

# EDUCATIONAL APPROVAL BOARD MEETING

Wednesday, December 12, 2012  
10:30 a.m.

3<sup>rd</sup> Floor Conference Room  
201 West Washington Avenue  
Madison, WI

**Members Present:** Michael Cooney, Terry L. Craney (via teleconference), Joe Heim, Don Madelung, Jo Oyama-Miller, Monica Williams

**Members Absent:** None

**Staff Present:** David Dies, Zachary Galin, Linda Heidtman, Blanca James, Houa Moua and Patrick Sweeney

**Others Present:** Brittney Lee, *Ashford University/University of the Rockies*; Stephen McEvoy, Peter Pavone; *Bryant & Stratton College*; Rocky Klitzke, Mitch Peterson, Dave Tracy, Brock Vander Velden, *Globe University*; Chris Montagnino, *Herzing University*; William Vinson, *ITT Technical Institute*; Jarvis Racine, *WCIE & ITT Technical Institute*; Jean Janes, *Kaplan University*; Pat Osborne, *Midwest College of Oriental Medicine*; Tawnie Cortez, Kristin Melby, Greg Witte, *Rasmussen College*; Julie Parker, Marshall Whitlock, *Upper Iowa University*

The chair of the Educational Approval Board (EAB), Michael Cooney, called the meeting to order at 10:32 a.m. A motion (Madelung, Williams) to approve the September 12, 2012 board meeting minutes was adopted 4-0, with Ms. Oyama Miller abstaining.

## BOARD CHAIR'S REPORT

Mr. Cooney spoke highly of the EAB conference held in November commenting on the caliber of national-level speakers and the quality discussions and learning opportunities. He encouraged board members to review the conference evaluation summary that was included in the meeting materials. Mr. Cooney also reported he attended the APSCU symposium in Washington, DC and concluded that there is still a lot of uncertainty within the sector.

## PUBLIC COMMENTS

After members of the audience were invited to introduce themselves, Mr. Cooney explained that comments specifically related to performance standards would be received when the board considered that matter. There were no general public comments.

## **BOARD STATUS REPORT**

### *Involvement in Postsecondary Education Policy Decisions*

Commission on Regulation of Postsecondary Distance Education (CRPDE) – Mr. Dies reported that draft recommendations from the CRPDE, a group created by the State Higher Education Executive Officers (SHEEO) and the Association of Public and Land-Grant Universities (APLU), recently had been released. The draft report calls for states to participate in a system of interstate reciprocity arrangements, which would reduce the regulatory burden on institutions providing online programs to students in multiple states. Mr. Dies expressed concern regarding the recommendations, which would appear to eliminate the EAB’s ability to oversee institutions that enroll Wisconsin students in online programs and its ability to collect student outcomes from these institutions.

### *Positive Working Relationships and Alliances*

EAB Approved Schools Conference – Mr. Dies noted that webcasts of the presentations, as well as handouts and other materials, can be viewed and/or downloaded from the EAB’s website.

### *Consumer Protection*

Mailen vs. EAB – Mr. Dies informed board members that the Court of Appeals had remanded this case back to the Circuit Court, which was asked to decide the merits of the EAB’s decision to dismiss the student complaint filed by Mr. Mailen. The case had been previously decided on procedural grounds.

### *Operational / Administrative Procedures and Policies*

Increased Position/Expenditure Authority – Mr. Dies reported that the EAB had recently filled the newly authorized half-time office associate position.

## **SCHOOL APPROVAL ISSUES**

Mr. Dies briefed the board on administrative actions taken by staff. A discussion about school visits was initiated by Ms. Oyama Miller. Mr. Dies stated the EAB staff was behind on conducting comprehensive site visits due to a large increase in the number of school approvals and the overall volume of work.

Mr. Dies provided Ms. Williams with clarification on the revised programs for Sanford-Brown, given that the school is closing. These changes were initiated prior to the closure decision and because the school will remain open to teach-out students, it continues to be approved.

Mr. Madelung inquired about whether or not to abstain from voting given that this action item includes a program approval for which he is the school president. Mr. Dies advised that he it would appropriate for him to abstain and Mr. Madelung agreed.

A motion (Oyama-Miller, Heim) to approve items A through I of the School Activity Report for the period of September 7 through December 4, 2012 was approved 4-0, with Mr. Madelung abstaining.

## **2013 BOARD MEETING DATES**

Quarterly meeting dates for calendar year 2013 were provided to board members. Following a brief discussion the board set meeting dates for March 12 and June 13. Board members were asked to provide Mr. Dies with their availability for the September and December meetings via email.

## **RENEWAL FEE MULTIPLIER**

Mr. Cooney summarized the second payment renewal fee multiplier and Mr. Dies discussed the assumptions used to come up with the recommendation for the 2013 renewal year.

Mr. Craney joined the meeting at 10:58 a.m.

A motion (Williams, Oyama-Miller) to set the multiplier used to calculate the second payment renewal fees at 0.8760 for 2013 was adopted unanimously.

## **ESTABLISHING PERFORMANCE STANDARDS**

Due to the broad scope of the performance standards issue, Mr. Cooney indicated that this agenda would be considered in three parts – remarks from Mr. Dies, remarks from the public and the board's consideration of recommendations presented by staff.

Mr. Dies indicated that the EAB had received comments/suggestions following the performance standards presentation at the annual conference, which have been included with the materials provided. These comments/suggestions were considered and have been either incorporated into the proposal or addressed in the briefing paper. In addition, he emphasized two points.

- The EAB staff has diligently worked during the past decade with the schools on a common goal – good student outcomes for Wisconsin consumers. The EAB sought input from the schools when it revised the student outcomes categories; developed the student outcomes reporting system; and designed and implemented the online renewal process. In addition, every EAB conference during the past 10 years has focused on best practices and school improvement under the assumption that the best consumer protection is good schools producing good student outcomes.
- The EAB staff is committed to and believes in the agency's statutory obligation of protecting Wisconsin consumers. The statutes are clear about the EAB's fundamental responsibility to protect Wisconsin students.

Mr. Dies concluded by summarizing the steps EAB staff had taken to develop the performance standards being recommended.

Mr. Cooney invited the public to provide comments. Most speakers supported a recommendation for further study of the issue (Option 3). While there is general support for performance standards, more data about completion rates is needed.

Mr. Madelung acknowledged that validation of student employment is something that is forthcoming; and that he supports Option 3. Mr. Craney indicated that performance standards is something already practiced within K-12 education, adding that it is the EAB's responsibility to establish performance standards. He suggested the board consider Option 2. Ms. Oyama-Miller was grateful that the EAB staff had provided responses to concerns raised by the schools. She said that this is a key issue at community colleges and would also support Options 2.

Mr. Heim asked about the EAB's statutory authority to set standards. Mr. Dies responded that the statutes provide the board with broad authority to determine what constitutes a reasonable standard. After further discussion, Mr. Heim suggested the possibility of combining Option 2 and Option 3. Ms. Williams indicated that she liked the idea of merging both options into one.

A revised Option 3 motion (Madelung, Heim) was offered to create a Performance Standards Advisory Committee to study the adoption of a 60% program completion rate and a 60% graduate employment rate, and make a recommendation to the board at its June 2013 meeting was offered.

The Committee will consist of 10 members representing the following to be appointed by the EAB board chair, who will serve as the Committee's chair, with EAB staff providing administrative support.

- 3 – EAB executive committee members.
- 1 – Member of the public.
- 2 – Chairpersons of the Senate and Assembly higher education committees (or designee)
- 1 – For-profit, non-accredited, non-degree granting school representative.
- 1 – For-profit, accredited, degree-granting school (in-state) representative.
- 1 – Non-profit, accredited, degree-granting school representative.
- 1 – For-profit, accredited degree-granting, online (out-of-state) school representative.

The motion was adopted unanimously.

## **ADJOURNMENT**

A motion (Oyama-Miller, Williams) to adjourn was unanimously approved at 12:15 p.m.