BUSINESS AND CONSUMER SERVICES AGENCY • GAVIN NEWSOM, GOVERNOR
DEPARTMENT OF CONSUMER AFFAIRS • BUREAU FOR PRIVATE POSTSECONDARY EDUCATION
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NOTICE TO COMPLY

CU-36348921-101426

Institution Name:	Project Heartbeat, LLC	Institution Telephone:	(510) 452-1100
Street Address:	2033 Howe Ave, Suite 150 Sacramento, CA 95825	Administrator Name:	Allan R. Bulda
Institution Code:	86218721	School Code:	36348921
Inspection Date:	10/14/26		

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)(2)	**Violation Description:** The institution's 2026 catalog failed to contain a statement that the institution is a private institution, that it is approved to operate by the bureau, and that approval to operate means compliance with state standards as set forth in the CEC and 5, CCR. **Correction:** The institution shall update its 2026 catalog to include the above-mentioned specific required language, pursuant to CEC § 94909 (a)(2).
2	CEC § 94909 (a)(12)	**Violation Description:** The institution's 2026 catalog failed to contain a statement specifying whether or not the institution has a pending petition in bankruptcy, is operating as a debtor in possession, has filed a petition within the preceding five years, or has had a petition in bankruptcy filed against it within the preceding five years that resulted in reorganization under Chapter 11 of the United States Bankruptcy Code (11 U.S.C. Sec. 1101 et seq.).

Violation	Code Section Violated	Description of the violation and required correction.
		Correction: The institution shall update its 2026 catalog to include the above-mentioned specific required language, pursuant to CEC § 94909 (a)(12).
3	CEC § 94909 (a)(2)	**Violation Description:** The institution's 2026 catalog failed to contain a statement that the institution is a private institution, that it is approved to operate by the bureau, and that approval to operate means compliance with state standards as set forth in the CEC and 5, CCR. **Correction:** The institution shall update its 2026 catalog to include the above-mentioned specific required language, pursuant to CEC § 94909 (a)(2).
4	5 CCR § 71810 (b)(9)	**Violation Description:** The institution's 2026 catalog failed to contain a description of the facilities **Correction:** The institution shall update its 2026 catalog to include the above-mentioned description, pursuant to 5 CCR § 71810 (b)(9).
5	CEC § 94909 (a)(3)(D)	**Violation Description:** The institution's 2026 catalog, failed to contain the required verbatim statement: "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) 370-7589 or by visiting https://www.osar.bppe.ca.gov/ ." **Correction:** The institution shall update its 2026 catalog, to include the above-mentioned statement pursuant to CEC § 94909 (a)(3)(D).
6	CEC § 94909 (a)(15)	**Violation Description:** The institution's 2026 catalog failed to contain the specific required language that addresses transferability of credits and credentials. **Correction:** The institution shall update its 2026 catalog to include the above-mentioned specific required language, pursuant to CEC § 94909 (a)(15).

Violation	Code Section Violated	Description of the violation and required correction.
7	CEC § 94909 (a)(8)(A)	**Violation Description:** The institution's 2026 catalog failed to contain policies regarding acceptance of credits earned at other institutions **Correction:** The institution shall update its 2026 catalog to include the above-mentioned policy, pursuant to CEC § 94909 (a)(8)(A).
8	CEC § 94909 (a)(16)	**Violation Description:** The institution's 2026 catalog failed to contain a statement specifying whether the institution or any of its degree programs are accredited by an accrediting agency recognized by the United States Department of Education. **Correction:** The institution shall update its 2026 catalog to include the above-mentioned specific required language, pursuant to CEC § 94909 (a)(16).
9	CEC § 94909 (a)(14)	**Violation Description:** The institution's 2026 catalog failed to contain the student's rights and responsibilities with respect to the Student Tuition Recovery Fund (STRF). 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 STRF. This statement shall also describe the purpose and operation of the STRF and the requirements for filing a claim against the STRF. **Correction:** The institution shall update its 2026 catalog to include the above-mentioned specific required language, pursuant to CEC § 94909 (a)(14).
10	CEC § 94909 (a)(8)(B)	**Violation Description:** The institution's 2026 catalog failed to contain withdrawal policies. **Correction:** The institution shall update its 2026 catalog to include the above-mentioned policy, pursuant to CEC § 94909 (a)(8)(B).
11	CEC § 94909 (a)(8)(B) in conjunction with CEC § 94920 (b)	**Violation Description:** Page 22 of the institution's 2026 catalog contains an unenforceable policy specifying the cancellation period as, "As of seven days prior to the start date of the program, Project Heartbeat shall not refund any portion of the amount paid for institutional charges." This policy is not compliant with CEC § 94920 (b), as cancellation is

Violation	Code Section Violated	Description of the violation and required correction.
		made through attendance at the first class session, **or the seventh day after enrollment, whichever is later.** **Correction:** The institution shall update the 2026 catalog to update the above-mentioned policy pursuant to CEC § 94911 (e)(2) in conjunction with CEC § 94920 (b).
12	CEC § 94909 (a)(8)(B) in conjunction with 5 CCR § 71751 (a)(3)(A)	**Violation Description:** The pro-rata refund calculation on pages 21 and 22 of the institution's 2026 catalog, does not comply with 5 CCR § 71751 (a)(3)(A). **Correction:** The institution shall update the pro-rata refund calculation in the institution's 2026 catalog pursuant to CEC § 94909 (a)(8)(B) and 5 CCR § 71751 (a)(3)(A).
13	5 CCR § 71810 (b)(13)(B)	**Violation Description:** The institution's 2026 catalog failed to contain the availability of housing located reasonably near the institution's Sacramento facilities and an estimation of the approximate cost or range of cost of the housing. **Correction:** The institution shall update its 2026 catalog to include the above-mentioned housing costs, pursuant to 5 CCR § 71810 (b)(13)(B).
14	CEC § 94909 (a)(8)(E)	**Violation Description:** The institution's 2026 catalog failed to contain leave-of-absence policies. **Correction:** The institution shall update its 2026 catalog to include the above-mentioned policy, pursuant to CEC § 94909 (a)(8)(E).
15	5 CCR § 71800 (d)	**Violation Description:** The institution's enrollment agreement template failed to contain the date by which the student must exercise his or her right to cancel or withdraw. **Correction:** The institution shall update its enrollment agreement template to include the above-mentioned date, pursuant to 5 CCR § 71800 (d).

Violation	Code Section Violated	Description of the violation and required correction.
16	5 CCR § 71800 (e) in conjunction with CEC § 94920 (b)	**Violation Description:** Page one of the institution's enrollment agreement template contains unenforceable statements regarding non-refundable items. It is implied that the items listed in the itemized list of charges are non-refundable within the cancellation period. According to CEC § 94920 (b), the law identifies a reasonable deposit **or** application fee as the only non-refundable items within the cancellation period. **Correction:** The institution shall update the itemization section in its enrollment agreements pursuant to 5 CCR § 71800 (e) in conjunction with CEC § 94920 (b).
17	CEC § 94911 (c)	**Violation Description:** The institution's enrollment agreement template failed to include in underlined capital letters on the same page as the student's signature: TOTAL CHARGES FOR THE CURRENT PERIOD OF ATTENDANCE; ESTIMATED TOTAL CHARGES FOR THE ENTIRE EDUCATIONAL PROGRAM; and THE TOTAL CHARGES THE STUDENT IS OBLIGATED TO PAY UPON ENROLLMENT. **Correction:** The institution shall update its enrollment agreement template to include the above-mentioned statement as the student's signature pursuant to CEC § 94911 (c).
18	CEC § 94911 (e)(2) in conjunction with CEC § 94920 (d)	**Violation Description:** The refund policy on page seven of the institution's enrollment agreement template contains an unenforceable policy specifying that if a student completes more than 50% of the program that they are not due a pro-rata refund. This is not compliant with CEC § 94920 (d), as the refund policy for students who have completed **60 percent** or less of the period of attendance shall be a pro rata refund. **Correction:** The institution shall update its enrollment agreement template for all programs, to include the above-mentioned policy pursuant to CEC § 94911 (e)(2) in conjunction with CEC § 94920 (d).

Violation	Code Section Violated	Description of the violation and required correction.
19	CEC § 94911 (e)(2) in conjunction with 5 CCR § 71751 (a)(3)(A)	**Violation Description:** The pro-rata refund samples on pages eight and nine of the institution's enrollment agreement template, does not comply with 5 CCR § 71751 (a)(3)(A). **Correction:** The institution shall update the pro-rata refund sample on pages eight and nine of the institution's enrollment agreement template pursuant to CEC § 94911 (e)(2) in conjunction with 5 CCR § 71751 (a)(3)(A).
20	CEC § 94911 (e)(2) in conjunction with CEC § 94920 (b)	**Violation Description:** Page 10 of the institution's enrollment agreement templates contains an unenforceable policy specifying the cancellation period as, "As of seven days prior to the start date of the program, Project Heartbeat shall not refund any portion of the amount paid for institutional charges." This policy is not compliant with CEC § 94920 (b), as cancellation is made through attendance at the first class session, **or the seventh day after enrollment, whichever is later.** **Correction:** The institution shall update the enrollment agreement template to update the above-mentioned policy pursuant to CEC § 94911 (e)(2) in conjunction with CEC § 94920 (b).
21	CEC § 94911 (g)(1)(2)	**Violation Description:** The institution's enrollment agreement template failed to contain the specific required language specifying what occurs if the student defaults on a federal or state loan **Correction:** The institution shall update its enrollment agreement template to include the above-mentioned statements pursuant to CEC § 94911 (g)(1)(2).
22	CEC § 94911 (d)	**Violation Description:** The institution's enrollment agreement template failed to contain a clear and conspicuous statement that the enrollment agreement is legally binding when signed by the student and accepted by the institution. **Correction:** The institution shall update its enrollment agreement template to include the above-mentioned statement pursuant to CEC § 94911 (d).

Violation	Code Section Violated	Description of the violation and required correction.
23	CEC § 94913 (a)(1)	**Violation Description:** The homepage of the institution's website failed to post the most current catalog. **Correction:** Once the institution's catalog has been updated to remedy the violations, the institution shall update its website to provide the current/updated school catalog pursuant to CEC § 94913 (a)(1).
24	CEC § 94913 (a)(2)	**Violation Description:** The institution failed to post on its website clear and conspicuous links to the school's 2023/2024 School Performance Fact Sheets for all programs offered by the school. **Correction:** The institution shall update its website to include a clear and conspicuous link to the school's 2023/2024 School Performance Fact Sheets for all programs offered by the school pursuant to CEC § 94913 (a)(2).
25	5 CCR § 71730 (b)	**Violation Description:** The institution's policies and procedures failed to maintain the duties, responsibilities, and performance evaluation criteria for the Chief Academic Officer set forth in a personnel manual or other writing maintained by the institution. **Correction:** The institution shall update its policies and procedures to include the above-mentioned policy, pursuant to 5 CCR § 71730 (b).
26	CEC § 94897 (l)	**Violation Description:** Page one of institution's 2026 catalog contains a prohibitive business practice. The institution used the term "approved to operate" without stating clearly and conspicuously that approval to operate means compliance with state standards as set forth in this chapter. **Correction:** The institution shall update its 2026 catalog to include the above-mentioned specific required language, pursuant to CEC § 94897 (l).

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:	Allan R. Bulda, President / Executive Director
Bureau Compliance Analyst Name:	Alec Taub
Bureau Compliance Analyst Signature:	Alec Taub

NOTICE TO COMPLY DECLARATION

CU-36348921-101426

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Inspection Date:	10/14/26		

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