



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

EXECUTIVE DEPUTY COMMISSIONER  
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July 12, 2023

Theresa Podagrosi  
Audit Manager  
Division of State Government  
Accountability Office of the State Comptroller  
110 State Street, 11th Floor  
Albany, NY 12236

Dear Ms. Podagrosi:

The New York State Education Department (NYSED) is appreciative of the opportunity to provide comments to the Office of the State Comptroller (OSC) regarding the actions taken by the Bureau of Proprietary School Supervision (BPSS) to implement the recommendations contained in the audit report, *Licensing and Monitoring of Proprietary Schools* (Report 2019-S-68).

The purpose of this communication is to address the *partially implemented* status designated in the OSC follow up audit report dated June 21, 2023 (2023-F-1), for recommendation 1.c., "Develop policies and procedures to require every school's occupational and educational data survey (OEDS) be analyzed for potential problems or negative trends with appropriate benchmarks."

In March of 2023, BPSS launched its new OEDS reporting system. All BPSS licensed schools were required to report the OEDS for the period of July 1, 2021 - June 30, 2022, by April 15, 2023.

BPSS has now been afforded a full academic year of data for which the team has begun to analyze. Using the BPSS Business Portal, BPSS can now run real-time reports to identify and fix reporting gaps in the OEDS data system. BPSS can also analyze data trends, spot obvious school reporting errors and omissions, and produce data needed to make licensure determinations. BPSS will be implementing a 3-year plan to ensure OEDS data is effectively analyzed for potential problems or negative trends, with appropriate benchmarks.

- Year 1 - Current: As a top priority, BPSS has already identified those schools reporting zero students and will intervene now (rather than waiting until the license renewal period) to determine if the school is operational or has experienced a regulatory triggering event [Commissioners Regulations-126.8(b)].

Communication and procedures are currently under development to implement an

early warning system for those schools that may be struggling financially through low or no student enrollment.

- Year 2: Once a two-year data trend is available, BPSS will begin to develop standards for private career schools whereby the data collected on the OEDS is used to inform licensing determinations such as the issuing of multiple licenses to the same owner/operator and those seeking license transfers.
- Year 3: Once a three-year data trend is available, BPSS will begin to develop standards for private career schools whereby the data collected on the OEDS is used to inform the determination of curriculum approvals.

The Department appreciates the opportunity to provide feedback to this follow up report.

If you have any additional questions or need additional clarification, please contact Marisa Boomhower at [Marisa.Boomhower@nysed.gov](mailto:Marisa.Boomhower@nysed.gov).

Sincerely,

A handwritten signature in cursive script that reads "Sharon Cates-Williams".

Sharon Cates-Williams

cc: Ceylane Meyers-Ruff  
Marisa Boomhower  
James Kampf  
Jeanne Day