



Advisory Committee Meeting Minutes Wednesday, November 13, 2024

WebEx Meeting

Advisory Committee Members in Attendance

Robert Boykin
Melanie Delgado
Leigh Ferrin
Joseph Holt
Tess Kraiker
Robyn Smith
Kevin Powers

Committee Members Absent

Kansen Chu
Tracy Tambascia
Senator Angelique Ashby

Bureau for Private Postsecondary Education (Bureau) and Department of Consumer Affairs (DCA) Staff in Attendance

Deborah Cochrane, Bureau Chief
Linh Nguyen, DCA Legal Counsel
Elizabeth Elias, Deputy Bureau Chief
Manila Vongmany, Deputy Bureau Chief
Greg Donkerbrook, Bureau Licensing Chief
Daniel Rangel, Bureau Enforcement Chief
Ebony Santee, Bureau Education Administrator
Scott Valverde, Office of Student Assistance and Relief Chief
Yvette Johnson, Bureau Administration Chief
Parker Strohmeyer, Bureau Legislative/Regulation Specialist
Korrina Moreno, DCA Representative

Agenda #1 - Welcome, Introductions, and Establishment of a Quorum

Committee Chair, Leigh Ferrin, called the meeting to order.

Agenda #2 - Public Comment on Items not on the Agenda

One member of the public provided a comment.

Agenda #3 - Review and Approval of May 15, 2024, Advisory Committee Meeting Minutes

Public Comment

No public comment.

Tess Kraiker moved to approve the August 20, 2024, meeting minutes; Melanie Delgado seconded the motion.

Vote

(Leigh Ferrin: Aye; Tess Kraiker: Aye; Robert Boykin: Aye; Melanie Delgado: Aye; Joseph Holt: Aye; Robyn Smith: Aye)

The motion passed.

Agenda #10 – Chair and Vice Chair Elections (taken out of order)

Leigh Ferrin was nominated for Chair.

Tess Kraiker was nominated for Vice Chair.

Public Comment

No public comment.

Vote for Leigh Ferrin as Chair

(Leigh Ferrin: Abstain; Tess Kraiker: Aye; Robert Boykin: Aye; Melanie Delgado: Aye; Joseph Holt: Aye; Robyn Smith: Aye)

The nomination passed.

Vote for Tess Kraiker as Vice Chair

(Leigh Ferrin: Aye; Tess Kraiker: Abstain; Robert Boykin: Aye; Melanie Delgado: Aye; Joseph Holt: Aye; Robyn Smith: Aye)

The nomination passed.

Agenda #4 - Remarks by Representative of the Department of Consumer Affairs

Korrina Moreno provided an update on the Department of Consumer Affairs (Department).

Ms. Moreno reported on upcoming training for board and committee members. She stated that Unconscious Bias training will be available in the Learning Management System (LMS) for members in early 2025 and will be an annual requirement.

Public Comment

No public comment.

Agenda #5 – Bureau Operations Update and Discussion

Update on the Bureau’s IT System Project

Deborah Cochrane, Bureau Chief, provided an update on the Bureau’s IT system project. She noted that the team is working diligently towards an early 2025 conversion from the legacy IT system to the new IT system. She stated that substantial staff and resources are being provided for product development and testing. She noted that staff are currently reaching out to every institution by phone to confirm or collect current contact information in preparation for upcoming updates regarding the new IT system.

Public Comment

No public comment.

Licensing Report

Greg Donkerbrook, Bureau Licensing Chief, reported on the Licensing Unit. He outlined Attachment 5(b).

Joseph Holt asked if there has been any analysis of the updated number of approved institutions regarding revenue and fees. Mr. Donkerbrook responded that previous fee models

were based on annual fee revenue and data received by institutions and not based on the number of institutions previously reported to the Committee.

Public Comment

One member of the public provided a comment.

Quality of Education Report

Ebony Santee, Bureau Education Administrator, reported on the Quality of Education Unit (QEU). She outlined Attachment 5(c).

Public Comment

One member of the public provided a comment.

Annual Report (AR) Report

Elizabeth Elias, Bureau Deputy Chief, reported on the Annual Report Unit. She outlined Attachment 5(d).

Public Comment

No public comment.

Compliance and Discipline Report

Ms. Elias reported on the Compliance and Discipline Unit. She outlined Attachment 5(e).

Mr. Holt asked for clarification on actions taken during announced and unannounced inspections. He asked what violations are more common with each type of inspection. Ms. Elias responded that there is more often no staff available to provide records during unannounced inspections, which is a material violation that leads to an enforcement referral. She added that she would need to review the data to provide a more detailed response.

Public Comment

No public comment.

Complaint and Investigation Report

Daniel Rangel, Bureau Enforcement Chief over complaints and investigations, reported on the Complaint and Investigation Unit. He outlined Attachment 5(f).

Robyn Smith asked what causes delays in case completions. Mr. Rangel stated that various reasons that lead to delays. He explained that there are many complex and lengthy investigations. He noted that cases going to hearings require extensive preparation. He added that staff focus on quality investigations to ensure due diligence is performed before closing a case or referring a case to discipline.

Public Comment

No public comment.

Office of Student Assistance and Relief (OSAR) Report

Scott Valverde, OSAR Chief, reported on the OSAR Unit. He outlined Attachment 5(g).

Ms. Smith asked if OSAR collaborates with legal aid groups when a school closes. Mr. Valverde responded that staff have been trained on and made aware of legal aid groups, and he noted that staff have referred students to legal aid groups when appropriate.

Public Comment

No public comment.

Student Tuition Recovery Fund (STRF) Report

Yvette Johnson, Bureau Administration Chief, provided a report on STRF. She covered Attachment 5(h).

Ms. Smith asked for a status on the pending Corinthian claims. Ms. Johnson responded that most of the claims pending are awaiting documentation indicating that the loan has been discharged by the Federal government. She noted that total economic loss cannot be calculated until that documentation is received.

Public Comment

No public comment.

Agenda Item #6 - Status Updates and Discussion on Regulatory Proposals

Parker Strohmeier, Bureau Legislative/Regulation Specialist, provided a status update on Bureau regulatory matters. He outlined the Bureau Regulations Tracker in the meeting materials.

Mr. Strohmeier outlined the memo, included in the meeting materials, titled Ensuring Students' Access to Records After Institutional Closure. He asked for Committee feedback on the questions listed in the memo.

Ms. Smith commented that schools that close suddenly are often incapable of implementing closure plans.

Ms. Ferrin asked how frequently closure plans are reported to the Bureau. Mr. Strohmeier responded that institutions initially applying for non-accredited approval are required to provide a Custodian of Records (COR). He stated that when an institution closes it is required to provide a COR again on the Closure Plan form. Ms. Smith asked if the Bureau contacts the COR on an annual basis to verify contact information and to ensure the COR understands their obligations. She suggested requiring institutions to more frequently verify COR contact information.

Mr. Holt commented that there should be more specific regulatory language related to academic records. He explained that technological advancements have made it much easier to secure student records. He referenced the use of third-party vendors that store and provide transcripts to students for a small fee.

Ms. Smith pointed out that third-party vendors generally only provide transcripts. She continued that students sometimes also need other types of student records like the student ledger, enrollment agreement, and attendance records. She suggested more regulatory clarity on what documents institutions need to maintain and provide to either a COR or the Bureau upon closure.

Ms. Smith commented that it would be helpful to better define the role of a COR and ensure institutions inform COR of their obligations. She stated that part of the problem is that some CORs are only paid for a set period and don't want to store and provide records in perpetuity when they are not paid in perpetuity. She continued that there needs to be provisions regarding the transfer of student records from the COR to the Bureau if the COR is ever unable to maintain the records. She added it is also important to specify COR contact information and how requests for student records are processed by CORs.

Ms. Smith stated that it would be better to not have a school owner as the COR because when a school closes the owner may be unable to fulfill the requirements of a COR. She stated it would be beneficial to have a third party take over student records at that point.

Ms. Ferrin noted that it could be beneficial to consider requiring institutions to have a backup COR.

Ms. Smith stated that student privacy issues should also be considered. She explained that it's important to not allow scammers to attain student records.

Ms. Smith stated that digitizing records makes maintaining and distributing records easier. She noted the importance of having certain measures in place to secure records. She explained that many schools are unable to or insufficient in maintaining records after closing, and the Bureau should plan to have a larger role in maintaining student records.

Ms. Smith stated that it would be better to have a broad definition of student records as opposed to a narrow one because of the difficulty and effort it takes to sort out specific documents from student records.

Public Comment

One member of the public provided a comment.

Agenda #8 – Collaboration with the California Office of Data and Innovation to Use Data to Support Prioritization of Inspections and Investigations (CEC section 94941)

Ms. Elias provided an overview of the data prioritization project and collaboration with the California Office of Data and Innovation (ODI). She outlined the slides provided in the meeting packet under Item #8.

Kim Hicks, ODI Deputy Director, provided an overview of ODI and data services. She referenced the slides included in the meeting packet.

Rocio Mora, ODI Senior Data Analyst, detailed the data science accelerator engagement and collaboration ODI had with the Bureau. She outlined the corresponding slides in the meeting packet.

Ms. Elias summarized the impacts and outcomes of the collaboration.

Ms. Kraiker stated that it is great anytime you can be strategic and prioritize data. She asked if prioritization would change the timing and frequency of visits for existing institutions. Ms. Elias stated that this tool is intended to inform prioritization. She continued that inspections and investigations which are routinely assigned will be prioritized based on flags of potential greater risk. Ms. Kraiker asked how this tool could impact current inspections and investigations. Ms. Elias noted that this tool is new, and the exact impact is unknown.

Ms. Kraiker asked if the Bureau will provide future reporting on the data prioritization at future Committee meetings. Ms. Elias responded that the Bureau will be able to provide future reporting on the tool but that what that reporting entails will need to be determined.

Mr. Holt asked what date range of annual report data is being utilized by the tool. Ms. Elias stated that the tool utilizes data from the current reporting year and the previous three years of reporting. She noted that, as the years progress, the tool will continue to utilize data from the current reporting and the previous three years.

Mr. Holt asked what determined the risk factors used in the prioritization tool. Ms. Elias responded that the risk factors are listed under CEC section 94941. Mr. Holt noted it will be useful moving forward to see what correlations there may be between the risk factors flagged and school closures.

Ms. Smith asked if risk factor criteria can be added if identified in the future. Ms. Elias responded that it is possible to add additional risk factors. She noted that after analyzing trends over time the Bureau will be able to reexamine data to identify high-risk schools.

Public Comment

No public comment.

Agenda #9 – Future Meeting Dates

No conflicts were identified for the proposed 2025 meeting dates listed in the meeting packet.

Public Comment

No public comment.

Agenda #10 – Future Agenda Items

The Committee asked for future updates on the prioritization tool.

Public Comment

No public comment.

Agenda #11 – Adjournment

The meeting adjourned at 1:31 pm.