

# **EDUCATIONAL APPROVAL BOARD**

Meeting of Tuesday, December 16, 2003  
1:00 p.m.

30 W. Mifflin Street, 8<sup>th</sup> Floor  
Madison, WI 53703

**Members Present:** Christy Brown, Leroy Conner, Jr., Michael Cooney, Terry Craney, Georgiana Giese, Richard Raemisch

**Members Absent:** Raymond G. Boland

**Others Present:** David Dies, Joan Fitzgerald, Linda Heidtman, Patrick Sweeney, Blanca James, Educational Approval Board; John Rosinski, WDVA; Don Madelung, Herzing College; Brian Elliott, Michael Rogowski, Whyte Hirschboeck, Dudek SC (representing the University of Phoenix)

In the absence of a board officer, Georgiana Giese called the meeting to order at 1:05 p.m. The roll was called and a quorum was present. Ms. Giese nominated Leroy Conner to chair the meeting. No other nominations were made. A motion (Giese/Craney) to have Mr. Conner chair the meeting was adopted unanimously. A motion (Giese/Cooney) to approve the minutes of September 29, 2003 was adopted unanimously.

## **BOARD CHAIRS REPORT**

There was no board chair's report

## **INTRODUCTION OF NEW BOARD MEMBERS**

Mr. Conner noted that the Governor recently appointed four new members to the board. The board then introduced themselves and shared information about their interest in serving in the board. Mr. Dies indicated that he had met with each of the new board members and had briefed them on the operation of the Educational Approval Board. Mr. Dies introduced Mr. Rosinski.

## **ELECTION OF OFFICERS**

Mr. Conner pointed out that the board is required to fill officer vacancies when they occur during the year. He noted that the vice-chairperson and secretary positions were currently open due to the appointment of new members. Mr. Dies informed members that officer elections would also be held at the board's first regular meeting of the new year. Mr. Dies clarified for members that electing a vice-chairperson and secretary would allow the board to properly convene a meeting, should the chair be unable to attend a meeting or otherwise perform their duties, for whatever reason, including a new appointment by the Governor.

Mr. Conner stated his intention to resign from the board and that this likely would be his last meeting. Mr. Conner nominated Georgiana Giese for the vice-chairperson position. No other

nominations were made. A motion (Conner/Craney) to elect Ms. Giese vice-chairperson unanimously approved.

Ms. Giese requested clarification of the secretary duties. Mr. Dies said that the secretary does not produce the minutes, but would carryout the duties of the chairperson and vice-chairperson should they be unable. A volunteer was requested. Michael Cooney nominated himself. There were no other nominations. A motion (Giese/Conner) to elect Mr. Cooney secretary was approved unanimously.

## **EXECUTIVE SECRETARY'S REPORT**

Mr. Dies welcomed the new board members and extended an invitation for the members to visit the EAB's offices. He provided the board with contact information for each member as well as for himself. Information about each member provided to the EAB by the Governor's office was shared. Changes should be brought to the attention of Mr. Dies. In addition, Mr. Dies addressed the board members who are non-state employees and explained the expense reimbursement form for mileage and other expenses incurred while attending board meetings. He noted that state law provides for a \$25 honorarium for members' attendance at meetings. Mr. Dies shared an EAB press release regarding the new board appointments. Mr. Dies introduced the rest of the EAB staff and the two individuals present at the meeting.

### *AWARENESS AND UNDERSTANDING OF THE EAB AND APPROVED SCHOOLS*

Mr. Dies briefed the board on recent EAB-issued press releases and discussions he has had with the executive director of the Wisconsin Technical College District Boards Association about speaking to their members about the EAB and the role it plays in the delivery of postsecondary education. He also mentioned that he would be giving a presentation to the PK-16 Leadership Council in the future. In early November, Mr. Dies received an invitation to become a member of the Council.

### *POSITIVE WORKING RELATIONSHIPS AND ALLIANCES*

Mr. Dies reported that the November 13 Approved Schools Conference had approximately 70 attendees. The presentations on demographic trends and the impact on the economy; outcome measures to guide decision making; and staff update on drafted administrative rule provisions for the student protection fund and other important issues affecting the schools had been well received. A pre-conference workshop on school trends, research, and improvement ideas drew over 30 participants.

The EAB received a letter from Deputy State Superintendent Tony Evers indicating that the Department of Public Instruction (DPI) had made a decision to no longer approve courses offered by out-of-state teacher education institutions. Mr. Dies informed the board on the adverse effect this decision would have on teachers who wish to attend EAB-approved schools. He told the board that EAB staff is working to convene a meeting in February 2004 with school officials of the out-of-state schools, DPI, and various other educational organizations to inform them on how they might be affected by this decision.

## *CONSUMER PROTECTION AND EDUCATIONAL CHOICES*

Mr. Dies reported that renewal certificates and invoices for the 2<sup>nd</sup> payment of the 2004 renewal will be mailed out in late-December. The EAB will be developing a formal renewal process for the 2005 renewal year.

## *OPERATIONAL / ADMINISTRATIVE POLICIES AND PROCEDURES*

Mr. Dies commented on several legislative proposals regarding administrative rules procedures, an education tax credit, and concealed weapons that would affect the EAB and/or the schools it oversees. He offered to provide additional information or answer questions on these items. The student record retention policy issue was discussed as a separate item during the meeting.

Mr. Dies noted that the EAB hired an LTE to assist with the processing of transcripts relative to the now-closed Mount Senario College. Over 235 requests had been processed since August.

Mr. Craney requested clarification on Mr. Dies' October 10 letter to the DPI regarding teacher education and licensure issues. Mr. Dies and Pat Sweeney provided the board background and procedural information on teacher licensure and the effect that DPI's decision will have on teachers because of its decision. Mr. Craney pointed out that the February schools meeting will be a good way of further clarifying this issue. Mr. Conner agreed that the DPI's decision would cause confusion for teachers when applying for certification.

## **SCHOOL APPROVAL ISSUES**

For the benefit of new board members, Mr. Dies explained the format of the School Activity Report and the need for board approval. He pointed out item "F" of the report, which refers to the EAB's annual renewal of approval and indicated a change in the renewal list provided. As of the board meeting date Career Skills, LLC has met the renewal requirements, and EAB staff is requesting approval for renewal of that school in addition to the others identified.

Pat Sweeney of the EAB staff briefed board members on regulatory actions taken by the EAB regarding the East-West Healing Arts Institute (EWHAI). The EAB had investigated a student complaint on inappropriate touching and draping by a massage therapy student attending the school. The EAB's findings were communicated to the EWHAI Board of Directors and corrective action required by the school subject to EAB review was outlined. The findings were also sent to the Department of Regulation and Licensing for appropriate action regarding the alleged conduct by the student who is also a certified massage therapist.

A motion (Conner/Brown) to approve items A through F of the School Activity Report was approved unanimously.

## **RENEWAL FEE MULTIPLIER**

Mr. Dies pointed out that supporting information regarding the fee multiplier had been provided to the members in their board materials. The renewal fees reflect payments that must be made annually by the schools, and that fee is set based on the multiplier established by the EAB and applied to a school's reported Adjusted Gross Annual School Revenues (AGASR). For the past

four years, the fee multiplier has been set at 4.8711. Based on current school revenues and the activity that has occurred in terms of new programs and new schools, Mr. Dies recommended that the board approve a fee multiplier of 3.2785 for 2004 and 2005.

A motion (Brown/Craney) to approve the fee multiplier of 3.2785 for the years 2004 and 2005 was adopted unanimously.

### **ADMINISTRATIVE RULE ORDER**

Mr. Dies provided gave a history of the proposed administrative rule order creating a student protection fund. At its September 2003 meeting, the board approved a statement of scope for the student protection fund rule. The scope statement was published in the October 15 Wisconsin Administrative Register and specific rule language had been drafted.

Mr. Dies went on to explain that upon board approval, the draft rule language would be sent to the Legislative Council for review. After a 30-day review period, necessary edits and changes would be made. After that, EAB staff would request comments from the schools and the board would hold a public hearing in late January or early February.

Mr. Dies summarized how the student protection fund would work based on the proposed rule language. After discussion, clarification by Mr. Rosinski, and satisfactory answers to concerns and questions from board members, Mr. Dies recommended that the board approve the draft administrative rule-making order. A motion (Brown/Cooney) to approve the draft rule was adopted unanimously.

Mr. Dies pointed out that the board would need to select a date for a public hearing. Mr. Conner suggested that EAB staff set a date as appropriate, and through email confirm the availability of members.

### **STUDENT RECORD RETENTION POLICY**

Draft legislation for a student record retention policy was presented to the board. Mr. Dies indicated that the EAB was working with Representative Williams and Senator Decker to introduce a bill. This information was provided as an update and no action was necessary.

### **BOARD MEETING SCHEDULE**

Mr. Dies informed members that the board has typically met on a quarterly basis in past years. Suggested dates were provided, but after some discussion, Mr. Dies indicated that he would provide additional possibilities via e-mail and select meeting dates based on the availability of members. No action was taken.

There being no additional business to come before the board, a motion (Conner/Brown) to adjourn was unanimously approved at 2:35 p.m.