

MTTI

EDUCATION FOR EMPLOYMENT

Main Campus

1241 Fall River Avenue
Seekonk, MA 02771

Satellite Campus

54 Water Street
East Providence, RI 02914

(508) 336-6611

Toll Free: (866) 454-MTTI (6884)

Fax: (508) 336-8887

www.mtti.edu

August 28, 2015

Clinton Dick
Executive Director
Office of Private Occupational School Education
Division of Professional Licensure
1000 Washington St.
Boston, MA 02118

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 residents and guided them into new entry level careers. We have been accredited since 1993 and have received the "School of Distinction" award multiple times. 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:

(f) Induce enrollment or retention of a student for any course or program for which the school knows that, due to the student's criminal history of other material disqualification, the student

will not meet the requirements for employment or licensure in the occupation to which the Course or Program is represented to lead. If the student has a disability, the determination shall be made based on the student's ability to complete the Course or Program or meet the requirements for employment with the provision of a reasonable accommodation for that disability. In no event shall 230 CMR 12.00 contravene the requirements of, or obligations of a school to accommodate students in accordance with the Americans with Disabilities Act, the Rehabilitation Act, or any other applicable law concerning students with disabilities.

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.

With regard to the criminal background, schools are not allowed to request a CORI on perspective students so how would we make this determination. We attempted this on a student and we received a letter from the state saying that this was not permissible. In addition, we have served students with criminal records who were able to find training related employment.

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

14.04: Instructors

(8) 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?

(9) 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 a totally 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. After this extensive process, when an instructor is approved, they need to then give a two week notice to their current employer or risk leaving a career without approval of a new position. 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.
- (3) 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, store clerk, career services representative? Isn't it the responsibility of the owners of the company to hire qualified, ethical, motivated, competent staff?

- (4) A school shall certify that the staff member is qualified on a form supplied by the division and receive division approval for said staff member.

Issue
This is burdensome and time consuming.

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 230 CMR 15.04(7) or (8);
 - iii. Copies of progress reports required under 230 CMR 15.01(10);
 - 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 (7 years), 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.

15.01: General Provisions:

(10) For Courses beginning after (INSERT DATE), a School must provide students with appropriate reports of progress at least once during each Course with durations of 15 hours or more. A progress report must be provided by the time 50 percent of the Course has been completed.

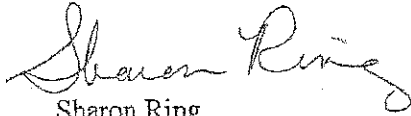
Issue: In accordance with our accreting standards students are given a formal progress report at the mid-point and completion of the program. In addition they receive feedback on their progress during each course through written tests, quizzes, skills and homework assignments. To require a formal progress report at 50% of each course is burdensome and serves no purpose.

There are many more areas of concern, such as:

- Keeping every single advertisement for 7 years
- Requiring the state to be the "keeper" of the records for an undetermined fee
- Requiring records to be kept in "paper form" for in some cases 60 years without a waiver by the state
- Under Teacher Approvals a reference to additional qualifications as determined by the Division
- Requiring Federal program and curriculum approval prior State approval, is in direct contradiction to the requirements to the US Department of Education and our accrediting body
- Even though we often do not charge students who attend only 5 days, this should be a decision of the school not a formal regulation

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 above the printed name and title.

Sharon Ring
Vice President