



**Bureau for Private Postsecondary Education**  
 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833  
 P.O. Box 980818, West Sacramento, CA 95798-0818  
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**NOTICE TO COMPLY** – CA 73117006 0518 (Ed. Code § 94935, 5 5, CCR § 75010)

Institution Name:	Optimus Language School	Institution Telephone:	(714) 990-4657
Institution Code:	73117006	Administrator Name:	Marcus Hwang
Street Address:	451 W. Lambert Road, Ste 210 Brea, CA 92821	Date of Inspection:	5/15/2018

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:

**STUDENT RECORDS**

Education Code(CEC) or Code of Regulations (5, CCR)	Subsection, Description, and Required Correction
<p><b>5, CCR §71920. Student Records.</b></p> <p>1</p>	<p>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:</p> <p>(1) Written records and transcripts of any formal education or training, testing, or experience that are relevant to the student's qualifications for admission to the institution or the institution's award of credit or acceptance of transfer credits including the following:</p> <p>(A) Verification of high school completion or equivalency or other documentation establishing the student's ability to do college level work, such as successful completion of an ability-to-benefit test .</p> <p><b>The institution did not maintain student records which contained verification of high school completion or equivalency or other documentation establishing the student’s ability to do college level work. Student files did not contain a copy of a high school diploma or equivalent, or results from an ability-to-benefit examination. Student files contained a n application which students self-certified their education completion.</b></p> <p><b>To remedy this violation, the institution shall submit with their NTC response documentation of an established policy and procedure showing the institution is collecting verification of high school completion or equivalency and including written records documenting the student’s ability to do college level work in each student file.</b></p>

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Inspector’s Initial: *MW*

Administrator’s Initial: *mh*

		<p><b>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document by June 15, 2018 to the Bureau's NTC Analyst.</b></p>
2	<p><b>5, CCR §71920. Student Records.</b></p>	<p>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:  (3) Copies of all documents signed by the student, including contracts, instruments of indebtedness, and documents relating to financial aid.</p> <p><b>Student records maintained by the institution did not contain a signed School Performance Fact Sheet (SPFS) pursuant to CEC §94902(b)(3) and §94912.</b></p> <p><b>CEC §94902(b)(3) states, "Prior to the execution of the enrollment agreement, the student and the institution have signed and dated the information required to be disclosed in the Student Performance Fact Sheet pursuant to subdivisions (a) to (d), inclusive, of Section 94910. Each of these items in the Student Performance Fact Sheet shall include a line for the student to initial and shall be initialed and dated by the student."</b></p> <p><b>CEC §94912 states, "Prior to the execution of an enrollment agreement, the information required to be disclosed pursuant to subdivisions (a) to (d), inclusive, of Section 94910 shall be signed and dated by the institution and the student. Each of these items shall also be initialed and dated by the student."</b></p> <p><b>To remedy this violation, the signed SPFS and all other documents requiring a student signature shall be maintained in the student's file or as an institutional record. The institution shall submit with their NTC response, documentation of an established policy and procedure requiring the SPFS and all documents signed by the student to be maintained in the student's file.</b></p> <p><b>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document by June 15, 2018 to the Bureau's NTC Analyst.</b></p>
3	<p><b>5, CCR §71920. Student Records</b></p>	<p>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:  (4) Records of the dates of enrollment and, if applicable, withdrawal from the institution, leaves of absence, and graduation.</p> <p><b>The institution did not maintain withdrawn student records containing the dates of withdrawal or termination.</b></p>

		<p>To remedy this violation, the institution shall submit with their NTC response documentation of an established policy and procedure requiring the dates of withdrawal be maintained in each withdrawn student's file.</p> <p>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document by June 15, 2018 to the Bureau's NTC Analyst.</p>
4	5, CCR §71920. Student Records.	<p>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:  (5) In addition to the requirements of section 94900(b) of the Code, a transcript showing all of the following:  (A) The courses or other educational programs that were completed, or were attempted but not completed, and the dates of completion or withdrawal.</p> <p>The institution did not maintain transcripts in each withdrawn and graduated student file showing the dates of completion or withdrawal.</p> <p>To remedy this violation, the institution shall submit with their NTC response documentation of an established policy and procedure showing the institution is placing transcripts in each withdrawn and graduated student file showing the educational programs that were completed, or were attempted but not completed, and the dates of completion or withdrawal.</p> <p>The records correction shall be submitted with the institution's response to the NTC and the last page of this document by June 15, 2018 to the Bureau's NTC Analyst.</p>
5	5, CCR §71920. Student Records.	<p>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:  (5) In addition to the requirements of section 94900(b) of the Code, a transcript showing all of the following:  (D) Credit based on any examination of academic ability or educational achievement used for admission or college placement purposes;</p> <p>The institution did not maintain transcripts in each withdrawn and graduated student file showing credit based on any examination of academic ability or educational achievement used for admission or placement purposes. The institution utilizes a placement examination.</p> <p>To remedy this violation, the institution shall submit with their NTC response documentation of an established policy and procedure showing the institution is placing transcripts in each withdrawn and graduated student file showing credit based on any examination of academic ability or educational achievement used for admission or placement purposes.</p>

		<p><b>The records correction shall be submitted with the institution's response to the NTC and the last page of this document by June 15, 2018 to the Bureau's NTC Analyst.</b></p>
6	<p><b>5, CCR §71920. Student Records.</b></p>	<p>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:</p> <p>(5) In addition to the requirements of section 94900(b) of the Code, a transcript showing all of the following:</p> <p>(E) The name, address, website address, and telephone number of the institution.</p> <p><b>The institution did not maintain transcripts in each withdrawn and graduated student file which included the institution's name, address, website address, and telephone number.</b></p> <p><b>To remedy this violation, the institution shall submit with their NTC response documentation of an established policy and procedure showing the institution is placing transcripts which included the institution's name, address, website address, and telephone number in each withdrawn and graduated student file.</b></p> <p><b>The records correction shall be submitted with the institution's response to the NTC and the last page of this document by June 15, 2018 to the Bureau's NTC Analyst.</b></p>
7	<p><b>CEC §94900. Required Student Records</b></p>	<p>(b) An institution shall maintain, for each student granted a degree or certificate by that institution, permanent records of all of the following:</p> <p>(1) The degree or certificate granted and the date on which that degree or certificate was granted.</p> <p>(2) The courses and units on which the certificate or degree was based.</p> <p>(3) The grades earned by the student in each of those courses.</p> <p><b>The institution did not maintain a permanent record (transcript) containing the certificate awarded and the date on which that certificate was granted, the courses and units on which the certificate was based, and the grades earned by the student in each of those courses for each student awarded a certificate.</b></p> <p><b>To remedy this violation, the institution shall submit with their NTC response documentation of an established policy and procedure for developing and maintaining a permanent transcript for each student awarded a certificate upon completion of the program.</b></p> <p><b>Documentation of compliance shall be submitted with the institution's response to the NTC and the last page of this document by June 15, 2018 to the Bureau's NTC Analyst.</b></p>
8	<p><b>5, CCR §71920. Student Records.</b></p>	<p>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:</p>

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Inspector's Initial: *MW*

Administrator's Initial: *ML*

		<p>(9) A document showing the total amount of money received from or on behalf of the student and the date or dates on which the money was received.</p> <p><b>The institution did not maintain complete financial records documenting the date on which the money was received in each student file. The electronic documentation did not identify the receipt date, only the invoice date.</b></p> <p><b>To remedy this violation, the institution shall maintain in each student’s financial record, documentation of the total amount of money received from or on behalf of the student and the dates on the money was received. The institution shall submit with their NTC response documentation of an established policy and procedure requiring a document showing to total amount of money received from or on behalf of the student and the date or dates on which the money was received be maintained in each student’s file. Please provide a template of the document used showing the date on which money was received.</b></p> <p><b>The records correction shall be submitted with the institution’s response to the NTC and the last page of this document by June 15, 2018 to the Bureau’s NTC Analyst.</b></p>
9	<p><b>5, CCR §71920. Student Records.</b></p>	<p>(b) In addition to the requirements of section 94900, the file shall contain all of the following pertinent student records:</p> <p>(10) A document specifying the amount of a refund, including the amount refunded for tuition and the amount for other itemized charges, the method of calculating the refund, the date the refund was made, and the name and address of the person or entity to which the refund was sent.</p> <p><b>The institution did not maintain withdrawn student files which contain a document specifying the amount of refund obligated to the student, including the amount refunded for tuition and other itemized charges, the method of calculating the refund, and the date the refund was made, and the name and address of the person or entity to which the refund was sent.</b></p> <p><b>To remedy this violation, the institution shall provide with their NTC response documentation of the institution’s established policy and procedure for calculating and issuing accurate refunds to students and maintaining documentation specifying the amount of refund obligated to the student, including the amount refunded for tuition and other itemized charges, the method of calculating the refund, and the date the refund was made, and the name and address of the person or entity to which the refund was sent in each withdrawn student’s file. Please provide the template of the refund documentation used.</b></p>

		<b>The records correction shall be submitted with the institution's response to the NTC and the last page of this document by June 15, 2018 to the Bureau's NTC Analyst.</b>
10	<b>5, CCR §76130. Collection and Submission of Assessment.</b>	<p>(a)(1) A qualifying institution shall collect the assessment from each student in an educational program at the time it collects the first payment from or on behalf of the student at or after enrollment. The assessment shall be collected for the entire period of enrollment, regardless of whether the student pays the institutional charges in increments.</p> <p><b>The enrollment agreements found in each student file failed to properly identify the STRF Assessment Fee as \$0.00. STRF Assessment fees were blank in each student's enrollment agreement.</b></p> <p><b>To remedy this violation, the institutions shall provide a policy and procedure indicating the enrollment agreement for each student will identify the correct STRF Assessment Fee.</b></p> <p><b>The correction shall be submitted with the institution's response to the NTC and the last page of this document by June 15, 2018 to the Bureau's NTC Analyst.</b></p>

**INSTITUTIONAL RECORDS**

	<b>Education Code (CEC) or Code of Regulations (5, CCR)</b>	<b>Subsection, Description, and Required Correction</b>
11	<b>5, CCR §71930. Maintenance of Records.</b>	<p>(d) The institution shall maintain a second set of all academic and financial records required by the Act and this chapter at a different location unless the original records, including records stored pursuant to subdivision (b) of this section, are maintained in a manner secure from damage or loss. An acceptable manner of storage under this subsection would include fire resistant cabinets.</p> <p><b>The institution failed to maintain a second set of all student records at a separate location or maintain the records on site secure from damage or loss. Records were stored in a locked filing cabinet.</b></p> <p><b>To remedy this violation, the institution shall maintain a second set of all student records at a separate location or maintain the records secure from damage or loss.</b></p> <p><b>The correction shall be submitted with the institution's response to the NTC and the last page of this document by June 15, 2018 to the Bureau's NTC Analyst.</b></p>
12	<b>5, CCR §71750. Withdrawal and Refunds</b>	<p>(f) The institution shall maintain a cancellation and withdrawal log, kept current on a monthly basis, which shall include the names, addresses, telephone numbers, and dates of cancellations or withdrawal of all students who have</p>

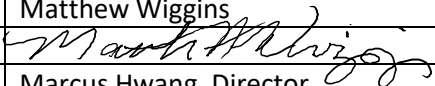
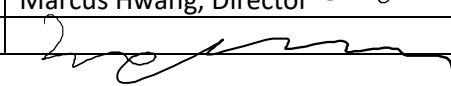
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Inspector's Initial: *MP*

Administrator's Initial: *AMH*

		<p>cancelled the enrollment agreement with, or withdrawn from, the institution during the calendar year.</p> <p><b>The institution did not provide documentation of a cancellation and withdrawal log which contained the names, addresses, telephone numbers, and dates of cancellation or withdrawal of all students who cancelled or withdrew from the institution.</b></p> <p><b>To remedy this violation, the institution shall establish policies and procedures showing the institution is documenting and maintaining a cancellation and withdrawal log on a monthly basis which includes the names, addresses, telephone numbers, and dates of cancellation or withdrawal of all students who cancelled or withdrew from the institution.</b></p> <p><b>The correction shall be submitted with the institution's response to the NTC and the last page of this document by June 15, 2018 to the Bureau's NTC Analyst.</b></p>
13	<p><b>5, CCR §71760. Self-Monitoring Procedures.</b></p>	<p>Each institution shall develop and maintain adequate procedures used by the institution to assure that it is maintained and operated in compliance with the Act and this Division.</p> <p><b>The institution did not provide written self-monitoring procedures.</b></p> <p><b>To remedy this violation, the institution shall provide written self-monitoring procedures assuring the institution is maintained and operated in compliance with the Act and Regulations.</b></p> <p><b>The correction shall be submitted with the institution's response to the NTC and the last page of this document by June 15, 2018 to the Bureau's NTC Analyst.</b></p>

Only minor violations are listed on this Notice to Comply.

Inspector's Name	Matthew Wiggins
Inspector's Signature	
Institution Administrator Name/Title:	Marcus Hwang, Director
Institution Administrator's Signature:	

Education Code can be located at: [http://www.bppe.ca.gov/lawsregs/ppe\\_act.shtml](http://www.bppe.ca.gov/lawsregs/ppe_act.shtml)

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

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Administrator's Initial: *MH*

**RETURN THIS FORM BY JUNE 15, 2018 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 30 days 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 **June 15, 2018.****

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Inspector's Initial:

Administrator's Initial: *EW*

*MW*