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Sent by electronic mail

Members of the Advisory Committee
Bureau for Private Postsecondary Education
2535 Capitol Oaks Drive, Suite 400
Sacramento California, 95833

RE: Bureau of Private Postsecondary Education Innovative Subject
Matters Task Force Report

Dear Members of the Advisory Committee,

On January 25, Public Advocates provided the members of the Advisory Committee with a copy of our letter to the Director of the Department of Consumer Affairs, regarding our concerns relating to the Innovative Subject Matters Task Force Report. Having received no reply from the Department or the Bureau, ***we write now to urge the Advisory Committee to refrain from approving the Task Force Report as it is currently drafted.*** The Report need not be submitted to the Legislature until July 1, 2016, and Public Advocates has serious concerns that the Report lacks the student, consumer, employer, and higher education expert voices critical to making sound policy recommendations. Thus, ***we request that the approval of the report be delayed until a subcommittee can be formed to evaluate and include the input of employers, students, and consumer advocates.***

These high tech schools are proliferating quickly in California, and while some of these programs undoubtedly hold great promise, many make grandiose and largely unsubstantiated promises regarding salary and employment prospects to prospective students.¹ The Department of Consumer Affairs and the Bureau are responsible for ensuring that these institutions provide quality education programming, that prospective students have access to the relevant disclosure information, and that students can exercise their rights if they feel they have been harmed by any private postsecondary institution under the Bureau's jurisdiction. The Advisory Committee should take advantage of the next few months to ensure the Task Force Report is consistent with these critical responsibilities.

Unfortunately, the current draft of the Task Force Report contains no information about the potential dangers programs of this nature may present to students, such as high interest private loans, lack of support from inexperienced faculty and staff, mischaracterization of the

programs, inability to meet employer expectations, and lack of reliable data to support schools' claims of success.² Further, it makes no mention of the new issues which are likely to emerge with the U.S. Department of Education beginning to provide Federal Aid for these programs,³ or the predatory programs which have historically taken advantage of the availability of public funds to prey on vulnerable populations such as students of color and veterans.⁴ These significant oversights are likely the result of the dearth of student or consumer advocates on the Task Force, and must be remedied before this report is submitted to the Legislature. Without voices representing students, consumers, employers, and even neutral experts familiar with quality postsecondary programming, the Task Force's recommendations cannot carry the validity or the weight they would have if it had included all relevant stakeholders and experts.

Because the Bureau's highest priority is protection of the public,⁵ we urge you to postpone the approval of the Task Force Report and establish a subcommittee to review and solicit input from consumer and student representatives prior to the Report's delivery to the Legislature. This committee should include student, consumer, and employer representatives from both the Advisory Committee and the public, and their input should be included in the report prior to the Advisory Committee's approval. Public Advocates is available to help convene the appropriate representatives and serve on such a committee as appropriate.

The Advisory Committee is under no obligation to approve the Report at tomorrow's meeting and Cal. Educ. Code § 94880.1 provides time specifically for the Advisory Committee to review and amend the report prior to delivery to the Legislature by July 1, 2017. We therefore urge the Advisory Committee to utilize the time available to solicit input from the critical voices currently missing from the Task Force Report and ensure that the Bureau's recommendations put the needs of students and the public first and foremost in accordance with the law.

Sincerely,



Angela Elizabeth Perry

Law Fellow

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¹ See Sarah Grant, *Are You Wasting Your Money at Coding Boot Camp?* Bloomberg Business, Nov. 10, 2015, available at <http://www.bloomberg.com/news/articles/2015-11-10/are-you-wasting-your-money-at-coding-boot-camp->; see also <http://www.hackreactor.com> (advertising but not substantiating a \$105,000 salary and a 99% hiring rate for graduates).

² See R. A. Schuetz, *Coding Bootcamps Seen as a Way into the Techie Class*, The Potrero View, Aug. 2015, available at <http://www.potreroview.net/coding-bootcamps-seen-as-a-way-into-the-techie-class>; see also Sarah Grant, *Are You Wasting Your Money at Coding Boot Camp?* Bloomberg Business, Nov. 10, 2015, available at <http://www.bloomberg.com/news/articles/2015-11-10/are-you-wasting-your-money-at-coding-boot-camp->.

³ Patricia Cohen, *New Federal Program Offers Students Aid for Nontraditional Education*. The New York Times, Oct. 14, 2015, available at http://www.nytimes.com/2015/10/14/business/program-offers-new-federal-aid-to-students.html?_r=0.

⁴ See Salvador Rodriguez, *Coding Boot Camps Go After Veterans to Take Silicon Valley's Vacant Tech Jobs*/ International Business Times, Nov. 8, 2015, available at <http://www.ibtimes.com/coding-boot-camps-go-after-veterans-take-silicon-valleys-vacant-tech-jobs-2174421>.

⁵ Cal. Ed. Code § 94875.