

EDUCATIONAL APPROVAL BOARD MEETING

Wednesday, June 6, 2012

10:30 a.m.

1st Floor Conference Room
201 West Washington Avenue
Madison, WI

Members Present: Michael Cooney, Terry Craney, Joe Heim, Don Madelung, Jo Oyama-Miller, and Monica Williams

Others Present: David Dies, Zachary Galin, Linda Heidtman, Blanca James, Patrick Sweeney, *Educational Approval Board*; Bruce A. Olsen, *Department of Justice*; Diane Welsh, *von Briesen & Roper, S.C.*; Brock Vander Velden, *Globe University*; Jody Wasmer, *Herzing University*; Kate Misukanis, Nathaniel Orpen, Jacob Reitz, Andrew Thomas, *Rasmussen College*; Briana Houlihan, *University of Phoenix*; Peg Chown, Fritz Oppenlander, *Upper Iowa University*; Mike Rogowski, *Whyte Hirschboeck Dudek SC (University of Phoenix)*

The chair of the Educational Approval Board (EAB), Michael Cooney, called the meeting to order at 10:36 a.m. A motion (Craney, Madelung) to approve the March 14, 2012 board meeting minutes was adopted unanimously. A second motion (Oyama-Miller, Madelung) to approve the May 11, 2012 board hearing minutes also was adopted unanimously.

BOARD CHAIR'S REPORT

Mr. Cooney announced there would be two closed during the meeting – one to confer with legal counsel about the draft final decision and order from the May 11, 2012 board hearing and another to address the annual performance evaluation of the executive secretary. He also announced that Christy Brown had submitted her resignation from the board.

PUBLIC COMMENT

None.

BOARD STATUS REPORT

Mr. Dies discussed Executive Order 61 (EO 61) issued by the Governor, which requires certain agencies to complete a review of their administrative rules that affect small businesses (defined at 50 employees or less) and recommend changes to the Small Business Regulatory Review Board. Mr. Dies noted a project plan would be developed and made available for EAB board review and approval at its September 2012 meeting.

Mr. Dies also commented on the EAB's Chapter 16 request for additional position and expenditure authority. Although not denied, the EAB was asked by the Department of Administration to resubmit a revised request without the attorney position; and instead request the attorney position in the EAB's budget request for the 2013-15 biennium.

SCHOOL APPROVAL ISSUES

Mr. Dies noted the school issues and approval actions taken by staff. Following some discussion, a motion (Oyama-Miller, Williams) to approve items A through I of the School Activity Report for the period of March 9 through May 31, 2012, was unanimously approved, with Mr. Madelung abstaining.

CLOSED SESSION – EAB v. AMERSTATE UNIVERSITY

A motion (Heim, Williams) to hold a closed session under s.19.85(1)(a), *Wis. Stats.*, to meet with legal counsel regarding the Amerstate matter, which was the subject of a May 11, 2012 quasi-judicial hearing before the members of the EAB was adopted on 6-0 call vote.

The board entered closed session at 10:57 a.m.

OPEN SESSION

The board reconvened in open session at 11:15 a.m. Mr. Cooney noted a final decision and order regarding the revocation of Amerstate University school and program approval would be issued soon.

CLOSED SESSION – EXECUTIVE SECRETARY PERFORMANCE/COMPENSATION

A motion (Williams, Madelung) to hold a closed session under s.19.85 (1) (c), *Wis. Stats.*, to consider the performance and compensation of the executive secretary in accordance with s.38.50 (5), *Wis. Stats.*, was approved on a 6-0 roll call vote.

The board entered closed session at 11:18 p.m.

OPEN SESSION

The board reconvened in open session at 12:06 p.m. After brief comments and discussion, a motion (Williams, Oyama-Miller) to find the executive secretary's performance exceptional and award discretionary merit compensation of two steps was adopted on a 6-0 roll call vote.

ADJOURNMENT

A motion (Oyama-Miller, Heim) to adjourn was unanimously approved at 12:09 p.m.