



NOTICE TO COMPLY

CU 78865145-061324

Institution Name:	Divina Cosmetology and Barbering Academy	Institution Telephone:	(707)761 2578
Institution Code:	78865145	Administrator Name:	Claudia Macias Guzman
Street Address:	1011 Mason Street, Units 5 & 6, Vacaville, CA 95688	Inspection Date:	June 13, 2024

The Bureau for Private Postsecondary Education (Bureau) issues this Notice to Comply pursuant to California Education Code (CEC) section 94935 and Title 5 of the California Code of Regulations (5 CCR) section 75010.

California Private Postsecondary Education Act: https://www.bppe.ca.gov/lawsregs/ppe_act.pdf
Title 5 of the California Code of Regulations: <https://www.bppe.ca.gov/lawsregs/regs.pdf>

Violation	Code Section Violated	Description of the violation and required correction.
1	CEC § 94897 (I)(1)(2)	<p>Violation Description: Page 10 of the institution's catalog failed to contain a correct approval statement and references the Bureau's old address and phone number.</p> <p>Correction: The institution shall update the catalog to include the correct information, pursuant to CEC § 94897 (I)(1)(2).</p>
2	CEC § 94909 (a)(3)(A)	<p>Violation Description: Although pages 11 of the institution's catalog, contains the specific required language that directs students to the Bureau for unanswered questions however reference Bureau's old address and phone number. Page 12 of the institution's catalog also reference Bureau's old address and phone number.</p> <p>Correction: The institution shall update the catalog with the Bureau's current address (1747 North Market Boulevard, Suite 225, Sacramento, California, 95834), and current telephone number (916-574-8900 or (888) 370-7589), pursuant to CEC § 94909 (a)(3)(A).</p>

Violation	Code Section Violated	Description of the violation and required correction.
3	5, CCR §71810 (b)(10)	<p>Violation Description: Page 31 of institution's catalog included a description of library and other learning resources, however failed to contain a procedure for student access to those resources.</p> <p>Correction: The institution shall update the catalog to include the procedures for student access to those resources, pursuant to 5, CCR §71810 (b)(10).</p>
4	CEC § 94909 (a)(9)	<p>Violation Description: The institution's catalog failed to contain the schedule of total charges for the period of attendance and an estimated schedule of total charges for the entire educational program.</p> <p>Correction: The institution shall update the catalog to include the above information, pursuant to CEC § 94909 (a)(9)</p>
5	5, CCR § 71800 (e)(11) in conjunction with 5, CCR § 76120 (a)	<p>Violation Description: On pages 27, 28 and 38 of the institution's catalog, the institution failed to update the STRF assessment fee which is zero dollars (\$0.00) per one thousand dollars (\$1,000) of institutional charges.</p> <p>Correction: The institution shall update the catalog to reflect the current STRF assessment fee which is zero dollars (\$0.00) per one thousand dollars (\$1,000) of institutional charges, pursuant to 5, CCR § 71800 (e)(11) and 5, CCR § 76120 (a).</p>
6	5, CCR § 76215 (a)	<p>Violation Description: Pages 36 and 37 of the institution's catalog contains an outdated description of the student's rights and responsibilities with respect to the Student Tuition Recovery Fund (STRF). The language of 5, CCR § 76125, description of the student's rights and responsibilities with respect to the Student Tuition Recovery Fund, was changed in August of 2017.</p> <p>Correction: The institution shall update the catalog to reflect the most current language of the description of the student's rights and responsibilities with respect to the Student Tuition Recovery Fund. pursuant to 5, CCR § 76215 (a).</p>
7	5, CCR § 76215 (b)	<p>Violation Description: Pages 36 and 37 of the institution's catalog contains an outdated description of</p>

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		<p>the student's rights and responsibilities with respect to the Student Tuition Recovery Fund (STRF). The language of 5, CCR § 76125, description of the student's rights and responsibilities with respect to the Student Tuition Recovery Fund, was changed in August of 2017.</p> <p>Correction: The institution shall update the catalog to reflect the most current language of the description of the student's rights and responsibilities with respect to the Student Tuition Recovery Fund. pursuant to 5, CCR § 76215 (b).</p>
8	CEC § 94909 (a)(3)(D)	<p>Violation Description: The institution's catalog failed to include. (D)The Office of Student Assistance and Relief is available to support prospective students, current students, or past students of private postsecondary educational institutions in making informed decisions, understanding their rights, and navigating available services and relief options. The office may be reached by calling (888 370 7580) or by visiting (www.osar.bppe.ca.gov)."</p> <p>Correction: The institution shall update the catalog to include the Office of Student Assistance and Relief disclosure, pursuant to CEC § 94909 (a)(3)(D).</p>
9	CEC § 94897(s) in conjunction with Cal. Civ. Code §1788.93	<p>Violation Description: Page 34 of the institution's catalog contains statements regarding the withholding of student transcripts if a student owes a debt to the institution. These statements violate California Civil Code 1788.93 referenced below.</p> <p>CA Civ Code § 1788.93. <i>Notwithstanding any provision of law, a school shall not do any of the following:</i> (a) <i>Refuse to provide a transcript for a current or former student on the grounds that the student owes a debt.</i> (b) <i>Condition the provision of a transcript on the payment of a debt, other than a fee charged to provide the transcript.</i> (c) <i>Charge a higher fee for obtaining a transcript, or provide less favorable treatment of a transcript request because a student owes a debt.</i></p>

Violation	Code Section Violated	Description of the violation and required correction.
		<p><i>(d) Use transcript issuance as a tool for debt collection.</i></p> <p>Correction: The institution shall remove the non-compliant statements from page 34 of the catalog, pursuant to CEC § 94897(s) in conjunction with Cal. Civ. Code §1788.93.</p>
10	5, CCR § 71800 (e)(11) in conjunction with 5, CCR § 76120 (a)	<p>Violation Description: On page 3 of the institution's enrollment agreement, the institution failed to update the STRF assessment fee which is zero dollars (\$0.00) per one thousand dollars (\$1,000) of institutional charges.</p> <p>Correction: The institution shall update the enrollment agreement to reflect the current STRF assessment fee which is zero dollars (\$0.00) per one thousand dollars (\$1,000) of institutional charges, pursuant to 5, CCR § 71800 (e)(11) and 5, CCR § 76120 (a).</p>
11	CEC § 94911(j)(1)	<p>Violation Description: Although page 3 of the institution's enrollment agreement, contains the specific required language that directs students to the Bureau for unanswered questions however reference Bureau's old address and phone number.</p> <p>Correction: The institution shall update the enrollment agreement with the Bureau's current address (1747 North Market Boulevard, Suite 225, Sacramento, California, 95834), and current telephone number (916-574-8900 or (888) 370-7589), pursuant to CEC § 94911(j)(1).</p>

Pursuant to 5 CCR section 75010(d), the Institution may do either of the following:

- (1) Within 30 days from the date of the inspection, sign and return the notice to comply, declaring under penalty of perjury that the violation was corrected and describing how compliance was achieved; or
- (2) Within 30 days from the date of the inspection, file with the Bureau a written notice of disagreement, specifying the minor violations described in the notice to comply with which the person approved to operate the institution disagrees, 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.

Pursuant to CEC section 94935(h), failure to comply with the notice to comply will result in the Bureau taking appropriate administrative enforcement action.

The Notice to Comply was given to the Institution's owner, person in control, chief academic officer, chief executive officer, chief operating officer, institution director, or any person delegated by any of the aforementioned persons to facilitate the inspection or accept such notice as set forth below.

Notice To Comply Given To Name & Title:	Claudia Macias Guzman
Bureau Compliance Analyst Name:	Gurinder Sandhu
Bureau Compliance Analyst Signature:	<i>Gsandhu</i>

NOTICE TO COMPLY DECLARATION

CU-78865145-061324

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I declare under penalty of perjury that each violation identified in this Notice to Comply has been corrected and attached with this declaration is evidence to support the correction of each violation identified.

Signature

Date

Print Name and Title