

MTTI

EDUCATION FOR EMPLOYMENT

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Clinton Dick
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Dear Director Dick:

I am submitting comments on behalf of MTTI with regard to the Department of Professional Licensure's (DPL) proposed regulations for -profit occupational schools.

My husband and I started MTTI in 1985 as a workforce development program designed to serve as a bridge between the employers that had a skills shortage and unemployed and underemployed individuals. Over the past 30 years, we have trained many MA and RI residents and guided them into new entry level careers. We have been accredited since 1993 and have received the "School of Distinction" award. We take great pride in the services we provide and are confident that we, along with a very dedicated staff are helping people change their lives in positive way.

We have always operated our school in an ethical, honest manner as evidenced in our last accreditation survey of attending students in which 100 % of the students surveyed said they were pleased with their decision to attend our school.

We believe in regulations and performance measures and think all schools should be held to high standards. It is discouraging to observe that many of the regulations that are being promulgated at this time appear to be unreasonable, unclear and burdensome. I have listed some specific concerns with the most recent proposed regulations below:

230 CMR 12.00: DEFINITIONS

(f) induce enrollment or retention of a student for any course or program for which the school knows or has reason to know that due to the student's educational level, training, experience, physical condition, lack of language proficiency, or other material disqualification, the student will not or is unlikely to: (1) successfully complete the course or program, or (ii) meet the requirements for employment in the occupation to which the course or program is represented to lead.

Issue:

This regulation is very broad and subjective. There are so many factors that affect a student's success which has been proven repeatedly over the years. On paper an applicant might seem to have many obstacles that would impede their success, but if they have the motivation and the drive and the opportunity, with the right guidance, they can succeed. We have had classes where the student we thought would be the star, ended up being supervised in employment, after training, by the student who had seemed the weakest upon admission. It is unreasonable to try to hold the schools responsible to accurately predict a student's success. Our instructors interview applicants, in addition to our admissions reps, to help assure an accurate view of the field and to assess their likelihood of success. However, they cannot predict the future commitment, attendance, work ethic, etc. of a student or their ultimate success.

230 CMR 14.00: FACILITIES, EQUIPMENT, CURRICULUM, INSTRUCTORS, AND STAFF

14.04: Instructors

(7) Division approvals for Instructors are not permanent and shall be subject to reevaluation as determined by the division and to expiration when the School's license expires or is renewed.

Issue: Why would instructor's need to repeat CORI's and be re-approved every two years. This is time consuming, expensive and seemingly unnecessary. We are a private company, responsible for training and supervising our faculty to ensure they provide good service. We have accreditation standards that require oversight and our school would not succeed if we did not provide good service. What purpose does this re-submittal serve? Why would an application reviewed from an outside agency be a better judge of the instructor's qualifications than the institution who has employed the instructor for years and observed their daily performance?

(8) Schools may utilize unapproved Instructors as substitute Instructors for up to 15 School days without division approval subject to the following provisions:

- a) The occasion for the substitution must be a sudden, unforeseen circumstance, such as an illness or sudden vacancy.
- b) After a substitute Instructor has taught for 15 School days, he or she may not teach any further classes at that school within a three-month period without division approval.

Issue: Fifteen days is an unrealistic timeframe in cases of sudden illness, death, resignation, of a faculty member. It takes more than 15 days to post an ad, review resumes, interview candidates, have candidates demonstrate their teaching ability, do due diligence for good moral character, conduct a CORI report, contact references, and obtain state approval prior to hire. We then need to orient and train the instructor on our policies and specific curriculum. We cannot hire quality instructors through this rushed process. What if the instructor is ill and their future return to work is unknown? Do we fire them after a few days to begin the search for a permanent teacher within the 15 days and subject ourselves to a law suit for

unfair treatment or a disability suit? There needs to be a realistic timeframe to properly provide quality education.

14.05: Staff

(1) Pursuant to M.G.L. c. 112 263(b), all staff shall be approved by the division.

(2) Prior to hiring staff, a school shall conduct due diligence to ensure in good faith that the staff member is qualified, and shall conduct criminal offender record information check.

Issue: What is the reason that as a private company, training adults, we need to have all of our staff approved and require CORI reports to be conducted every two years? Is this a standard that will be applied to other private companies? What standards will be used to approve a janitor, secretary, finance clerk, admissions representative? Isn't it the responsibility of the owners of the company to hire qualified, ethical, motivated, competent staff?

230 CMR 15.00: GENERAL PROVISIONS AND STANDARDS OF PRACTICE

15.03: School Records

(1) School Records. A school shall keep a record of each student who enrolls in any of the school's courses or programs. The record shall be kept in accordance with the following retention periods:

(b)1 At least seven years after graduation or separation from the school:

- i. The student's signed enrollment contract, as well as any addendums, extensions, or amendments to that contract;
- ii. All records to support any effective date of termination of an enrollment contract used in a payment/refund calculation under 15.04(7) or (8);
- iii. Progress reports that provide students with appropriate reports of progress at least once during the program (for programs consisting of a stand-alone course with durations of 30 hours or more, a progress report must be provided by the time 50 percent of the course has been completed);
- iv. Student attendance records, which reflect any leaves of absence (including information about the status of the leave), the date of completion (anticipated and actual), and the date the student received a diploma or certificate;
- v. Records of any externships;
- vi. Copies of any student complaints and the school's response;
- vii. School disciplinary reports; and
- viii. The student's loan documents including disclosure forms and disbursement schedules.

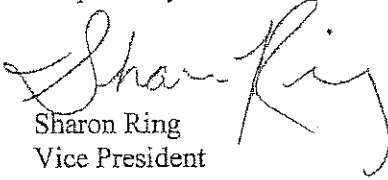
(c) for at least 60 years after graduation or separation from the school:

- i. The student's official grades; and
- ii. Records of the form and dates of any payments made by or on behalf of the student

Issue: This is an excessive amount of paperwork in i.-viii to save, for a much longer period of time, than the requirements of other regulatory agencies. What is the need? Why would anyone want to access their payment records for 60 years? So many records are electronic now that it should not require special relief to not save paper records.

I hope these comments are welcomed and helpful. If you have any additional questions, please do not hesitate to contact me. Thank you.

Respectfully submitted,

A handwritten signature in cursive script that reads "Sharon Ring". The signature is written in dark ink and is positioned to the right of the typed name.

Sharon Ring
Vice President
MTTI