

**MINUTES OF THE STATE BOARD OF CAREER  
COLLEGES AND SCHOOLS BOARD MEETING  
MARCH 25, 2009**

**PRESIDING:** Dr. Kenneth Searfoss, Chairperson

**PRESENT:** Mr. Kenneth Miller, Vice Chairperson  
Mr. Dennis Bartels, Board Secretary  
Dr. Jerome Brockway, Board Member  
Mr. Charles Kramer, Board Member  
Dr. Steven Puckett, Board Member

**ABSENT:**

**STAFF:** Mr. John Ware, Executive Director  
Ms. Ruth Myers, Assistant Director  
Ms. Laura Essman, Executive Secretary  
Ms. Kimberly Stein, Investigator  
Ms. Jean Basinger, Consultant/Evaluator  
Mr. Tim Boylan, Consultant/Evaluator  
Dr. Harold Brown, Consultant/Evaluator  
Mr. Richard Brubaker, Consultant/Evaluator  
Dr. Donald Neff, Consultant/Evaluator  
Ms. Mia Meucci, Assistant Attorney General

**ABSENT:**

**GUESTS:** Mr. David Rankin, Ohio Association of Career Colleges and Schools  
Dr. Max Lerner, Ohio Association of Career Colleges and Schools  
Mr. Terry Worst, Ohio SAA for Veterans Training  
Mr. Bob Elmore, ITT Technical Institute - Norwood  
Ms. Darlene Waite, Miami-Jacobs Career College  
Ms. Joan Krein, Miami-Jacobs Career College - Columbus  
Mr. Jim Unger, ITT Technical Institute - Maumee  
Mr. David Heilman, Ohio Institute of Health Careers  
Ms. Angelique Walker, Ohio Institute of Health Careers  
Mr. Tim Duffy, Cleveland Industrial Training Center  
Ms. Jennifer Glombicki, Kaplan Higher Education  
Mr. Gary Jaycox, Ohio Center for Broadcasting - Cincinnati  
Mr. Tony Filipe, Ross Education

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**MEETING CALLED  
TO ORDER**

**Dr. Kenneth Searfoss, Chairperson  
called the meeting to order at 9:00 a.m.**

**ROLL CALL:**

**Dr. Puckett - Absent  
Dr. Brockway - Yes  
Dr. Searfoss - Yes  
Mr. Kramer - Yes  
Mr. Bartels - Yes  
Mr. Miller - Yes**

**(09-154)Mr. Charles Kramer moved** that the Board go into Executive Session at 9:01 a.m. for consideration of schools under investigation and personnel issues.

**Mr. Dennis Bartels seconded. 5 Ayes - 0 Nays. Motion carried.**

**Let the record show that Dr. Steven Puckett, Board Member, arrived at 9:20 a.m.**

**(09-155)Mr. Kenneth Miller moved** to end Executive Session at 9:50 a.m. Public Session began at 10:02 a.m.

**Dr. Jerome Brockway seconded. 6 Ayes - 0 Nays. Motion carried.**

**ROLL CALL:**

**Dr. Puckett - Yes  
Dr. Brockway - Yes  
Dr. Searfoss - Yes  
Mr. Kramer - Yes  
Mr. Bartels - Yes  
Mr. Miller - Yes**

**INTRODUCTION OF GUESTS**

**(09-156)Dr. Jerome Brockway moved** for Approval of the Minutes of January 28, 2009.

**Mr. Kenneth Miller seconded. 6 Ayes - 0 Nays. Motion carried.**

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**Executive Director Mr. John Ware** reported on the following:

1. **Budget Update:** The 2010-2011 biennium budget process continues to move forward in the Legislature. The House of Representatives is nearing conclusion of its budget hearings and I expect that we will see a proposed budget from the house within the next few weeks. I testified on March 4<sup>th</sup> before the House Finance and Appropriations Higher Education Subcommittee on the Board's budget request. I provided the Board with a copy of my testimony. After the House completes its budget proposal, the process will move to the Senate for more hearings and hopefully a new budget will take effect before the end of the fiscal year on June 30<sup>th</sup>. I am currently scheduled to testify before the Senate Finance Committee on May 13<sup>th</sup>.
2. **Board Member Update:** I am very happy to report that we recently received notification that the Governor has reappointed Mr. Ken Miller to a five year term on the Board. We have two Board members whose terms expire this year so we will be addressing the appointment issue again in the next few months.
3. **Board of Regents Update:** The approval process for proprietary schools seeking certificates of authorization from the Board of Regents continues to move forward. The Board of Regents will be holding a workshop on April 7<sup>th</sup> concerning certificate of authorization issues and specifically focusing on libraries and measuring institutional effectiveness. For more information on the workshop, please contact the Board of Regents.
4. **Annual Report & Impact Study:** I have given the Board a copy of the FY 2008 Annual Report. The number of students and programs increased again during the past fiscal year. I've also given the Board a copy of the executive summary from a report that was done for OACCS concerning demographics and other statistical information about career colleges and their students.
5. **Ethics Commission:** The financial disclosure statements that all Board members must file have been distributed by the Ethics Commission and the forms are due 4/15/09. Board members can submit the form to me and I will take them to the Ethics Commission or you can submit them directly to the Ethics Commission. In addition, I have included the schedule of ethics training sessions in your Board material.

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Below is summary of investigative activity for FY 09:

<u>Type of Case</u>	<u>Total</u>	<u>Open/Active Cases</u>	<u>#Open 30 days/more</u>	<u>Closed Cases</u>
Written Complaints	51	8	3	43
Investigative Inquiries	1	1	0	1
Non-Registered Schools	3	0	0	3

**PUBLIC COMMENT**

There was no Public Comment.

**OLD BUSINESS**

**Executive Director Mr. John Ware** reported on the Administrative Rule Review Update. The Administrative Rules that were approved at the November 2008 Board Meeting, will be presented at a Public Hearing today at the conclusion of Board Meeting.

**Executive Director Mr. John Ware** reported on the Audit Report. The State Board had an audit done by the State Auditor's Office. The Auditor issued their final report which was e-mailed to all Board Members approximately a month ago. There weren't any major changes from the report that was handed out to the Board at the last Board Meeting which was a draft report. The only issues identified in the report, are classified as OAKS issues. The issues identified by the Auditor occurred probably two years and have been resolved. The issues were when a staff person was on maternity leave and there was problems with that and the OAKS system.

**Executive Director Mr. John Ware** reported on the following school:

School of Advertising Art Update: This school requested a New Grant Award entitled "Low Income Award/Tuition Reduction" at the January 28, 2009 Board Meeting (motion #09-148). The Board moved to table the request for further clarification. As of today's date, the school as provided clarification.

**(09-157)Mr. Charles Kramer moved** for Approval of the above mentioned Grant Award for the School of Advertising Art.

**Dr. Jerome Brockway seconded. 6 Ayes - 0 Nays. Motion carried.**

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**Executive Director Mr. John Ware** reported on the following school:

Ohio Academy of Holistic Health Update: This school requested a renewal at the January 28, 2009 Board Meeting (motion #09-150). The Board approved the renewal pending clarification of school's current financial status and receipt of fees. As of today's date, those issues have not be resolved.

**(09-158)Mr. Kenneth Miller recommended** that the State Board of Career Colleges and Schools ADOPT the following Resolution:

WHEREAS Ohio Academy of Holistic Health located in Xenia, Ohio has submitted an application for a renewal certificate of registration with the Board; and

WHEREAS Ohio Academy of Holistic Health has committed the following acts or omissions:

The school has failed to submit required fees for the renewal of their certificate of registration; and,

The school has failed to make timely refunds for students who have withdrawn from the school; and,

The school has failed to maintain adequate financial resources for the operation of the school. WHEREAS these acts constitutes a violation of sections 3332.07 and 3332.09 of the Ohio Revised Code and sections 3332-1-04.5, 3332-1-10, 3332-1-21.1 of the Ohio Administrative Code.

Therefore be it resolved that:

RESOLVED, that the Executive Director of this Board, be, and he hereby is, directed to notify Ohio Academy of Holistic Health and the owner thereof, that this Board is denying the application for renewal of certificate of registration pursuant to Ohio Revised Code Section 3332.05 and in accordance with Ohio Revised Code Chapter 119 for the aforementioned violations.

**Dr. Steven Puckett seconded. 6 Ayes - 0 Nays. Motion carried.**

**(09-159)Mr. Dennis Bartels recommended** that the State Board of Career Colleges and Schools ADOPT the following Resolution:

WHEREAS Dayton Academy of Dog Grooming located in Dayton, Ohio currently holds a valid certificate of registration with this Board; and

WHEREAS Dayton Academy of Dog Grooming has failed to submit required fees, and, has failed to submit required documentation for their change of location; and

WHEREAS these acts constitute a violation of sections 3332.07 and 3332.09 of the Ohio Revised Code and sections 3332-1-04.1 and 3332-1-22.1 of the Ohio Administrative Code.

Therefore be it resolved that:

RESOLVED, that the Executive Director of this Board, be, and he hereby is, directed to notify Dayton Academy of Dog Grooming and the owner thereof, that this Board is initiating formal disciplinary action pursuant to Ohio Revised Code Section 3332.091 and in accordance with Ohio Revised Code Chapter 119 for the aforementioned violations.

**Dr. Jerome Brockway seconded. 6 Ayes - 0 Nays. Motion carried.**

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**NEW BUSINESS**

**Mr. Charles Kramer presented a slate of officers for the 2009 Board as follows:**

Dr. Kenneth Searfoss, Chairperson  
Dr. Jerome Brockway, Vice Chairperson  
Mr. Dennis Bartels, Secretary

**(09-160)Mr. Kenneth Miller moved** for Approval of the slate of officers for the 2009 Board as stated above.

**Dr. Jerome Brockway seconded. 6 Ayes - 0 Nays. Motion carried.**

**(09-161)Mr. Charles Kramer moved** to approve a contract for \$15,000 with Cyanna Educational Services Inc. for the development of an online annual reporting system. This contract is awarded without bids due to Cyanna's work with other states and accrediting agencies developing similar systems, the Board believes that they represent the best low cost alternative.

**Mr. Kenneth Miller seconded. 6 Ayes - 0 Nays. Motion carried.**

**(09-162)Mr. Kenneth Miller moved** for Approval of the following New Program(s):

- A. Associated Training Services of Ohio  
2323 Performance Parkway  
Columbus, OH 43207  
Consultant: Dr. Brown/Dr. Neff  
**APPROVAL TO NOVEMBER 2010**
  - 1. GPS Training Course - Certificate  
(anticipated start date: 3/26/09)

**Dr. Steven Puckett seconded. 6 Ayes - 0 Nays. Motion carried.**

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**(09-163)Mr. Charles Kramer moved** for Approval of the following New Program(s):

B. TechSkills  
4460 Carver Woods Drive, Suite 100  
Cincinnati, OH 45242  
Consultant: Dr. Brown/Dr. Brubaker  
**APPROVAL TO JULY 2009**

TechSkills  
5005 Rockside Road, Suite 400  
Independence, OH 44131  
Consultant: Dr. Brown/Mr. Boylan  
**APPROVAL TO JULY 2009**

TechSkills  
2400 Corporate Exchange Drive, Suite 270  
Columbus, OH 43231  
Consultant: Dr. Brown/Dr. Neff  
**APPROVAL TO JULY 2009**

1. Cisco Certified Entry Network Technician (CCENT) - Certificate
  2. Microsoft Certified Application Specialist (MCAS) - Certificate
  3. Microsoft Certified IT Professional: Database Administrator (MCITP:DBA) - Certificate
  4. Microsoft Certified IT Professional: Database Designer (MCITP:DD) - Certificate
  5. Microsoft Certified Technology Specialist - Single (MCTS-1) - Certificate
  6. Microsoft Certified Technology Specialist - SQL Server (MCTS-SQL) - Certificate
  7. Microsoft Certified Technology Specialist - Web Applications (MCTS-WebApps) - Certificate
  8. Microsoft Certified Technology Specialist - Windows Applications (MCTS-WinApps) - Certificate
- (anticipated start date: 4/1/09)**

**Mr. Dennis Bartels seconded. 6 Ayes - 0 Nays. Motion carried.**

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**(09-164)Mr. Charles Kramer moved** for Approval of the following New Degree Program(s):

- A. Herzing University  
522 Hill Avenue  
Toledo, OH 43615  
Consultant: Dr. Brown/Ms. Basinger  
**AUTHORIZATION TO SEPTEMBER 2009**

Associate of Applied Science in:  
Health Information Management  
Health Information Management (Distance Education)  
**(anticipated start date: 4/29/09)**

**Dr. Jerome Brockway seconded. 6 Ayes - 0 Nays. Motion carried.**

**(09-165)Mr. Charles Kramer moved** for Approval of the following New Degree Program(s):

- B. Miami-Jacobs Career College  
150 E. Gay Street, 15<sup>th</sup> Floor  
Columbus, OH 43215  
Consultant: Dr. Brown/Dr. Neff  
**AUTHORIZATION TO SEPTEMBER 2013**

Associate of Applied Science in:  
Dental Assisting  
Massage Therapy **(THIS PROGRAM IS SUBJECT TO MEDICAL  
BOARD APPROVAL)**  
**(anticipated start date: 5/1/09)**

**Mr. Dennis Bartels seconded. 6 Ayes - 0 Nays. Motion carried.**

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**(09-166)Mr. Dennis Bartels moved** for Approval of the following Re-authorization of Degree Program(s):

- A. Kaplan College  
2745 Winchester Pike  
Columbus, OH 43232  
Consultant: Dr. Brown/Dr. Neff  
**AUTHORIZATION TO MARCH 2015**

Associate of Applied Business in:  
Criminal Justice

Associate of Applied Science in:  
Medical Assisting  
Engineering Drafting/CAD  
Computer Networking Technology

**Dr. Steven Puckett seconded. 6 Ayes - 0 Nays. Motion carried.**

**(09-167)Dr. Jerome Brockway moved** for Approval the following New Certificate(s) of Registration and Program Authorization(s):

- A. Hondros College  
7600 Tyler's Place Blvd.  
West Chester, OH 45069  
Consultant: Dr. Brown/Dr. Brubaker  
**APPROVAL TO MARCH 2010**

Associate of Applied Science in Nursing

Practical Nursing - Diploma  
**PENDING RECEIPT OF FEES AND COMPLETION OF FACILITIES  
COMPLIANCE STATEMENT (anticipated start date: this school was already  
approved as a Learning Center - now changing to full school)**

**Dr. Steven Puckett seconded. 6 Ayes - 0 Nays. Motion carried.**

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**(09-168)Mr. Charles Kramer moved** for Approval of the following Renewal of Learning Center(s):

- A. Cleveland Industrial Training Center- MAIN CAMPUS  
1311 Brookpark Road  
Cleveland, OH 44109  
Consultant: Dr. Brown/Mr. Boylan

Cleveland Industrial Training Center dba  
Akron CNC Training Center - LEARNING CENTER  
2642 Gilchrist Road  
Akron, OH 44305  
Consultant: Dr. Brown/Ms. Basinger  
**APPROVAL TO MARCH 2011**

**COURSES:**

Selected courses from all currently approved programs

**Mr. Kenneth Miller seconded. 6 Ayes - 0 Nays. Motion carried.**

**(09-169)Mr. Dennis Bartels moved** for Approval of the following Renewal of Learning Center(s):

- B. Ohio Model and Talent Management - MAIN CAMPUS  
5422 East 96th Street, Suite 210  
Garfield Heights, OH 44125  
Consultant: Dr. Brown/Mr. Boylan

Ohio Model and Talent Management - LEARNING CENTER  
10630 Fremont Pike  
Perrysburg, OH 43551  
Consultant: Dr. Brown/Ms. Basinger  
**APPROVAL TO MARCH 2011**

**COURSES:**

Full program in: Modeling and Image Development

**PENDING RECEIPT OF FEES AND CURRENT FIRE INSPECTION**

**Mr. Kenneth Miller seconded. 6 Ayes - 0 Nays. Motion carried.**

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**(09-170)Mr. Kenneth Miller moved** for Approval of the following Renewal of Learning Center(s):

\_\_\_\_\_ C. National Personal Training Institute - MAIN CAMPUS  
3496 Snouffer Road, Suite 100  
Columbus, OH 43235  
Consultant: Dr. Brown/Dr. Neff

National Personal Training Institute - LEARNING CENTER  
7690 New Market Center Way  
Columbus, OH 43235  
Consultant: Dr. Brown/Dr. Neff  
**APPROVAL TO MARCH 2011**

**COURSES:**

Selected courses from all currently approved programs

**Dr. Jerome Brockway seconded. 6 Ayes - 0 Nays. Motion carried.**

**(09-171)Mr. Charles Kramer moved** for Approval of the following Renewal of Learning Center(s):

\_\_\_\_\_ D. SHI Integrative Medical Massage &  
Traditional Chinese Acupuncture School - MAIN CAMPUS  
130 Cook Road  
Lebanon, OH 45036  
Consultant: Dr. Brown/Dr. Brubaker

SHI Integrative Medical Massage &  
Traditional Chinese Acupuncture School - LEARNING CENTER  
3520 Central Parkway  
Cincinnati, OH 45223  
Consultant: Dr. Brown/Dr. Brubaker  
**APPROVAL TO MARCH 2011**

**COURSES:**

\_\_\_\_\_ Medical Massage Therapy

**Mr. Dennis Bartels seconded. 6 Ayes - 0 Nays. Motion carried.**

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**(09-172)Mr. Charles Kramer moved** for Approval of the following New Institutional Grant Award(s) and Scholarship Award(s):

- A. Alexandria School  
28500 Miles Road, Suite P  
Solon, OH 44139  
Consultant: Dr. Brown/Mr. Boylan

**FCCLA Early Childhood Education Award Winner**

**Dr. Jerome Brockway seconded. 6 Ayes - 0 Nays. Motion carried.**

**(09-173)Mr. Charles Kramer moved** to Table of the following New Institutional Grant Award(s) and Scholarship Award(s) for further clarification:

- B. ComputerTraining.com at Cincinnati  
4600 McAuley Place, Suite 150  
Blue Ash, OH 45242  
Consultant: Dr. Brown/Dr. Brubaker

ComputerTraining.com at Cleveland  
6393 Oak Tree Boulevard, Suite 103  
Independence, OH 44131  
Consultant: Dr. Brown/Mr. Boylan

ComputerTraining.com at Columbus  
550 Polaris Parkway, Suite 510  
Westerville, OH 43082  
Consultant: Dr. Brown/Dr. Neff

**CTC Microsoft Networking Technology Grant Program  
PENDING FURTHER VERIFICATION OF ELIGIBILITY CRITERIA**

**Mr. Kenneth Miller seconded. 6 Ayes - 0 Nays. Motion carried.**

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**(09-174)Mr. Dennis Bartels moved** for Approval of the following Schools Ready for Board Action:

**Renewals:**

Healing Arts Institute, Perrysburg  
ITT Technical Institute, Maumee  
TDDS Technical Institute, Lake Milton  
Trumbull Business College, Warren  
Cleveland Industrial Training Center  
Filer's Florist Inc., Middleburg Heights  
Goodwill Training & Employment Center, Cleveland  
Meadowmark School of Business Software, Cleveland  
Art Institute of Cincinnati  
David-Curtis School of Floral Design, Centerville  
ITT Technical Institute, Norwood  
Miami-Jacobs Career College, Springboro  
Miami-Jacobs Career College, Troy  
Ohio Center for Broadcasting, Cincinnati  
SHI Integrative Medical Massage & Traditional Acupuncture School, Lebanon  
Bohecker College-Columbus  
Franklinton Career & Technology Center, Columbus  
Kaplan College, Columbus  
National Personal Training Institute, Columbus  
Ohio Institute of Health Careers, Columbus  
The Training Center, Buckeye Lake

**Dr. Jerome Brockway seconded. 5 Ayes - 1 Abstention (Miller - Trumbull Business College) - 0 Nays. Motion carried.**

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**(09-175)Dr. Jerome Brockway moved** for Approval of the following conditional Renewal of Certificate(s) of Registration:

Crist CDL & Heavy Equipment Training 8816 Harding Highway E Galion, OH 44833	(Certificates) Heavy Equipment I Heavy Equipment II Heavy Equipment III	Basinger
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**PENDING RECEIPT OF FEES, CLARIFICATION OF NAMES OF PROGRAMS  
AND RESOLUTION OF ALL STAFF CONCERNS**

ITT Technical Institute 1030 North Meridian Road Youngstown, OH 44509	Degree Programs Only	Basinger
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**PENDING RECEIPT OF CURRENT FIRE INSPECTION**

Ohio Model & Talent Management 5422 East 96 <sup>th</sup> Street, Suite 210 Garfield Heights, OH 44125	(Certificates) Modeling & Image Development Children's Modeling & TV Workshop Program Training Program for Actors	Boylan
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**PENDING RECEIPT OF FEES**

Miami-Jacobs Career Center 110 N. Patterson Blvd. Dayton, OH 45402	ACICS (Diplomas) Medical Billing and Coding Practical Nursing	Brubaker
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**PENDING RECEIPT OF CURRENT FIRE INSPECTION**

**Dr. Steven Puckett seconded. 6 Ayes - 0 Nays. Motion carried.**

**(09-176)Mr. Kenneth Miller moved** for Approval of the following previously approved out-of-state schools recommended to receive Board Approval:

Art Institute of Pittsburgh 420 Boulevard of the Allies Pittsburgh, PA 15219	MSC	25 Program Renewals and 1 New Program
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Brown Mackie College-Northern Kentucky 309 Buttermilk Pike Ft. Mitchell, KY 41017	ACICS	14 Program Renewals and 8 New Programs
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ITT Technical Institute 2810 Dupont Commerce Court Ft. Wayne, IN 46825	ACICS	18 Program Renewals
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**Mr. Charles Kramer seconded. 6 Ayes - 0 Nays. Motion carried.**

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**(09-177)Dr. Jerome Brockway moved** for Approval of the following items on the Consent Agenda:

Ohio Model and Talent Management, Garfield Heights Lakewood College, Lakewood	Miscellaneous (bounced check fee) School Name Change (From: American Center for Conflict Resolution Institute)
Herzing University, Toledo	School Name Change (From: Herzing College-Toledo)
Kaplan College, Columbus	School Name Change (From: Technology Education College)
Daymar College, Chillicothe	School Director Change (To: Gregory Cawthon)
Ohio Center for Broadcasting, Cincinnati	School Director Change (To: Gary Jaycox)
Ohio Center for Broadcasting, Columbus	School Director Change (To: Teresa Hevel)
Hondros College, Maumee	School Change of Location (To: 1750 Indian Wood Circle, Suite 140, Maumee, OH 43537)
Academy of Technical Studies, Toledo	Program Name Change
Bohecker College-Columbus	Program Name Change
Remington College, Cleveland West Campus, N. Olmsted	Program Name Change
Stautzenberger College, Maumee	Program Name Change

**Mr. Kenneth Miller seconded. 6 Ayes - 0 Nays. Motion carried.**

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**Executive Director Mr. John Ware** reported on the pending update from prior Board Meetings.

**Mr. Terry Worst** reported for the SAA for Veterans Training.

**Mr. David Rankin** reported for the Ohio Association of Career Colleges and Schools.

**PUBLIC ADMINISTRATIVE RULE HEARING**

**CHAIR:** Good morning. My name is Kenneth Searfoss, Chair of the State Board of Career Colleges and Schools. For incorporation into the record, I would request that the secretary call the roll.

**ROLL CALL:**

**Dr. Puckett - Absent**

**Dr. Brockway - Yes**

**Dr. Searfoss - Yes**

**Mr. Kramer - Yes**

**Mr. Bartels - Yes**

**Mr. Miller - Yes**

**CHAIR:** The Chair finds that five (5) of the six members answered the roll call; therefore, there is the necessary quorum. Let the record show that this rules hearing is called to order at 11:30 a.m. on March 25, 2009, in the Board Room of the State Board of Career Colleges and Schools, 35 East Gay Street, Suite 403, Columbus, Ohio 43215.

This hearing is conducted pursuant to Chapter 119 of the Ohio Revised Code for the purpose of amending twelve (12) of the State Board of Career Colleges and Schools. Pursuant to Section 119.03(C) of the Ohio Revised Code, any person affected by the proposed action of the Board may appear and be heard and may present evidence in support or in opposition to the proposed rule changes. The Board will rule on the admissibility of evidence. Proffers of evidence may be accepted.

During the hearing, the testimony and offers of evidence shall be recorded by electronic means. The Board may administer oaths or affirmations.

To present the introductory exhibits I would like to present our representative from the office of the Attorney General, Ms. Mia Meucci. Ms. Meucci, please enter for the record the identification of certain exhibits that establish compliance with Chapter 119 of the Ohio Revised Code.

**ATTORNEY GENERAL:** Thank you, Dr. Searfoss. I am presenting to the Board State exhibits 1 through 17. These exhibits include copies of the public hearing notice and the administrative rule changes filed with JCARR. I would ask that the Board admit these exhibits at the end of the hearing.

**CHAIR:** Thank you. At this time, the Chair would like to call upon the Executive Director to identify the exhibits and provide testimony on the proposed rule changes.

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**EXECUTIVE DIRECTOR:** Thank you, Dr. Searfoss. I will briefly identify the exhibits for the record. State Exhibit 1 is a copy of a memo dated January 30, 2008 which is when this process started. State Exhibit 2 is a copy of a memo dated September 24, 2008 that included the preliminary staff report on the rules under review. State Exhibit 3 is a copy of a memo dated October 15, 2008 regarding the administrative rule review committee meeting. State Exhibit 4 is a copy of a memo dated November 19, 2008 regarding the administrative rule review committee recommended changes. State Exhibits 1-4 are presented for purposes of documenting the process the Board went through in reviewing these rules. State Exhibit 5 is a copy that I will pass out to the Board of rule 3332-1-01 which is the first rule that was reviewed by the Board. State Exhibit 6 is a copy of rule 3332-1-02 which is the second rule that was reviewed by the Board. State Exhibit 7 is a copy of rule 3332-1-04.5 which is the third rule. State Exhibit 8 is a copy of rule 3332-1-11 which is the fourth rule. State Exhibit 9 is a copy of rule 3332-1-12.1 which is the fifth rule. State Exhibit 10 is a copy of rule 3332-1-14 which is the sixth rule. State Exhibit 11 is a copy of rule 3332-1-18 which is the seventh rule. State Exhibit 12 is a copy of rule 3332-1-19 which is the eighth rule. State Exhibit 13 is a copy of rule 3332-1-20 which is the ninth rule. State Exhibit 14 is a copy of rule 3332-1-21 which is the tenth rule. State Exhibit 15 is a copy of rule 3332-1-22 which is the eleventh rule. State Exhibit 16 is a copy of rule 3332-1-22.1 which is the twelfth rule. And finally State Exhibit 17 is a copy of the Public Hearing Notice on these rules. We have talked about these rules several times during our Board Meetings. The copies of the recommended changes have been posted on the Board's website. The initial changes were posted after the Board's September Meeting. The JCARR filings were posted shortly after these were filed which would have been February 9, 2009. At this time, we haven't received any formal comments from any interested parties on the rules under review. I would be happy to entertain any questions that Board Members have or the Chairman of Board regarding the proposed changes.

**CHAIR:** Today we will entertain testimony either orally or in writing for or against the rules which are under consideration. We are requesting that all testimony be limited to no more than five minutes. If additional time is needed, we will consider a reasonable extension.

If you have written testimony, it is important that you provide a copy to the Board so that the testimony will be a part of the record; and if you wish, in the interest of time, you may just submit the written testimony without reading it into the record.

When you are called, please come forward, be sworn in, state any organization your represent here today, and present your testimony.

Do we have anyone here today who will be giving testimony?

**CHAIR:** Hearing no testimony, are there any other comments or statements by anyone at this particular hearing?

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**EXECUTIVE DIRECTOR:** One observation regarding the process, if the Board approves the proposed changes today, we will continue on. I believe they will come before JCARR, who has several representatives here today, at the April Meeting. Assuming that there are no changes or concerns at that time, we will bring the rules back again to the Board at the May Meeting. At that time, the Board can finally approve the rules and set an effective date. If we approve at the May Meeting, I would assume that the effective date on or about July 1, 2009.

**CHAIR:** At this time, Ms. Meucci, would you like to move for introduction of the exhibits?

**ATTORNEY GENERAL:** Yes, I would Dr. Searfoss. I would move the introduction of exhibits 1 through 17 which were identified by Mr. Ware during his testimony.

**CHAIR:** Are there any objections to the exhibits being admitted?

**CHAIR:** Hearing no objections, the exhibits are admitted. If there is no other testimony or exhibits, I declare this public hearing closed. We wish to thank all of you for your participation in our hearing today. I will now entertain a motion for approval of the rules including any recommended changes.

**(09-178)Mr. Charles Kramer moved** for Approval of the rules including any recommended changes.

**Mr. Kenneth Miller seconded. 5 Ayes - 0 Nays. Motion carried.**

**(09-179)Mr. Dennis Bartels moved** that the Board adjourn at 11:40 a.m.

**Mr. Kenneth Miller seconded. 5 Ayes - 0 Nays. Motion carried.**

Respectfully Submitted,

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Chairperson or Vice Chairperson

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Board Secretary