

# EDUCATIONAL APPROVAL BOARD MEETING

Wednesday, December 14, 2011  
10:30 a.m.

8<sup>th</sup> Floor Board Room  
30 West Mifflin Street  
Madison, WI

**Members Present:** Christy L. Brown (Teleconference), Michael Cooney, Joe Heim, Jo Oyama-Miller

**Members Absent:** Terry Craney, Monica Williams

**Others Present:** David Dies, Zachary Galin, Linda Heidtman, Blanca James, Patrick Sweeney, *Educational Approval Board*; Kristin Melby, Sara R. Stueve, *Rasmussen College*; Mike Rogowski, *Whyte Hirschboeck Dudek SC (for the University of Phoenix)*

The chair of the Educational Approval Board (EAB), Michael Cooney, called the meeting to order at 10:38 a.m. A motion (Brown, Oyama-Miller) to approve the September 21, 2011 board meeting minutes was adopted unanimously.

## **BOARD CHAIR'S REPORT**

Mr. Cooney commented very favorably on the EAB conference and the presenters. He also made mention of the recent news that Career Education Corporation self-reported that 49 of their schools had failed to meet the placement criteria established by their accreditors and misrepresented their placement rate to the public. This issue was discussed further under Item 6 of the agenda.

Ms. Brown commented on the results of the conference evaluations and the comments made about having more women presenters at future conferences. Ms. Brown encouraged the EAB to strive for more diversity in conference presenters.

## **PUBLIC COMMENTS**

None.

## **BOARD STATUS REPORT**

### *Involvement in Postsecondary Education Policy Decisions*

EAB Modernization Bill – Mr. Dies reported the EAB has worked with other external stakeholders. The Department of Public Instruction and University of Wisconsin System agreed on language relating to the oversight of teacher professional development. A revised bill draft is

being prepared and it is anticipated a public hearing will be held January 5, 2012. Mr. Dies indicated that the revised bill will be provided to the board when available. He noted that the EAB and the board Chair will present testimony in support of the bill.

#### *Positive Working Relationships and Alliances*

EAB Approved Schools Conference – Mr. Dies commented that he thought this year’s conference was the best one the EAB had put together in terms of the caliber of presenters and number of participants. He encouraged board members to go to the EAB’s website and view the presentations. Mr. Dies noted the difficulty of finding individuals with expertise and willingness to be presenters while at the same time achieving diversity among them. Ms. Oyama-Miller suggested staff provide information about the proposed conference early enough so that the board members could help in finding possible individuals able to participate. Mr. Dies noted November 15, 2012 as the date of the next conference, and encouraged board members to suggest topics or presenters they would like the staff to consider. He also indicated that EAB staff would be re-evaluating the conference and other activities, such as the newsletter, given the increased staff workload with schools.

#### *Operational / Administrative Procedures and Policies*

Office Relocation – It was noted that the EAB would likely be moving to the WHEDA building located at 201 West Washington Avenue. The Department of Veterans Affairs (DVA) is relocating to that building and the Department of Administration (DOA) is working with both the DVA and the EAB to work out an arrangement that is suitable for each agency.

Request for Increased Position/Expenditure Authority – Mr. Dies indicated that one impact of moving will be an increase in the amount of rent the EAB pays. In addition, there will be a cost associated with modifying the new space. The EAB currently does not have the necessary spending authority for these costs and will be asking for additional expenditure authority as part of the request that will be submitted to DOA for additional staff. Mr. Dies, the EAB Chair, and the EAB Secretary will be meeting with DOA Secretary Mike Huebsch on December 15, 2011 about the need and submitting the request at that time.

### **2011 BOARD MEETING DATES**

Following a brief discussion about the proposed dates, the board’s preference was for meetings to be held as follows:

Wednesday, March 14  
Wednesday, June 6  
Wednesday, September 12  
Wednesday, December 12

Mr. Heim noted he would not be able to be present at the March 14 meeting.

A motion (Oyama-Miller, Heim) to hold the board meetings for 2012 as indicated was adopted unanimously.

## **SCHOOL APPROVAL ISSUES**

Mr. Dies briefed the board on administrative actions taken by staff, including the legal challenge involving the EAB's handling of a Madison Media Institute complaint. He noted that the court dismissed the challenge on December 13. Mr. Dies also noted the EAB conducted a visit to Anthem College to evaluate the on-going implementation and effectiveness of its improvement plan. Mr. Dies provided the board with a letter summarizing the EAB's findings; and pointed out how hard work and follow through with a school can result in positive change and improvement.

Discussion on exemptions and the process implemented to handle them took place.

A motion (Heim, Oyama-Miller) to approve items A through I of the School Activity Report for the period of September 17 through December 8, 2012, was approved unanimously.

## **RENEWAL FEE MULTIPLIER**

Mr. Dies provided the board with a historical summary of the renewal fee multiplier and other assumptions used to come up with the recommendation for 2012 and 2013. He noted the fee had dropped down significantly because of the increased one-time revenues generated. The decrease will be welcomed by the schools because the 2<sup>nd</sup> payment will be much lower. Mr. Dies noted that beyond what it cost to run the agency, the EAB is assessing a fee to cover the states' budget shortfall. The savings the agency is incurring due to employee contributions to healthcare and pension fund is being transferred to the General Fund.

After a brief discussion, a motion (Heim, Oyama-Miller) to lower the multiplier used to calculate the second payment renewal fee for 2012 to .2071 and (Oyama-Miller, Heim) for 2013 to .6877 was adopted unanimously.

## **ASSESSING PUBLIC INFORMATION REGARDING SCHOOLS**

Mr. Cooney used the recent issues involving CEC – allegations the school provided fabricated placement data to accreditors and self-reported the problem – as an example of the challenges that face the EAB and how it should treat such information that becomes public. He posed a number of questions: What should the EAB do when it becomes aware of issues regarding schools that the EAB approves from the sources of media that now fill the internet on a daily basis? What is the EAB's responsibility? What should the EAB we do on behalf of the state?

Mr. Dies clarified that the issue related to CEC involved a violation of the accreditor's requirements, not the EABs. He added that regulatory agencies like the EAB generally do not have statutory or administrative code provisions that says a school must have a particular placement percentage in order to maintain is approval. Taking the issue one-step further, it is unclear what the EAB should do if a school that is on "show cause" with its accreditor seeks approval from EAB. What does the EAB do with this type of information?

Mr. Cooney indicated that this issue is unlikely to go away. Ms. Oyama-Miller said she would need more information before she could support any administrative rule change. Mr. Dies

pointed out that this is a complex this issue and will require more than changing policy; it will require an internal rewiring of how the EAB's data collection system is set up, which becomes a resource issue.

The board took no action.

## **ADJOURNMENT**

A motion (Heim, Oyama-Miller) to adjourn was unanimously approved at 12:08 p.m.