



Business, Consumer Services and Housing Agency– Governor Edmund G. Brown Jr.

Bureau for Private Postsecondary Education
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**Advisory Committee Meeting Minutes
Tuesday, August 12, 2014**

**Department of Consumer Affairs
Hearing Room
1625 North Market Boulevard
Sacramento, California 95834**

Advisory Committee (Committee) Members in Attendance:

Shawn Crawford, Institutional Representative, Chair
Margaret Reiter, Consumer Advocate, Vice Chair
Ken McEldowney, Consumer Advocate
Katherine Lee-Carey, Institutional Representative
Tamika Butler, Public Member
Patrick Uetz, Consumer Advocate

Advisory Committee Members Absent:

Marie De La Parra, Past Student of Institutions
Maria R. Anguiano, Public Member
Mitchell Fuerst, Institutional Representative

Bureau for Private Postsecondary Education (Bureau) Staff in Attendance:

Joanne Wenzel, Bureau Chief
Alyson Cooney, Deputy Bureau Chief
Norine Marks, Legal Counsel, Department of Consumer Affairs
Kurt Heppler, Legal Counsel, Department of Consumer Affairs
Leeza Rifredi, Licensing Chief
Yvette Johnson, Enforcement Chief
Wayne Brenner, Enforcement Manager
John Bruce, Enforcement Manager
Cathy Creeggan, Education Specialist
April Oakley, Associate Governmental Program Analyst
Seyed Dibaji-Foroshani, Education Specialist
Stephanie Lee, Office Technician
Lucy Hanna, Office Technician

Call to Order

The meeting was called to order by Mr. Crawford at 10:18 a.m. on August 12, 2014, at the Department of Consumer Affairs Hearing Room, 1625 North Market Boulevard, Sacramento, California 95834.

Agenda Item # 1 - Welcome and Introductions

Mr. Crawford welcomed the public and Committee.

The Advisory Committee members introduced themselves.

- (a) **Approval of Minutes from December 16, 2013 Meeting:** Minutes were approved as presented.
- (b) **Dates for Future Meetings:** Ms. Wenzel suggested holding quarterly meetings in February, May, August and November.

Agenda Item #2 – Remarks by Awet Kidane, Director, Department of Consumer Affairs

Mr. Kidane extended his welcome and congratulations to the Committee, and expressed support for holding quarterly meetings in the future.

Ms. Reiter asked Mr. Kidane about whether the Department of Consumer Affairs had any concerns about switching from a bureau to a board structure or any input on the positive features of a board. She also asked about whether the Department of Consumer Affairs considered changing the structure of the Bureau to a single, independent council/body. Mr. Kidane said that boards are great in regulating industries and setting policies. He added that he didn't believe the current structure of the Bureau would prevent it from overcoming its challenges. Ms. Butler asked Mr. Kidane about Committee vacancies. Mr. Kidane suggested that student representative recommendations be forwarded to Christine Lally, Deputy Director of Board and Bureau Relations.

Agenda Item #3 – Discussion of Potential Revisions to section 70000 of title 5 of the California Code of Regulations Relating to English Language Schools

- (a) Brooks Ellison and Pat Whalen, Legal Counsel, on behalf of 11 English language entities, stated several reasons why English language schools do not fall within the scope of the general description of private postsecondary schools, and therefore should be considered exempt from the regulations of the Bureau. Mr. Ellison and Mr. Whalen also presented a proposed checklist of 12 criteria for assessing if an English language school should be exempt.
- (b) Ed Howard, Legal Counsel representing the University of San Diego School of Law's Center for Public Interest Law, expressed concerns about the structure of the Bureau and agreed that exemption requirements need to be revisited.
- (c) Mr. Brenner presented a number of common violations that have been committed by English language schools.

Agenda Item #4 – Review of the new Advisory Committee Handbook

Mr. Heppler presented a draft version of the new Advisory Committee Handbook being considered.

Agenda Item #5 – Bureau Operation Update

(a) CPS HR Consultants (CPS) Review

Ms. Cooney discussed CPS evaluation and update of Bureau procedures and processes; Ms. Cooney mentioned that the Student Tuition Recovery Fund (STRF) currently has no backlog of unprocessed claims, and that the STRF balance was approximately \$27.7 million. She added that, year-to-date, the Bureau had paid 178 STRF claims totaling \$946,000.

(b) Licensing Update

Ms. Rifredi, Licensing Chief, reported that the application workshops are proceeding well, and it is hoped that the workshops will help shorten application processing time. She added that the Licensing Section's staff vacancies are being filled.

(c) Enforcement Update

Mr. Bruce presented complaint statistics. He also discussed adding training programs and additional staff to reduce processing times.

(d) Legislative Update

Julia Bishop, Legislative Analyst, Legislative and Regulatory Review, discussed bills of interest in the 2014 Legislative Session and shared that it is rare for the Department of Consumer Affairs to have an official position on legislation as official positions come from the Administration.

Agenda Item #6 – Regulatory Update

(a) Discussion ensued regarding proposed regulatory changes to implement Assembly Bill 2296 (Block). Laura Brown, Coalition of Accredited Career Schools, discussed adding a provision regarding graduated students who are self-employed or doing freelance work. Robert Johnson, California Association of Private Postsecondary Schools, asked that the Committee keep in mind not all graduates work a traditional 40-hour week. He said that most massage and makeup school graduates working for film projects in Los Angeles work for a week or two at a time so they would not be able to meet the 60-day minimum that the Committee was considering as a threshold for a job to count as employment.

(b) Ms. Wenzel presented the update on pending regulatory issues including looking at a change in the STRF rate.

Agenda Item #7 – Public Comment on Items not on Agenda

(a) Linda Leu, Policy Director, Young Invincibles, requested a plan for ensuring a student voice on the Committee.

(b) Mr. Howard and Ms. Leu requested a clear plan for the Bureau to better protect students.

Agenda Item #8 – Adjournment

The meeting adjourned at 3:50 p.m.