

State Board of Private Career Education

Meeting Minutes

October 11, 2018 – 1:00 p.m.

Attorney General's Office

323 Center Street, Suite 200, Little Rock, Arkansas

Members Present: Alice Obenshain, Brittney Matthews, Danny Knight, Jack Avery, Jacqueline Brownell, Mary Harris and Josh Blevins

Others Present: Alana Boles, Tracye McKeown, Ann Clemmer, Julie Chavis

Josh Blevins, welcomed the State Board of Private Career Education members and introduced the new members. He recognized Mary Harris, Vice Chair, as someone who has been on the board for many years and as a wealth of knowledge. Mr. Blevins then turned the meeting over to Alana Boles.

New Board Members and Guests

Brittney Matthews said she is the on-site administrator at Eastern College and has been there for eleven years. Ms. Boles stated that Brittney Matthews and Eastern College were instrumental in helping with the Heritage College students when Heritage College closed. Jack Avery stated that he is currently a national account manager for Sam's Club for Rich Products Corporation, which is a frozen food supplier in Fayetteville, Arkansas. Mr. Avery is a former teacher.

Julie Chavis introduced herself as the Assistant Attorney General assigned to the state agencies department. The Attorney General's office works for over 200 state boards and commissions. She stated that she has approximately 20 clients; almost all are licensing boards and are related to real estate and transportation.

Disciplinary Hearing

Ms. Chavis informed the board of a disciplinary hearing after the board meeting and of the open meeting requirements of our Freedom of Information Act (FOIA). FOIA requires all state boards and commissions to meet in public, in a public forum, to advertise the meeting on the state calendar, state website and the board's website. Ms. Chavis discussed the disciplinary hearing procedures and protocol. The hearing included a court reporter and a hearing officer.

Report on Private Career School Projects

Alana Boles introduced her co-workers, Ann Clemmer and Tracye McKeown. Ann Clemmer stated that SBPCE came to ADHE in April of 2017. Ms. Clemmer thanked Ms. Boles for her work in taking on this new responsibility in addition to her ADHE responsibilities. Ms. Clemmer also stated that Ms. Boles has suggestions on potential changes to the law and rules and regulations. Tracye McKeown introduced herself and stated that she is administrative support to Ms. Boles. Danny Knight asked how the Governor's reorganization plan would affect the SBPCE. Ms. Clemmer responded that she does not expect anything to change.

Alana Boles reported on license renewals of private career education schools. Ms. Boles stated that 139 schools have renewed and 47 have not renewed. Ms. Boles said that ADHE is deciding on what to do

about those schools that have not renewed. She also updated the board on the private career school instructor registration project to ensure all instructors are updated and approved. She stated that 80 schools had responded.

Ms. Boles also provided updates on Heritage College reimbursements from the Student Protection Fund. ADHE contacted former Heritage College students and only 15 students responded to request refunds. All 15 students received reimbursements totaling approximately \$18,000. Many of those students have been going to Eastern College to finish testing and Eastern College was reimbursed from that fund for their help with those students.

Upcoming Legislation

Ms. Boles also discussed legislation submitted to Governor Hutchinson for the next legislative session. ADHE is proposing moving the body art schools to the Department of Health eliminating any oversight of them by the SBPCE. Ann Clemmer explained that the Department of Health already has oversight of the body art schools. Josh Blevins commented that he approved of this move.

ADHE is also proposing eliminating the oversight of out-of-state private career schools. SBPCE rules and regulations require oversight of schools that recruit here but do not have physical presence. Ms. Boles explained that more is required of the out-of-state private career schools than out-of-state colleges and universities; out-of-state colleges and universities do not require state approval.

Alice Obenshain voiced opposition to eliminating oversight of the out-of-state schools. Ms. Obenshain stated that she recommended vetting the private career schools recruiting in the state due to their heavy recruiting presence in Arkansas. Ms. Obenshain also said that consideration should be given to eliminating a law that helps protect students.

Josh Blevins asked if ADHE would like the board to give its support regarding the body art proposal and asked when that proposal would come before the General Assembly. Ms. Boles stated that the proposals were sent to the Governor for his consideration for his legislative package. Mr. Blevins said the board could take it under advisement.

Alana Boles also stated that ADHE is working on revisions to the fees and the rules and regulations, which will go through the Administrative Procedures Act process.

Danny Knight asked what the plans are to address the 47 schools that have not renewed their school licenses. Ms. Boles stated that that has not been decided as to revoke their license or to continue trying to get them to renew. Ms. Boles asked for any advice from the board regarding those schools. Alice Obenshain stated that technically if a school's license has expired, they might owe tuition back to the students if they continued to teach after the license expired.

Ms. Chavis suggested that it might be a good idea to send a letter to the schools quoting the law and asking schools to notify ADHE if the school has closed, if there is no intent to renew, or if the school intends to renew their license. Ms. Chavis also stated the letter could state that if the school does not respond, the school could be subject to a disciplinary hearing. Ms. Boles stated that approximately 70 percent of schools that have not renewed are body art schools.

Josh Blevins asked if the Student Protection Fund is still being used and if private career schools are still paying into it. Ms. Alana Boles responded that the schools are not still paying into the fund because the law states the schools cannot be charged if there is a certain balance. Ms. Boles said the newly licensed schools pay into it when they get their original license.

Mr. Blevins explained to the new board members that he believes one of the best things the board does is the Student Protection Fund. Mr. Blevins explained that all schools that the board oversees pays into this fund and that once the fund hits a certain balance, which the balance is well over a million dollars, the schools no longer have to pay. Mr. Blevins also stated that the purpose of the fund is for possible reimbursement to students when a school goes out of business.

Mr. Blevins asked if the Heritage College students that responded for reimbursement were made whole. Ms. Boles stated the fifteen Heritage College students were reimbursed all that they requested. Ms. Clemmer commented that the process began approximately eight months ago to reach out to Heritage College students and the deadline for the students to respond is November 1.

The meeting adjourned at 1:42 p.m.