



**NOTICE TO COMPLY**  
 CA-2100921-011824

|                   |                                    |                        |              |
|-------------------|------------------------------------|------------------------|--------------|
| Institution Name: | Tamalpa Institute                  | Institution Telephone: | 415-457-8555 |
| Institution Code: | 2100921                            | Administrator Name:    | Amy McGrath  |
| Street Address:   | 743 A Street, San Rafael, CA 94901 | Inspection Date:       | 1/18/24      |

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         | 5 CCR § 71800 (d)     | <p><b>Violation Description:</b> The institution’s 2023 enrollment agreements failed to include the date by which the student must exercise his or her right to cancel or withdraw.</p> <p><b>Correction:</b> To remedy this violation, the institution shall update its enrollment agreement to include the above-mentioned cancellation date, pursuant to 5 CCR § 71800 (d). Provide proof of correction.</p> |

| Violation | Code Section Violated                                  | Description of the violation and required correction.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------|--------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2         | 5 CCR § 71800 (e)(12)                                  | <p><b>Violation Description:</b> The institution’s Level 1, Level 2, and Level 3 enrollment agreements, failed to itemize other fees mentioned in the 2023 catalog such as “\$15 fee will be charged for returned checks” identified on page 10, “fees for extra supervision hours” identified on page 30, and “required art supplies” on page 10.</p> <p><b>Correction:</b> To remedy this violation, the institution shall update the itemization &amp; total tuition and fees section in its enrollment agreements to include the additional various fees mentioned in the catalog. Provide proof of correction.</p>                                                                                                                                                                                                                                                                                    |
| 3         | CEC § 94911 (e)(1)                                     | <p><b>Violation Description:</b> The cancellation policy in the institution’s Level 3 enrollment agreement is not compliant with CEC § 94911 (e)(1) regarding when a student can cancel. The student has the right to cancel the enrollment agreement and obtain a refund of charges paid through attendance at the first class session, or the seventh day after enrollment, whichever is later.</p> <p><b>Correction:</b> To remedy this violation, the institution shall update the Level 3 enrollment agreement to include the above-mentioned policies pursuant to CEC § 94911 (e)(1). Provide proof of correction.</p>                                                                                                                                                                                                                                                                               |
| 4         | CEC § 94911 (e)(2) in conjunction with CEC § 94920 (b) | <p><b>Violation Description:</b> The institution’s level 1 and level 2 enrollment agreements contain unenforceable statements within the cancellation period that do not comply with CEC § 94920 (b). According to CEC § 94920 (b), the law identifies a reasonable deposit or application fee as the only non-refundable items within the cancellation period. Page 1 implies registration fee is non-refundable during the cancellation period. Page 2 contains statements regarding the deduction of equipment if not returned within the cancellation period and a state that once you pay for the equipment it is your to keep.</p> <p><b>Correction:</b> To remedy this violation, the institution shall update the refund and cancelation policy in all enrollment agreements. The policy must demonstrate compliance with CEC § 94911 (e)(2) and CEC § 94920 (b). Provide proof of correction.</p> |


| Violation | Code Section Violated        | Description of the violation and required correction.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5         | 5 CCR § 71716(a)(b)(c)(1)(2) | <p><b>Violation Description:</b> The institution's Level 3 enrollment agreement includes disclosures for instruction that is not offered in real-time. According to the Institution's 2023 catalog, some instruction within the Level 3 program is occurring in real-time. With some instruction occurring in real-time, the disclosures are not consistent with the nature of instruction.</p> <p><b>Correction:</b> To remedy this violation, the institution shall update the Level 3 enrollment agreement to remove the asynchronous distance learning disclosures pursuant to 5 CCR § 71716(a)(b)(c)(1)(2). Provide proof of correction.</p> |
| 6         | 5 CCR § 76140 (a)            | <p><b>Violation Description:</b> The institution's 2023 2nd and 3rd Quarter STRF supporting documentation failed to contain record of the student's (4) Local or mailing address, (5) Address at the time of enrollment, and (11) Third-party payer identifying information.</p> <p><b>Correction:</b> To remedy this violation, the institution shall update the 2023 2nd and 3rd Quarter STRF supporting documentation, pursuant 5 CCR § 76140 (a). Provide proof of correction.</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: | Amy McGrath, Admissions Officer                                                   |
| Bureau Compliance Analyst Name:         | Alec Taub                                                                         |
| Bureau Compliance Analyst Signature:    |  |

**NOTICE TO COMPLY DECLARATION**  
CA-2100921-011824

|                   |                                    |                        |              |
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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