



## NOTICE TO COMPLY

CA- 0101931-032024

Institution Name:	Fremont Beauty College	Institution Telephone:	510.797.7318
Institution Code:	0101931	Administrator Name:	Sunita Sharma
Street Address:	4164 Technology Drive Fremont, CA 94538	Inspection Date:	3/22/2024

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](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 § 94913 (5)	<b>Violation Description:</b> Institution fails to include on its website the most recent annual report submitted to the Bureau.  <b>Correction:</b> Upload the most recent annual report submitted to the Bureau to the institution's website. Provide a link to the institution's website that shows compliance with CEC § 94913 (5).
2	5CCR § 76140 (a)(4-7)(10)(12-14)	<b>Violation Description:</b> Institution fails to include the following data points in its 2023 Quarter 3 and Quarter 4 STRF substantiating data: <ul style="list-style-type: none"><li>• Local or Mailing Address</li><li>• Address at the Time of Enrollment</li><li>• Home Address</li><li>• Date enrollment agreement signed</li><li>• Amount of STRF assessment collected</li><li>• Third-party identifying information</li><li>• Total Institutional Charges Charged</li><li>• Total Institutional Charges Paid</li></ul>

Violation	Code Section Violated	Description of the violation and required correction.
		<b>Correction:</b> Include the above data point to the 2023 Quarter 3 and Quarter 4 STRF substantiating data. Provide a copy of the institution's 2023 Quarter 3 and Quarter 4 STRF substantiating data that shows compliance with 5CCR § 76140 (a)(4-7)(10)(12-14).
3	CEC § 94897 (s)	<p><b>Violation Description:</b> Page 18 and 57 of the institution's 2024 catalog contains an unenforceable policy regarding withholding a transcript until the student is current on all financial obligations. This conflicts with Civil Code § 1788.93, pursuant to 94897 (s)</p> <p><b>Correction:</b> The institution shall update the catalog by removing the policy that references transcripts will be withheld until the student is current on all financial obligations, pursuant to CEC § 94897 (s). Provide a copy of the institution's catalog that shows compliance with CEC § 94897 (s).</p>
4	5 CCR § 71750 (a) in conjunction with CEC § 94920 (b)	<p><b>Violation Description:</b> Page 68, 69, and 70 of the institution's 2024 catalog contains unenforceable policies of a 25% restocking fee, an additional 3% convenience fee for credit card payments if withdraw, and unreturnable materials once used, during the cancellation period. In accordance with 5 CCR § 71750 (a) in conjunction with CEC § 94920 (b), an institution 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.</p> <p><b>Correction:</b> Remove the unenforceable polices on page 68, 69, and 70 of the institution's catalog or include that such fees are only enforceable after the cancellation period. Provide a copy of the institution's catalog that shows compliance with 5 CCR § 71750 (a) in conjunction with CEC § 94920 (b).</p>
5	CEC § 94909 (a)(3)(D)	<p><b>Violation Description:</b> Institution fails to include in its 2024 catalog the Office of Student Assistance and Relief (OSAR) statement required.</p> <p><b>Correction:</b> Include in the institution's 2024 catalog the OSAR statement. Provide a copy of the catalog that shows compliance with CEC § 94909 (a)(3)(D).</p>


Violation	Code Section Violated	Description of the violation and required correction.
6	5 CCR § 71750 (a) in conjunction with CEC § 94920 (b)	<p><b>Violation Description:</b> On page 1 of the enrollment agreement (EA) the institution itemizes equipment as non-refundable, and supplies/kits and textbooks as non-refundable if removed from package. Institution also asserts on page 2 of the EA that there will be a deduction fee for equipment not returned in good condition during the cancellation period. In accordance with 5 CCR § 71750 (a) in conjunction with CEC § 94920 (b), an institution 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.</p> <p><b>Correction:</b> Remove the non-refundable statement for each item on page 1 and 2 or change statement to non-refundable after the cancellation period. Provide a copy of the institution's EA that shows compliance with 5 CCR § 71750 (a) in conjunction with CEC § 94920 (b).</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:	Sunil Sharma, School Director
Bureau Compliance Analyst Name:	Luc Vang
Bureau Compliance Analyst Signature:	



## 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.

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Signature

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Date

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Print Name and Title