

# EDUCATIONAL APPROVAL BOARD MEETING

Wednesday, March 19, 2013  
10:30 a.m.

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

**Members Present:** Robert Hein, Don Madelung, William Roden (videoconference), Katie Thiry (videoconference), Monica Williams

**Members Absent:** Jo Oyama-Miller

**Others Present:** David Dies, Zach Galin, Linda Heidtman, Blanca James, Houa Moua, Patrick Sweeney, *EAB*; Katie Rezin, *Bridgepoint Education*; Stephen McEvoy, *Bryant and Stratton College*; Mitch Gilbert, *Education Management Corporation*; Elainna Guerrette, *Herzing University*; William Vinson; *ITT Technical Institute*; Jarvis Racine, *ITT Technical Institute / WCIE*; Katie Misukanis, Nate Orpen., *Rasmussen College*; Marshall Whitlock, *Upper Iowa University*; Maria Giannopoulos, Ryan Eisner, Michael Mosckke, *University of Wisconsin – Madison*; Mike Rogowski, *Whyte Hirschboeck Dudek SC (representing the University of Phoenix)*

The vice chair of the Educational Approval Board (EAB), Monica Williams, called the meeting to order at 10:39 a.m. A motion (Madelung, Roden) to approve the board meeting minutes of December 12, 2012 was adopted unanimously.

## OFFICER ELECTIONS

Ms. Williams indicated that officers of the board consist of a chairperson, a vice-chairperson, and a secretary. Ms. Williams entertained nominations for chair. Ms. Williams nominated Don Madelung. Mr. Madelung accepted the nomination and was elected unanimously. Ms. Williams relinquished the chair to Mr. Madelung.

Mr. Madelung entertained nominations for vice chair. Hearing none, he noted that in an email conversation with Ms. Oyama-Miller, she indicated her interest in the vice chair position. Mr. Madelung nominated Ms. Oyama-Miller. Ms. Oyama-Miller was elected unanimously. Mr. Madelung entertained nominations for secretary. Ms. Williams nominated Bob Hein. Mr. Hein accepted the nomination and was elected unanimously.

## BOARD CHAIR'S REPORT

Mr. Madelung welcomed Ms. Thiry, Mr. Roden and Mr. Hein as new members of the board. He recognized Ms. Williams who announced she would be resigning from the board in the coming months. Mr. Madelung acknowledged and thanked Ms. Williams for her years of service on the board.

## **PUBLIC COMMENT**

Members of the audience introduced themselves, but offered no other comments.

## **BOARD STATUS REPORT**

For the benefit of new board members, Mr. Dies gave a summary of the design and organization of the Board Status Report, which is aligned with the goals stated in the EAB's strategic plan. He went on to highlight several issues contained in the report. He provided status updates on the federal state authorization rule and the Mailen vs. EAB matter. In addition, Mr. Dies made comment about recent media coverage concerning the EAB and data analysis concerning EAB website usage. He further reported the newly approved Office Associate position had been filled and an exam for the Program and Policy Analyst position was being developed.

## **SCHOOL APPROVAL ISSUES**

Mr. Dies brought to the board's attention the following school issues:

Amerstate University - Mr. Dies noted that information regarding the Amerstate University revocation matter has been provided in previous meetings. Copies of the appeal briefs filed by both Amerstate and the EAB were provided in the materials of this board meeting. He indicated that the EAB was awaiting a court decision in the appeal, which has 90 days to issue a ruling

Everest College - Milwaukee – Mr. Dies reported that the school had submitted to the EAB a debt forgiveness plan, which includes both private and federal financial aid loans including principal, interest, and lender fees; as well as a detailed accounting by student of repayments and debt forgiveness.

A motion (Williams, Hein) to approve items A through I of the School Activity Report for the period of December 5, 2012 through March 7, 2013 was approved unanimously.

## **2013-15 BIENNIAL BUDGET**

Mr. Dies reported the Governor had submitted to the Legislature a proposed state budget for the 2013-15 biennium. The EAB's requested budget items were included with the budget of the Wisconsin Technical College System Board (WTCSB) because of the EAB's administrative attachment to the WTCSB.

Prior to submitting its budget request, the EAB was encouraged by State Budget Office (SBO) officials to pursue alternatives to requesting position authority for an attorney. As a result, the EAB's budget request sought the ability to contract for such services.

In addition, the EAB was advised it would need to request additional position and expenditure authority for the positions that were authorized through the EAB's Chapter 16 request because the approval was granted subsequent to the establishment of base position and funding levels for the 2013-15 biennium.

The Governor's budget denied the EAB's request for additional position and expenditure authority because it would automatically be provided as a technical adjustment under an obscure

administrative provision. In addition, the EAB's request to contract for legal counsel was denied. Instead, the budget included a provision transferring the EAB's administrative attachment from the WTCSB to the Department of Safety and professional services (DSPS), which has attorneys the EAB could presumably utilize. Mr. Dies reported that based on past experience this change will result in significant administrative and operational disruptions, and would be meeting with senior DSPS officials to discuss the implications for both agencies.

## **PERFORMANCE STANDARDS**

Mr. Dies made reference to the historical evolution of the EAB's performance standards initiative, which began back in 2010. At the September 2012 meeting, the EAB board adopted a plan to establish minimum performance standards for student outcomes. That action was followed by the creation a Performance Standards Advisory Committee (PSAC) at the board's December 2012 meeting. The PSAC was charged with studying performance standards requiring a 60 percent combined program completion and transfers-out rate and a 60 percent graduate placement rate; and to make recommendation to the board at its June 2013 meeting.

Following the first of three scheduled PSAC meetings held on February 22, Representative Steve Nass, chair of the Assembly Committee on Colleges and Universities and a member of the committee, asked the EAB to suspend the initiative due to concerns expressed by a number of schools and other stakeholders. A motion (Madelung, Hein) to suspend the PSAC and by virtue suspending the adoption of a 60% combined program completion and transfers-out rate and a 60% graduate employment rate was approved (5 – 1, Williams).

## **REGULATIONS OF POSTSECONDARY DISTANCE EDUCATION**

Mr. Dies provided an overview of the interstate reciprocity initiative being supported by the Commission on the Regulation of Postsecondary Distance Education (CRPDE). A recent report from the CRPDE cites costs and inefficiencies related to the regulation of online institutions. To address the problem, online institutions are proposing a system of interstate reciprocity. However, such a system would take away from states much of the oversight authority and protection. The EAB will continue to monitor this effort.

## **EXECUTIVE SECRETARY PERFORMANCE**

Mr. Dies informed the board that it would need to evaluate the performance of the executive secretary at the June 2013 board meeting and suggested it discuss the process and instrument would use. Following some discussion, Mr. Dies was asked to provide to board members a self-evaluation prior the June 2013 meeting.

## **ADJOURNMENT**

A motion (Hein, Williams) to adjourn was unanimously approved at 12:04 p.m.