

OKLAHOMA BOARD OF PRIVATE VOCATIONAL SCHOOLS

AGENCY MISSION STATEMENT:

The mission of the Oklahoma Board of Private Vocational Schools is to protect the people of Oklahoma licensing, monitoring, and regulating the private vocational schools, and their representatives, which are offering or conducting training in Oklahoma.

LEAD ADMINISTRATOR:

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GOVERNANCE:

The Oklahoma Board of Private Vocational Schools ("OBPVS" or "Board") was created by statute in 1970. Prior to 1982, fiscal responsibility for the Board was maintained by the Oklahoma Department of Veterans Affairs. In 1982, the OBPVS became a free-standing agency. The Board has nine members. Three members are ex-officio in accordance with 70 O.S. §21-102:

- Director - Oklahoma Department of Career and Technology Education
- Chancellor – Oklahoma State Regents for Higher Education; and
- State Superintendent of Public Instruction

The remaining six members are appointed by the Governor and confirmed by the Senate.

- Four must have recent experience in an executive or managerial position with a Board-licensed private vocational school; and
- Two are from managerial positions in business or industry not associated with private schools.

The current Board Chairperson is the designee for the Chancellor of the Oklahoma State Regents for Higher Education. The current Co-Chair is a Governor appointee who serves on the Board based upon his private vocational school position. The Chairperson and the Co-Chair are typically elected annually by the Board. The Co-Chair often advances to the Chairperson position in the year following a completed Co-Chair term. Service as an Officer of the Board or on Ad Hoc Committees is based upon a nominee's willingness to serve and ability to accomplish the time dedication and other responsibilities of the position.

Current members of the Board are, as follows:

- **Chairperson, Ms. Gina Wekke;** the designated representative of Dr. Glen D. Johnson (the Chancellor of the Oklahoma State Regents for Higher Education)
- **Co-Chair, Michael Pugliese;** a Governor Appointee representing a school(s)
- **Immediate Past Chair, Dr. Joe Robinson;** the designated representative of Dr. Phil Berkenbile (the currently outgoing Director of the Oklahoma Department of Career and Technology Education)

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- **Dr. Stephanie Curtis**; the designated representative of Dr. Janet Barresi (the State Superintendent of Schools)
- **Linda Andrews**; a Governor Appointee representing a school(s)
- **Jeremy Gibson**; a Governor Appointee representing a school(s)
- **ONE VACANCY as of January 21, 2013** for a Governor Appointee representing a school(s). The partial term to be filled will be effective through July 1, 2014.
- **Sarah Sagan, CPA**; a Governor Appointee representing business and industry; and
- **Larry Bunting, Attorney at Law**; a Governor Appointee representing business and industry. Mr. Bunting must secure Senate Confirmation during the current Legislative Session or be replaced by the Governor.

Board Committees or Subgroups – The Board’s ad hoc Financial Review Committee typically meets at least annually to review the financial statements and financial condition of those schools that do not meet the Board's financial stability requirements. To date, in FY-13, the Financial Review Committee has met twice. Recommendations of the Committee are taken to the full Board for discussion and possible action.

In FY-12, an ad hoc Personnel Committee was also established originally to screen applications and interview candidates for the Assistant Director position after the Director with 36-years tenure announced his 12/31/2011 planned retirement. The Personnel Committee continued working in FY-12 and FY-13 to work with the Interim Director to revise the Director and Field Representative/Compliance Administrator Job Descriptions and review Salary Bands. The full Board then voted on the Committee’s recommendations for the Job Descriptions and Salary Bands. In December, 2012, the Committee together with the Director also conducted the call-back interviews of the leading Field Representative/Compliance Administrator candidates. The position was filled on January 8, 2013 after remaining vacant for three years after the last Field Representative’s retirement.

Additionally, the Board is empowered to establish any additional "ad hoc" Committees, as needed, or to invite input from educational or other specialists.

GOVERNANCE ACCOUNTABILITY:

1. The Board typically meets ten times per year. In December of each year, the next calendar year’s regular meetings are posted on the Secretary of State’s website. *Minutes* are kept of meetings, and the *Minute* draft prepared by Staff must be revised, as needed, and approved by the Board at its immediate-next meeting.
2. Meetings typically are scheduled on the first Wednesday of the month, except when the first week of the month includes a State Holiday. With proper posting through the Secretary of State's website, the Board may also convene additional Emergency or Special Meetings, as needed.

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3. The Board does not have an attendance policy of its own. Instead with two-thirds of its members being Governor Appointees, the Board has historically followed each Governor's guidance to determine what constitutes acceptable attendance. If a Member does not meet a Governor's requirements for minimal attendance, the Board directs its Staff to notify the then sitting Governor for possible replacement of that member. Often the missing of three meetings in a single year will trigger an initial report to a Governor's Appointment Secretary. While Ex-Officio Members may change designees, at will, doing so is not done frequently or haphazardly allowing a designee to gain Board expertise.
4. To meet its Quorum requirements, five members of the Board must be in attendance. A Quorum is consistently achieved, and the only scheduled meeting cancelled in recent years occurred in February 2011 when State offices were closed due to a severe ice storm.
5. In January 2013, as previously approved by the Board, the Director executed an hourly Legal Services Agreement with the Office of the State Attorney General. The purpose of the contract is to keep an Assistant Attorney General on-call to consult with the Director or Board, as needed, in regards to emerging issues in the regulation of private vocational schools. In addition, the Assistant A.G. is asked to provide guidance on such administrative matters as the application of the Agency's Record Retention and Destruction Policy and compliance with the Open Record and Open Meetings Acts.
6. The March 2013 Board Meeting will follow the conclusion of the Oklahoma City Workshop should School representatives wish to attend or to participate.

MODERNIZATION EFFORTS:

The OBPVS receives no General Revenue Appropriations and no Federal Funding **(although some prior year budget reports inadvertently mislabeled the incoming fee revenues as Federal funding)**. Instead, the Agency's funding is entirely fee-based with fees set statutorily. In past years, the OBPVS was not approved by the Legislature to access its full Revolving Fund. Hence, cost cutting was severe for FY-10 through FY-12. In the Spring of 2012, S.B. 1865 was enacted to remove explicit Legislative approval for the Agency to spend from its cumulative Revolving Fund. With S.B. 1865's progress looking very good, and although not officially effective until November 1, 2012, the Agency accessed left-over prior year funds to start down the path of Agency-modernization as early as May 2012.

The following modernization efforts have been initiated and concluded, to date:

1. **May, 2012** - Inter-Agency Agreement put in place with Agency Business Services to make accounting, purchasing, and budgeting activities much more efficient.
2. **July, 2012** - FY-13 Budget developed to include ok.gov Website development and Stage-I Database development.
3. **August, 2012** - Service Level Agreement executed with OMES to centralize I.T.
4. **August, 2012**- Board approval for the Director's recommended I.T. hardware and software acquisitions to facilitate centralization, an upcoming website, and ideally a high-powered data base. Computer equipment ordered and delivered. Mini-server set-up by I.T. as part of Centralization to facilitate automatic nightly back-ups.
5. **October, 2012** - Stage-II Database development and finalization budgeted for FY-2014.
6. **January, 2013** - Field Representative/Compliance Administrator began work. This is the first time this position has been filled since January 2010.

Out of necessity, ahead of the schedule contemplated in the FY-14 to FY-18 Strategic Plan, the Staff is working diligently to revise the existing re-Licensing Application process and Forms. While the process will be easier for Schools to complete, the reduced and simplified "change only" oriented Forms will also be much more effective and timely for the Staff to review.

It is also contemplated that before year-end 2013, a comprehensive review and drafting of meaningful revisions to the OBPVS's two Administrative Rule sections (OAC 565:1 and 565:10) will be started. The purpose of doing so will be to ensure the Board's statutory responsibilities for consumer protection are met *without creating unnecessary burdens or roadblocks to applicant Schools and School Solicitors*. At present, only one area of rules is expected to be added. Those would be for the exponentially-growing field of electronic distance learning, i.e. on-line courses and programs.

Further, an OBPVS Web Page is to be developed and brought on-line as rapidly as possible

To maximize the effectiveness of the annual statutorily-required Workshops (20 O.S. §70-21-106, C., 5.), the Board began hosting dual workshop sessions in Tulsa and Oklahoma City. In the spring of 2012, a successful pilot Webinar was provided to the smaller number of licensed schools based out-of-state. For spring 2013, in-state Schools have been given the options of attending one of several sessions of a Webinar or continuing to attend a live Workshop.

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CORE MISSION:

The OBPVS does not believe that it is required to provide any services outside its core mission, and is not aware of any duplicated or replicated by another agency.

PRIVATE ALTERNATIVES:

The OBPVS has not been approached by a foundation or private sector entity to privatize some or all of the services now performed by the Board and its Staff. While a number of independent or industry-developed accreditation organizations exist, there is no single accrediting organization, in Oklahoma or elsewhere, whose scope involves the variety of schools that fall within the jurisdiction of the OBPVS.

A sample of the categories of vocational schools currently licensed by the OBPVS includes:

- Aeronautical (Mechanical and other)
- Business
- Computer Hardware, Software and/or Networking
- Culinary
- Dog Grooming
- Engine Technology (for Auto, Diesel, Marine, and/or Motorcycles)
- Health Care and Medical Office Occupations
- Horseshoeing
- Massage Therapy
- Welding
- Yoga Instructors Training.

The Board would like to help the Legislature understand that the OBPVS offers efficiency in regulation by making it possible to avoid every State Agency having to establish its own education division. While certain professions' continuing education is overseen by a separate regulatory agency (CPAs, Nurses, Insurance Licensees), the OBPVS frequently oversees those professions' initial licensure-education processes. In addition, various Agencies that contract to pay for clients' education are able to rely on the OBPVS' work without setting up a redundant licensing department. For example, the Department of Rehabilitative Services confirms OBPVS licensure of a School before contracting to pay for a client's education.