



NOTICE TO COMPLY
 CA-0703141-03042024

Institution Name:	Fountainhead Montessori Adult Education	Institution Telephone:	(408) 877-6655
Institution Code:	0703141	Administrator Name:	Stone Lin
Street Address:	6690 Amador Plaza Rd #225 Dublin, CA 94568	Inspection Date:	March 4, 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 § 94909 (a)(8)(B) in conjunction with 5 CCR § 94920 (b)	<p>Violation Description: On pages 26 and 27 of the institution’s 2023/2024 catalog and page 17 of the institution’s international student catalog contains an unenforceable cancellation and refund policy that states “<i>Re-enrollment fee</i>”, “<i>AMS Credential Fee</i>”, “<i>MACTE Fee</i>”, “<i>Materials fee</i>”, and “<i>Books/Supplies</i>” are non-refundable during the cancellation period.</p> <p>Correction: The institution shall update the refund and cancellation policy in its catalog. The policy must demonstrate compliance with CEC § 94909 (a)(8)(B) in conjunction with 5 CCR § 94920 (b).</p>
2	5 CCR § 71810 (b)(15) in conjunction with CEC § 94900 (b)(1)(2)(3) and 5 CCR § 71930 (b)(1)	<p>Violation Description: The institution’s 2023/2024 catalog failed to address the retention of student records in accordance with CEC § 94900 (b)(1)(2)(3) and 5 CCR § 71930 (b)(1) which requires an institution to permanently retain a transcript.</p>

Violation	Code Section Violated	Description of the violation and required correction.
		<p>Correction: The institution shall update its 2023/2024 catalog to include the above-mentioned policies on the retention of student records.</p>
3	CEC §94909 (a)(9) in conjunction with 5 CCR § 76120 (a)	<p>Violation Description: On page 17 of the institution's international student catalog failed to mention the STRF assessment fee which is two dollars and fifty cents (\$2.50) per one thousand dollars (\$1,000) of institutional charges.</p> <p>Correction: The institution shall update its 2023/2024 catalog to reflect the current STRF assessment fee pursuant to 5 CCR § 76120 (a). <i>Please Note: This fee will change to \$0.00 on April 1, 2024.</i></p>
4	CEC §94909(a)(8)(B) in conjunction with CEC 94920 (d)	<p>Violation Description: The pro-rated refund policy on page 27 of the institution's 2023-2024 catalog, does not comply with CEC § 94920 (d), the catalog implies refunds are not issued once a student completes 60 percent of the period of attendance.</p> <p>Correction: The institution shall update the refund policy on page 27 of the institution's catalog pursuant to CEC § 94909 (a)(8)(B) and CEC § 94920 (d).</p>
5	CEC §94909(a)(8)(E)	<p>Violation Description: The institution's 2023/2024 catalog, failed to contain a leave of absence policy.</p> <p>Correction: The institution shall update its catalog to include a leave of absence policy.</p>
6	5 CCR § 71800 (e)(11) in conjunction with 5 CCR § 76120 (a)	<p>Violation Description: On pages 12 and 13 of the institution's enrollment agreement failed to mention the STRF assessment fee which is two dollars and fifty cents (\$2.50) per one thousand dollars (\$1,000) of institutional charges.</p> <p>Correction: The institution shall update its enrollment agreement to reflect the current STRF assessment fee pursuant to 5 CCR § 5 CCR § 71800 (e)(11) in conjunction with 5 CCR § 76120 (a). <i>Please Note: This fee will change to \$0.00 on April 1, 2024.</i></p>

Violation	Code Section Violated	Description of the violation and required correction.
7	CEC § 94911 (e)(2) in conjunction with CEC § 94920 (b)	<p>Violation Description: On page 2 of the institution’s enrollment agreement contains an unenforceable statement regarding “books/supplies”, “materials”, and “MACTE/AMS Registration Fee” being non-refundable.</p> <p>On page 13 of the institution’s enrollment agreement states “Other Fees (Non-refundable)” followed by an itemized list of fees that are non-refundable.</p> <p>On page 14 of the institution’s enrollment agreement states “International Student Fees may apply (Non-refundable)” followed by an itemized list of fees that are non-refundable.</p> <p>These statements are unenforceable during the cancellation period and is not compliant with CEC § 94920 (b).</p> <p>Correction: The institution shall update the refund and cancellation policy in its enrollment agreement. The policy must demonstrate compliance with CEC § 94911 (e)(2) in conjunction with CEC § 94920 (b).</p>
8	CEC § 94911 (e)(1)	<p>Violation Description: On page 1 of the institution’s enrollment agreement is missing a clear and conspicuous caption, “STUDENT’S RIGHT TO CANCEL” above their cancellation and refund statement.</p> <p>Correction: The institution shall update its enrollment agreement to include a clear and conspicuous caption, “STUDENT’S RIGHT TO CANCEL”, pursuant to CEC § 94911 (e)(1).</p>
9	5 CCR § 71800 (d) in conjunction with CEC § 94920(d)	<p>Violation Description: The refund policy on page 2 of the institution’s enrollment agreement, does not comply with CEC § 94920 (d), the catalog implies refunds are only issued to a student who completes less than 60 percent of the period of attendance. It also states, “If an adult learner decides to withdraw from the course after the registration deadline, their payment will be forfeited.”</p> <p>Correction: The institution shall update the refund policy on page 2 of the institution’s enrollment agreement pursuant to 5 CCR § 71800 (d) and CEC § 94920 (d).</p>

Violation	Code Section Violated	Description of the violation and required correction.
10	CEC § 94911 (e)(3)	<p>Violation Description: The institution's enrollment agreement fails to include a description of the procedure(s) that a student is required to follow to withdraw from the institution and obtain a refund.</p> <p>Correction: The institution shall update its enrollment agreement to include a clear and conspicuous description of the procedure(s) that a student is required to follow to withdraw from the institution and obtain a refund.</p>
11	CEC § 94913 (a)(2)	<p>Violation Description: The institution failed to post on its website clear and conspicuous links to the institution's 2021/2022 School Performance Fact Sheet for its Montessori Early Childhood Education Program.</p> <p>Correction: The institution shall update its website to include a clear and conspicuous link to the school's 2021/2022 School Performance Fact Sheet pursuant to CEC § 94913 (a)(2).</p>
12	CEC § 94913 (a)(5)	<p>Violation Description: The institution failed to post on its website clear and conspicuous links to the institution's most recent annual report submitted to the bureau. According to bureau records, the most recent annual report submitted is the 2021 Annual Report.</p> <p>Correction: The institution shall update its website to include a clear and conspicuous link to the school's 2021 Annual Report, pursuant to CEC § 94913 (a)(5).</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:	Stone Lin, Administrative Director
Bureau Compliance Analyst Name:	Beverly Tjokrosoeharto
Bureau Compliance Analyst Signature:	<i>Beverly Tjokrosoeharto</i>

NOTICE TO COMPLY DECLARATION

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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