

**OKLAHOMA BOARD OF PRIVATE VOCATIONAL SCHOOLS**

AGENCY MISSION STATEMENT:

The mission of the Oklahoma Board of Private Vocational Schools ("OBPVS") 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.

Through its protection of consumers, the OBPVS contributes to the State's workforce development efforts. It does so, by ensuring that a reliable, additional mechanism of post-secondary (adult) education is available to facilitate training and, when applicable, certifying Oklahomans to secure gainful employment in numerous fields.

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 representing:

- 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 a member who serves because of his executive position with a Board licensed private vocational school. The current Co-Chair, serves on the Board as the designee for the Director of the Oklahoma Department of Career and Technology Education, an Ex-Officio member. 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 one of several ad hoc Committees to the Board is based on 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:

- **Chair, Mr. Michael Pugliese**, a Governor Appointee representing a school(s).

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- **Co-Chair, Dr. Joe Robinson**, the designated representative of Dr. Marcie Mack (the Director of the Oklahoma Department of Career and Technology Education).
- **Mr. Daniel Archer**, the designated representative of Dr. Glen Johnson (the Chancellor of the Oklahoma State Regents for Higher Education).
- **Ms. Teresa Knox**, a Governor Appointee representing a school(s)
- **Mr. Larry Narvaez**; a Governor Appointee representing a school(s)
- **Mr. Dennis Stone**, a Governor Appointee representing a school(s)
- **Mr. Larry Bunting, Attorney at Law**; a Governor Appointee representing business and industry.
- **ONE VACANCY as of December 23, 2014** for a Governor Appointee representing business and industry.
- **ONE VACANCY as of January 21, 2015** for a Designee to represent Dr. Joy Hofmeister (the State Superintendent of Public Instruction).

Board Committees or Subgroups – The Board’s ad hoc Financial Review Committee typically meets one or more times 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-15, the Financial Review Committee has met three times. Recommendations of the Committee, such as requiring a Licensed School to increase its Surety Bond, are taken to the full Board for discussion and possible action.

In FY-12, an ad hoc Personnel Committee was established to screen applications and interview candidates to replace the retiring Director with 36-years of agency tenure. Since then, the Personnel Committee met to approve revisions to the Director and Field Representative/Compliance Administrator Job Descriptions and to review Salary Bands. In FY-2014 and FY-2015, the Personnel Committee met to develop an Evaluation (PMP) of the Director’s performance. In FY-2015, the Personnel Committee will also review the Director’s Evaluations of the remaining Staff. In accordance with 70 O.S. §21-102.1 (1), the full Board then votes on Personnel Committee recommendations pertinent to the Agency Director.

The Board is empowered to establish any additional "ad hoc" Committees, as needed, or to invite input on a consulting basis from educational or other specialists.

#### GOVERNANCE ACCOUNTABILITY:

1. In FY-2014, the Board began scheduling its meetings on a monthly basis, and allowing some flexibility for severe inclement weather or other matters outside the Board’s control. Ultimately, in 2014, the Board met ten times as it had done for a number of years. On March 5, 2015, the Board has its first Special Meeting scheduled in three or more years for the single-purpose of conducting a Public Hearing on proposed revisions to the OBPVS’ two sets of Rules (OAC 565:1 and 565:10). *Minutes* are kept of meetings, and a Staff *Minute* draft must be revised, as needed, and approved by the Board at its immediate-next meeting.

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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 on the Secretary of State's website, the Board may also convene additional Emergency or Special Meetings, as needed.
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 be change Designees, at will, the Chancellor of the OSRHE and the Director of the Oklahoma Department of Career and Technology Education have not done so frequently allowing those two Designees to gain Board expertise.
4. To meet its Quorum requirements, five members of the Board must be in attendance. Since December 2011, only one meeting has been cancelled for a lack of Quorum. That was the September 30, 2014 meeting, initially rescheduled from October 1, 2014 to increase the likelihood of attaining a Quorum with many members scheduled for meetings or travel for each member's own, underlying [non-Board] work.
5. Since January 2013, the OBPVS has maintained 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 ("AAG") on-call to consult with the Director or Board, as needed, in regards to emerging issues in the regulation of private vocational schools. Most often, the AAG. is asked to provide legal guidance. The guidance requests range from specific issues with Licensed Schools, Applicants, or potential Unlicensed Schools to various administrative matters. For example, the AAG has been consulted about the Open Record and Open Meetings Acts or application of the Agency's Record Retention and Destruction Policy to ensure that the OBPVS complies with State law outside its own Enabling Statute.
6. Occasionally, as last done in March 2013, the Board will schedule a Board Meeting in conjunction with an annual, mandatory Workshop for Licensees to increase Licensee exposure to Board members and the governance of private vocational schools.

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, *as a cautionary effort*, 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 executed (and continues) with Agency Business Services to make accounting, purchasing, and budgeting activities much more efficient.
2. **August, 2012** - Service Level Agreement executed (and continues) with OMES to centralize I.T.
3. **August to October, 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 was ordered and delivered. A mini-server set-up by I.T. as part of Centralization to facilitate automatic nightly back-ups. **Note: In FY-2015, the OMES I.T. completed connecting the OBPVS to central servers via Fiber Optics.**
4. **January, 2013** - Field Representative/Compliance Administrator began work, the first time this position was filled since the incumbent's January 2010 retirement.
5. **Spring, 2013** - The prior year's pilot program of offering the mandatory annual workshop via Webinar was expanded to all licensed Schools and continues. For 2015, live workshops are scheduled for March 12 1nn 24 in Oklahoma City and Tulsa. So far, 3 Webinars (March 12, 17, and 20) are scheduled.
6. **FY-2014**, *out of necessity*, and years ahead of the schedule contemplated in the FY-14 to FY-18 Strategic Plan, the Staff revised the existing, annual Relicensing Application process and Forms. While the process is easier for Schools to complete, the reduced and simplified "change only" oriented Forms are also much more effective and timely for the Staff to review.
7. **FY-2014**, through S.B. 1460, the Agency sought and received significant Legislative Clarification of its Enabling Statute to extend as far as what distance (on-line) education the Board should have authority to regulate.
8. **FY-2015**, the New School Ap. process was streamlined.
9. **FY-2015**, the Board created an ad hoc Data Committee and its Staff worked with the Oklahoma Department of Commerce to upload Private Vocational Schools'

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Enrollment and Graduation data to Data Dashboards hosted the Governor and the Oklahoma Department of Commerce. After doing so, and until a comprehensive Licensing Database can be brought on-line, the Staff developed and put to use a 2-worksheet Excel® Spreadsheet to capture Relicensing School Demographic and Financial, Enrollment, and Graduation Data for expedited analysis and distribution to interested parties.

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)
- Various Healthcare and Medical Office Occupations
- Horseshoeing
- Massage Therapy
- Welding and Heavy Equipment Operation
- Yoga Instructors Training.

**EFFICIENCY OFFERED** - 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, State Accrediting [for Veterans' Educational Funding], and various Workforce Development Offices *routinely* confirm OBPVS licensure of a School before contracting to pay for a client's education. [END.]