



CAMTC Board of Directors Meeting

December 11, 2014

The Concourse Hotel at LAX
6225 W Century Blvd,
Los Angeles, CA 90045
Laguna Room

OPEN SESSION MINUTES

Directors in Attendance: Allison Budlong, Mike Callagy, Judi Calvert, Mark Dixon, Ben Drillings, Jeff Forman, Guy Fuson, Keith Grant, Elna Leonardo, Michael Marylander, Arthur Miller, Christian Pezza, Jean Robinson, Roberta Rolnick, Marcy Schaubeck, Michael Sinel, Caroline Tseng, Deb Tuck, Dixie Wall

Directors Absent: Bill Armour

Staff: Ahmos Netanel, CEO; Sheryl LaFlamme, Operations Manager; Beverly May, Director of Governmental Affairs; Rick McElroy, Director of PSD; Joe Bob Smith, Director of ESD

General Counsel: Jill England

Special Counsel: Alison Siegel

Guests: Sally Hacking, William Jones, Robert Boucher, Alan Saruwatari

1. Call to Order

Chairman Dixon called the meeting to order at 9:45a.m. and established a quorum.

Chairman Dixon reminded the Board of the rules of debate.

Chairman Dixon welcomed Allison Budlong to the Board as the California Association of Private Postsecondary Schools' (CAPPS) appointee.

Chairman Dixon welcomed Joe Bob Smith as the new Director of the Educational Standards Division.

2. 2015 Budget

Motion 121114:1 Miller/Pezza – Move to approve the 2015 preliminary budget.

15-0, 4 Abstain

MOTION PASSES

Roll Call Vote

Armour – Not Present for Vote

Budlong - Abstain

Callagy – Yes

Calvert - Yes

Drillings – Abstain

Forman - Yes

Fuson - Abstain

Grant – Yes

Leonardo – Yes

Marylander – Yes

Miller - Yes

Pezza – Yes

Robinson - Yes

Rolnick – Yes

Schaubeck - Yes

Sinel - Yes

Tseng - Yes

Tuck – Yes

Wall - Yes

Dixon – Abstain

The Board went into Closed Session with CAMTC Legal Counsel Pursuant to California Government Code Section 11126(a) at 10:13a.m. and returned to open session at 11:18a.m., announcing that the non-financial portions of an employment contract for the CEO had been approved in closed session.

3. CEO Contract

Motion 121114:2 Grant/Sinel – Move to approve the full CEO employment contract.

Friendly Amendment – Robinson – Split motion

Grant and Sinel accept friendly amendment

Motion 121114:2-1 Grant/Sinel – Move to approve a 4% annual increase in CEO contract.

9-5, 4 Abstain

MOTION PASSES

Roll Call Vote

Armour – Not Present for Vote
Budlong - Abstain
Callagy – Not Present for Vote
Calvert - Yes
Drillings – Abstain
Forman - Abstain
Fuson - No
Grant – Yes
Leonardo – Yes
Marylander – Yes
Miller - No
Pezza – Yes
Robinson - No
Rolnick – Yes
Schaubeck - Abstain
Sinel - Yes
Tseng - No
Tuck – Yes
Wall - No
Dixon – Yes

Motion 121114:2-2 Robinson/Grant - Move to approve item 13 in the CEO contract - Termination for Cause.

16-0, 2 Abstain

Roll Call Vote

Armour – Not Present for Vote
Budlong - Abstain
Callagy – Not Present for Vote
Calvert - Yes
Drillings – Abstain
Forman - Yes
Fuson - Yes
Grant – Yes
Leonardo – Yes
Marylander – Yes
Miller - Yes

Pezza – Yes
Robinson - Yes
Rolnick – Yes
Schaubeck - Yes
Sinel - Yes
Tseng - Yes
Tuck – Yes
Wall - Yes
Dixon – Yes

Motion 121114:2-3 Sinel/Rolnick – Move to approved item15 in CEO contract - Payment upon Termination

11-5, 2 Abstain

Roll Call Vote

Armour – Not Present for Vote
Budlong - Abstain
Callagy – Not Present for Vote
Calvert - Yes
Drillings – Abstain
Forman - Yes
Fuson - No
Grant – Yes
Leonardo – Yes
Marylander – Yes
Miller - No
Pezza – Yes
Robinson - No
Rolnick – Yes
Schaubeck - Yes
Sinel - Yes
Tseng - No
Tuck – Yes
Wall - No
Dixon – Yes

4. Policies and Procedures for Approving Schools

The Board discussed the proposed procedures for approving schools.

5. Approval of Minutes

Motion 121114:3 Wall/Tuck – Move to approve the September 30, 2014 open session minutes.

13-0, 3 Abstain

MOTION PASSES

Roll Call Vote

Armour – Not Present for Vote
Budlong - Abstain
Callagy – Not Present for Vote
Calvert - Yes
Drillings – Yes
Forman - Yes
Fuson - Abstain
Grant – Yes
Leonardo – Yes
Marylander – Yes
Miller - Yes
Pezza – Yes
Robinson - Yes
Rolnick – Yes
Schaubeck - Abstain
Sinel – Not Present for Vote
Tseng – Not Present for Vote
Tuck – Yes
Wall - Yes
Dixon – Yes

Motion 121114:4 Wall/Calvert– Move to approve the October 1, 2014 open session minutes with corrections.

14-0, 2 Abstain

MOTION PASSES

Roll Call Vote

Armour – Not Present for Vote
Budlong - Abstain

Callagy – Not Present for Vote
Calvert - Yes
Drillings – Yes
Forman - Yes
Fuson - Abstain
Grant – Yes
Leonardo – Yes
Marylander – Yes
Miller - Yes
Pezza – Yes
Robinson - Yes
Rolnick – Yes
Schaubeck - Yes
Sinel – Not Present for Vote
Tseng – Not Present for Vote
Tuck – Yes
Wall - Yes
Dixon – Yes

6. Amendments to Procedures for Un-Approval of Schools

Ms. Siegel summarized the changes in the Procedures for Un-Approval of Schools.

Motion 121114:5 Pezza/Grant – Move to approve the proposed amendments to the September 19, 2013 Procedures for Un-Approval of Schools.

16-0
MOTION PASSES

Roll Call Vote

Armour – Not Present for Vote
Budlong - Yes
Callagy – Not Present for Vote
Calvert - Yes
Drillings – Yes
Forman - Yes
Fuson - Yes
Grant – Yes
Leonardo – Yes
Marylander – Yes
Miller - Not Present for Vote
Pezza – Yes
Robinson - Yes

Rolnick – Yes
Schaubeck - Yes
Sinel – Not Present for Vote
Tseng – Yes
Tuck – Yes
Wall - Yes
Dixon – Yes

7. Amendments to Procedures for Denial of Certification or Discipline/Revocation

Ms. Siegel summarized the proposed amendments to the Procedures for Denial of Certification or Discipline/Revocation stating the changes were made to match the new law.

Motion 121114:6 Rolnick/Pezza – Move to approve the proposed amendments to the Procedures for Denial of Certification or Discipline/Revocation with an effective date of January 1, 2015.

15-0
MOTION PASSES

Roll Call Vote

Armour – Not Present for Vote
Budlong - Yes
Callagy – Not Present for Vote
Calvert - Yes
Drillings – Not Present for Vote
Forman - Yes
Fuson - Yes
Grant – Yes
Leonardo – Yes
Marylander – Yes
Miller - Not Present for Vote
Pezza – Yes
Robinson - Yes
Rolnick – Yes
Schaubeck - Yes
Sinel – Not Present for Vote
Tseng – Yes
Tuck – Yes
Wall - Yes
Dixon – Yes

8. Amendments to Criteria for Proof of Rehabilitation

Ms. Siegel summarized the proposed amendments to the Criteria for Proof of Rehabilitation document stating that additional factors of rehabilitation were added.

Motion 121114:7 Rolnick/Tuck– Move to approve the proposed amendments to the Criteria for Proof of Rehabilitation with an effective date of January 1, 2015.

16-0

MOTION PASSES

Roll Call Vote

Armour – Not Present for Vote

Budlong - Yes

Callagy – Not Present for Vote

Calvert - Yes

Drillings – Yes

Forman - Yes

Fuson - Yes

Grant – Yes

Leonardo – Yes

Marylander – Yes

Miller - Not Present for Vote

Pezza – Yes

Robinson - Yes

Rolnick – Yes

Schaubeck - Yes

Sinel – Not Present for Vote

Tseng – Yes

Tuck – Yes

Wall - Yes

Dixon – Yes

9. Water Modalities

Mr. Netanel stated that in order to be compliant with the new law, the Board would need to recognize certain water modalities so they won't be considered unprofessional and in violation of the law.

Motion 121114:8 Pezza/Schaubeck – Move to approve the December 8, 2014 Water Based Massage Modalities document with the additional modalities:

Swiss Showers

Scotch Hose

Hydrotherapy Tub

16-0
MOTION PASSES

Roll Call Vote

Armour – Not Present for Vote
Budlong - Yes
Callagy – Not Present for Vote
Calvert - Yes
Drillings – Yes
Forman - Yes
Fuson - Yes
Grant – Yes
Leonardo – Yes
Marylander – Yes
Miller - Not Present for Vote
Pezza – Yes
Robinson - Yes
Rolnick – Yes
Schaubeck - Yes
Sinel – Not Present for Vote
Tseng – Yes
Tuck – Yes
Wall - Yes
Dixon – Yes

10. Treating Schools as Closed

Motion 121114:9 Robinson/Grant – As of December 15, 2014, the Board may treat schools as closed due to denial of BPPE approval if not disciplinary in nature.

15-0, 1 Abstain
MOTION PASSES

Roll Call Vote

Armour – Not Present for Vote
Budlong - Yes
Callagy – Not Present for Vote
Calvert - Yes
Drillings – Yes
Forman - Yes
Fuson - Abstain

Grant – Yes
Leonardo – Yes
Marylander – Yes
Miller - Not Present for Vote
Pezza – Yes
Robinson - Yes
Rolnick – Yes
Schaubeck - Yes
Sinel – Not Present for Vote
Tseng – Yes
Tuck – Yes
Wall - Yes
Dixon – Yes

11. Definition of Approved School

Motion 121114:10 Wall/Pezza – As of January 1, 2015, the definition if schools approved by the Council means the definition in B&P Code 4601A.

16-0
MOTION PASSES

Roll Call Vote

Armour – Not Present for Vote
Budlong - Yes
Callagy – Not Present for Vote
Calvert - Yes
Drillings – Yes
Forman –Yes
Fuson - Yes
Grant – Yes
Leonardo – Yes
Marylander – Yes
Miller - Not Present for Vote
Pezza – Yes
Robinson - Yes
Rolnick – Yes
Schaubeck - Yes
Sinel – Not Present for Vote
Tseng – Yes
Tuck – Yes
Wall - Yes
Dixon – Yes

The Board went into Closed Session with CAMTC Legal Counsel Pursuant to California Government Code Section 11126(e) at 2:24p.m. and returned to open session at 2:40p.m.

12. CEO Report

Mr. Netanel stated that application processing staff have been extremely busy as they have received a large number of applications and transcripts. Mr. Netanel went on to say that staff has managed the surge in activity well. Mr. Netanel stated the new Educational Standards Division Director, Joe Bob Smith, has hit the ground running, preparing the Policies and Procedures proposal for approving schools.

Mr. Netanel stated as of October 31, 2014, CAMTC exceeded expectation on the balance sheet and the statement of functional activity. He went on to say that CAMTC's funds are currently deposited in nine different FDIC insured banks with more than half of the deposits in CD's paying more than 1% interest.

13. Treasurer's Report

Mr. Marylander stated we have received just under 11,000 applications so far this year for a 238 weekly average. Mr. Marylander went on to say that the rate of renewals, which account for a major portion of revenue, are at approximately 75%.

14. Government Relations Report

Ms. May stated there are currently 110 jurisdictions that require certification and in ten of these jurisdictions, the city or county stopped issuing local massage permits and require certification to practice massage by policy only. Ms. May stated that Los Angeles city is in the early stages of amending the massage and zoning ordinances to include requiring certification. In 2016, they will no longer issue police permits for massage technicians.

15. PSD Report

Mr. McElroy stated that a 2-day training meeting for PSD staff was held in Sacramento to review the changes in the law. He went on to say current PSD reviews consist of approximately 75% background issues and 25% education issues.

16. Re-evaluation of CAMTC's recognized exams

Mr. Smith stated that CAMTC recognizes three exams, which are the MBLEx, NCETM and NCETMB. Mr. Smith went on to say as of February 1, 2015, the NCBTMB will cease offering their exams for regulatory purposes and after that date, they will only offer the Board Certification exam (BCTMB). Mr. Smith stated since the national certification exams will not be available as of February 1, 2015, he recommends that as of that date, CAMTC recognize only the MBLEx for purposes of meeting the requirement for CAMTC certification or upgrade.

Motion 121114:11 Grant/Tuck – Move to accept, as of February 1, 2015, as CAMTC recognized exams, the MBLEx, the BCTMB, and the two NCB exams if the NCB exams were taken prior to February 1, 2015.

12-0

MOTION PASSES

Roll Call Vote

Armour – Not Present for Vote
Budlong - Yes
Callagy – Not Present for Vote
Calvert - Yes
Drillings – Yes
Forman - Yes
Fuson - Yes
Grant – Yes
Leonardo – Yes
Marylander – Not Present for Vote
Miller - Not Present for Vote
Pezza – Not Present for Vote
Robinson - Yes
Rolnick – Yes
Schaubeck - Yes
Sinel – Not Present for Vote
Tseng – Not Present for Vote
Tuck – Yes
Wall – Not Present for Vote
Dixon – Yes

17. Utilizing Workplace Locality on CAMTC’s public and law enforcement website

Mr. Netanel stated that when the CAMTC Board was developing the policies for the certification program a decision was made to use the home address for certificate holders rather than work address. To make the information on certificate holder more relevant to the public and more useful to local government, staff recommends listing the certificate holder address on both the public and secure sites as the address of their primary work location.

Motion 121114:12 Grant/Fuson– Move to list the certificate holder address on both the public and secure sites as the address of primary work. If no work address is listed, it will default to primary home address.

Grant Friendly Amendment – To include a record of tasks to ease legal access.

Fuson accept friendly amendment.

12-0

MOTION PASSES

Roll Call Vote

Armour – Not Present for Vote

Budlong - Yes

Callagy – Not Present for Vote

Calvert - Yes

Drillings – Yes

Forman - Yes

Fuson - Yes

Grant – Yes

Leonardo – Yes

Marylander – Not Present for Vote

Miller - Not Present for Vote

Pezza – Not Present for Vote

Robinson - Yes

Rolnick – Yes

Schaubeck - Yes

Sinel – Not Present for Vote

Tseng – Not Present for Vote

Tuck – Yes

Wall – Not Present for Vote

Dixon – Yes

Chairman Dixon adjourned the meeting at 4:15p.m.

Minutes Approved: March 26, 2015

Roberta Rolnick, Secretary