



State and Consumer Services Agency – Arnold Schwarzenegger, Governor

**Bureau for Private Postsecondary Education**  
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**Bureau for Private Postsecondary Education  
Advisory Committee Meeting Minutes  
Monday, October 4, 2010  
10:15 a.m.**

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

Advisory Committee Members in Attendance:  
Shawn Crawford, Institutional Representative, Chair  
Margaret Reiter, Student Avocate, Vice Chair  
Marvin Andrade – Public Member  
Mitchell Fuerst - Institutional Representative  
Katherine Lee-Carey, Institutional Representative  
Ken McEldowney, Consumer Advocate

Others in Attendance:  
Kimberly Kirchmeyer, Deputy Director, Board/Bureau Support  
Joanne Wenzel, BPPE Transition Manager  
Norine Marks, Senior Staff Counsel, Department of Consumer Affairs  
Karen Newquist, Staff Services Manager II  
Leeza Rifredi, Staff Services Manager I  
Michele Alleger, Associate Governmental Program Analyst

**Agenda Item # 1 - Call to Order**

Shawn Crawford, Advisory Committee Member Chair, called the meeting to order at 10:20 a.m., October 4, 2010, at the Department of Consumer Affairs, Hearing Room 1625 North Market Boulevard, Sacramento, CA 95834.

**Agenda Item # 2 - Introduction of Advisory Committee Members and Staff**

Advisory Committee Members introduced themselves and Joanne Wenzel introduced the staff present.

### **Agenda Item # 3 – Director’s Report**

Kimberly Kirchmeyer, Deputy Director, Boards/Bureau Support, presented the Director’s Report on behalf of Brian Stiger, reported that on August 31, 2010, the Governor ordered a hiring freeze and explained the exemption process as an alternative to the hiring freeze. She also reported that the Department of Consumer Affairs (DCA) submitted a hiring freeze exemption request for the Bureau for Private Postsecondary Education (Bureau). Ms. Kirchmeyer also provided a brief overview of the BreeZe project and how the lack of a budget was affecting DCA and the Bureau.

### **Agenda Item # 4 – Opening Remarks**

No opening remarks were provided.

### **Agenda Item # 5 – Bureau Update**

Ms. Wenzel reported that the Bureau has approximately 975 applications pending, and that some of the applications are pending from the former Bureau. There are approximately 150 complaints pending. In addition, Ms. Wenzel reported that the Bureau is scheduled to move the first week of November.

### **Agenda Item # 6 – Regulatory Update**

Ms. Wenzel reported that the Bureau currently has three regulatory packages in process. The first package re-adoption of Emergency Regulations, and the second package Notice to Comply & Disciplinary Guidelines are in the final stages of completion. The third package is the Citation and Fine, Emergency Decisions, the public hearing will be held today.

### **Agenda Item # 7 – Approval of Minutes for August 23, 2010, Advisory Committee Meeting**

M – Katherine Lee-Carey; and S – Mitchell Fuerst; A - Marvin Andrade; and carried unanimously to adopt the Advisory Committee Meeting Minutes.

### **Regulation Hearing**

10:43 a.m. Regulation Hearing – Citations and Fines; Annual Reports; Method for Obtaining Date; Compliance Visits, Emergency Decisions – proposed language to add sections 74112, 75020, 75030, 75040, 75050, and 75150, and to amend section 74110, of Title 5, California Code of Regulations.

No public comment was received at the hearing.

At 10:45 a.m., Ms. Wenzel closed the hearing.

**Agenda Item # 8 – Consideration and Recommendations regarding the proposed language for Citations and Fines; Annual Reports; Method for Obtaining Date; Compliance Visits, Emergency Decisions**

The Advisory Committee Members discussed the time difference for the performance fact sheet and the annual report.

The Advisory Committee Members recommended the following:

1. That schools report program data in aggregate by reporting year instead of individual cohort start dates.
2. Bureau to provide clearer definitions for the columns in the performance fact sheet.

**Agenda Item # 9 – Information Only**

Ms. Wenzel informed the Advisory Committee Members that the January 3, 2011, meeting is canceled and will be rescheduled. She asked that the members email their availability for January 2011.

**Agenda Item # 10 – Public Comment for Items Not on the Agenda.**

Laura Brown, The California Coalition of Accredited Career Schools, inquired about the delay of applications, specifically if the school submitted an application for Approval by Means of Accreditation and the application has not received approval from the Bureau, and would like to make a substantive change, should the school wait until it receives approval for that application before submitting a application for a substantive change?

Ms. Wenzel stated that if the school has a letter from the accrediting body stating it is approved and that the accrediting body approves the substantive change, the school may make the change before receiving approval by the Bureau. She referred Ms. Brown to the Bureau's definition of a substantive change.

Cynthia Copple, Mount Madonna Institute, stated that the school received a temporary approval in 2006. She would like to know why the status of her school's application is under review?

Ms. Wenzel stated that current law does not acknowledge temporary approvals.

Mr. Crawford adjournment the meeting at 2:17 p.m.