §71800(a). 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. The enrollment agreements provided do not specify the address(es) where instruction will be provided. The enrollment agreements contain the Greystone address, but do not specify instruction is provided at this address. Additionally, the ACACP enrollment agreement states instruction is at the Copia location but fails to provide the Copia address. To remedy this violation, please update the enrollment agreements to specify the address(es) where instruction will be provided. The ACACP enrollment agreement shall contain the Copia address. The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than December 20, 2022 |
| 10 | 5, CCR §71800(b). Enrollment Agreement. | December 30, 2022. 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: (b) Period covered by the enrollment agreement. The enrollment agreements do not specify the period covered by the enrollment agreement. The enrollment agreements specify the program start date and estimated completion dates, but does not specify the period covered by the enrollment agreement. To remedy this violation, please update the enrollment agreements to contain the period covered by the enrollment agreement. The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than December 30, 2022. |
| 11 | 5, CCR §71800(e)(3)(4)(6). 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: (e) Itemization of all institutional charges and fees including, as applicable: (3) Equipment; (4) Lab supplies or kits; (6) Uniforms or other special protective clothing; The enrollment agreements do not itemize charges for equipment, supplies, and uniforms individually. The enrollment agreements identify a "Uniform and Supplies" fee. |

| | | To remedy this violation, please update the enrollment agreements to itemize equipment, supply or kits, and uniform fees separately. |
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| | | The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than December 30, 2022. |
| | | 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: (e) Itemization of all institutional charges and fees including, as applicable: (11) Student Tuition Recovery Fund fee (non-refundable); |
| 12 | 5, CCR §71800(e)(11). Enrollment Agreement. | The enrollment agreements do not contain the actual STRF fee in the itemization of charges. The enrollment agreements describe the STRF fee and inform the students the fee is \$2.50 per \$1,000 of institutional charges but does not actually disclose the total fee. |
| | | To remedy this violation, please update the enrollment agreement to contain the actual STRF fee. |
| | | The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than December 30, 2022. |
| 13 | 5, CCR 76215(b). Student Tuition Recovery Fund Disclosures | (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: "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, 1747 North Market Blvd., Suite 225, Sacramento, California, 95834, (916) 574-8900 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, in an educational program offered by the institution or a location of the institution, in an educational program offered by the institution or a 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 noncollection may, at any time, file a written application for recovery from STRF for the debt that would have otherwise been eligible for recovery. If it has been more than four (4) years since the action or event that made the student eligible, the student must have filed a written application for recovery within the original four (4) year period, unless the period has been extended by another act of law. However, no claim can be paid to any student without a social security number or a taxpayer identification number." The enrollment agreement. Please be advised, this subsection is not required to be included in the enrollment agreement. If the institution chooses to keep the language in the enrollment agreement, please update the language to contain the correct Bureau address and phone number. 1747 North Market Blvd., Suite 225, Sacramento, California, 95834 (916) 574-8900 or (888) 370-7589 The institution shall submit corrections to this violation with the Declarations Pag |
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| 14 | CEC 94911(e)(1). Minimum Standards for Enrollment Agreement. | An enrollment agreement shall include, at a minimum, all of the following: (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. 94919. Institution Participating in Federal Student Financial Aid Programs (d) Institutions shall refund 100 percent of the amount paid for institutional charges, less a reasonable deposit or application fee not to exceed two hundred fifty dollars (\$250), if notice of cancellation is made through |

| | | attendance at the first class session, or the seventh day after enrollment, whichever is later. |
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| | | The enrollment agreements state a student who cancels within the cancellation period with receive a full refund less a cancellation fee of \$100.00. |
| | | The institution cannot charge a cancellation fee. The institution may charge a non-refundable application fee or reasonable deposit of not more than \$250 (non-refundable) <i>to all students</i> . That fee shall be charged at enrollment and be itemized in the itemization of charges in the enrollment agreement and schedule of charges in the catalog. |
| | | To remedy this violation, please update the enrollment agreements with the removal of the \$100 cancellation fee. |
| | | The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than December 30, 2022. |
| | CEC 94911(e)(2). Minimum Standards for Enrollment Agreement. | An enrollment agreement shall include, at a minimum, all of the following: (e)(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. |
| | | 94919. Institution Participating in Federal Student Financial Aid Programs (c) The institution shall also provide a pro rata refund of nonfederal student financial aid program moneys paid for institutional charges to students who have completed 60 percent or less of the period of attendance. |
| 15 | | The refund policy identified in the enrollment agreements states the institution will issue a pro-rata refund less a registration fee or an administration fee not to exceed \$250. The itemization of charges and the schedule of charges identified in the catalog do not identify a registration fee or administration fee. Therefore, the institution shall not withhold this fee from a pro-rata refund. |
| | | To remedy this violation, please update the enrollment agreements to either include the registration or administration fee in the itemization of charges (and in the schedule of charges in the catalog) or remove the charge from the pro-rata refund withholding. |
| | | The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than December 30, 2022. |
| 16 | CEC 94911(i)(1)(2). Minimum Standards for Enrollment Agreement. | An enrollment agreement shall include, at a minimum, all of the following: (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 |

| CEC 94919(c)(d). Institution Participating in Federal Student Financial Aid Programs | Page of this document to the Notice to Comply Analyst no later than December 30, 2022. (c) The institution shall also provide a pro rata refund of nonfederal student financial aid program moneys paid for institutional charges to students who have completed 60 percent or less of the period of attendance. (d) Institutions shall refund 100 percent of the amount paid for institutional |
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| | The institution may keep the language, but please update the enrollment agreements to separate the added language from the verbatim statements. The institution shall submit corrections to this violation with the Declarations |
| | The additional language added makes those statements no longer verbatim as intended. |
| | And the following to the second paragraph: "I hereby acknowledge that the current CIA Academic Catalog is available to me on the college's website, that I have received the Enrollment Agreement, have read and understood both, and agree to abide by the terms therein." |
| | The institution added the following to the first paragraph: "This agreement, together with the provisions of the current CIA Academic Catalog and Student Handbook as they may be amended or supplemented by the CIA in its discretion, constitutes the entire agreement between the undersigned and the CIA. This agreement supersedes all prior understandings, representations, negotiation, and correspondence between me and the CIA." |
| | The enrollment agreements contain the statements; however, added language to each paragraph. |
| | (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." |
| | 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." |

| "Institutional charges" means charges for an educational program paid directly to an institution. |
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| The enrollment agreements require a 45 day notice to cancel their residence hall are subjected to a \$250 cancellation fee and will receive 100% of their residence hall fees if exiting prior to the start of the semester, 80% refund if exiting within 14 calendar says of the start of the semester, and 0% refund after 14 calendar days. |
| As an institutional charge, residence hall refunds shall be consistent with the cancellation and pro-rata refund policies. To remedy this violation, the enrollment agreements shall be updated to reflect this. |
| The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than December 30, 2022. |

WEBSITE MINIMUM REQUIREMENTS

| | Education Code (CEC) or Regulation (5, CCR) | Deficiency – Requested Submission |
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| | | (a) An institution that maintains an Internet Web site shall provide on that Internet Web site all of the following:(1) The school catalog. |
| | CEC §94913(a)(1). | The catalog available on the institution's website contains violations. |
| 18 | Institutional Website Requirements. | To remedy this violation, the institution's website shall be updated to contain the catalog updated with the corrections to the minor violations listed in the "Catalog Minimum Requirements" violations. |
| | | The institution shall submit corrections to this violation with the Declarations Page of this document to the Notice to Comply Analyst no later than December 30, 2022. |

Only minor violations are listed on this Notice to Comply.

| Inspector's Name | Matthew Wiggins |
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| Inspector's Signature | Maart HWingo |
| Institution Administrator Name/Title: | Steven Woods, Associate Registrar |
| Institution Administrator's Signature: | Steven Lwood |

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

RETURN THIS FORM BY **December 30, 2022** TO THE NTC ANALYST 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 <u>30 days</u> 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
DECEMBER 30, 2022