

**ARIZONA STATE BOARD FOR
PRIVATE POSTSECONDARY EDUCATION
1400 West Washington Street, B-1 Conference Room
Phoenix, AZ**

October 29, 2015 Board Meeting Minutes

Members present: Jason Pistillo, Chair KC Miller, Vice Chair (by phone)
Craig Jacob Trish Leonard
Dr. Hank RaddaGlen Tharp

Also present: Teri Stanfill, Executive Director
Keith Blanchard, Deputy Director
KD, Licensing
John Tellier, Assistant Attorney General
Frankie Eckberg, Assistant Attorney General

I. CALL TO ORDER: Chairman Pistillo called the meeting of the Arizona State Board for Private Postsecondary Education to order at 10:00 a.m.

II. BOARD MEETING MINUTES:

A. August 27, 2015 Regular Meeting Minutes: Dr. Radda made a motion to approve the Minutes as submitted. Mr. Jacob seconded the motion and the motion carried.

B. August 27, 2015 Executive Session Minutes: Dr. Radda made a motion to approve the Minutes as submitted. Ms. Leonard seconded the motion and the motion carried.

III. Student Tuition Recovery Fund – Claims filed by former Anthem College and Everest College Phoenix students:

ANTHEM COLLEGE:

Mr. Blanchard introduced this Agenda item. Mr. Blanchard explained the STRF claims have been submitted by the following 23 students:

- | | |
|----------------------|------------------------|
| 1. Seandee Borromeo | 13. Bahrambeygue Lopez |
| 2. Alicia Brophy | 14. Peggy McAndrew |
| 3. Brenda Conchos | 15. Bonnie McBroome |
| 4. Amanda Corrales | 16. Muharem Murtie |
| 5. Amanda Curran | 17. Jasmine Palmieri |
| 6. Briana Dooda | 18. Raquel Simington |
| 7. Diana Feliciano | 19. Ty'netra Simpson |
| 8. Jonathan Gamez | 20. Travis Stromme |
| 9. Diane Garcia | 21. Zachary Swisher |
| 10. Jailene Gonzalez | 22. Kimberly Thompson |
| 11. Jessica Green | 23. Christen Watson |
| 12. Kieona Jones | |

Motion: Mr. Pistillo made the motion to approve the claims submitted by student of Anthem College as presented. Mr. Tharp seconded the motion and the motion carried.

EVEREST COLLEGE:

1. Natalie Anderson
2. Yolanda Oliver

Motion: Mr. Pistillo made the motion to approve the claims as submitted by students of Everest College Phoenix as presented. Mr. Jacob seconded the motion and the motion carried.

IV. LICENSING

A. Conditional to Regular Vocational Program License Renewals

1. A-Z Dental Assisting and Front Office, LLC : Represented by Emad Mansoor and Janette Bedard

Ms. Stanfill introduced this Agenda item and stated at the August 27, 2015 Board meeting, the Board reviewed the application and postponed action requiring several revisions. The revisions have been received as requested.

Mr. Tharp was lead. Mr. Tharp explained many of the revisions had been made, but noted several additional deficiencies.

Motion: After review and discussion, Mr. Tharp made the motion to approve the Conditional to Regular Vocational Program License Renewal with the following stipulations and required revisions:

1. Maintain the \$15,000 Surety Bond;
2. The following revisions:
 - * Catalog date revised and properly referenced in the Enrollment Agreement
 - * Delete LOA reference in the refund policy (enrollment agreement & catalog)
 - * Reporting of grades: reference 4.0 grading scale
 - * Satisfactory academic progress: specify the evaluation is after each section;
 - * Grievance procedure: delete “during the course program”
 - * Job Placement: delete the sentence regarding “on call” opportunities
 - * Leave of Absence: revise to read correctly; delete last sentence under bullet #1; delete bullet #7.

Dr. Radda seconded the motion and the motion carried. Mr. Mansoor agreed to the stipulations.

2. Hot Lotus Yoga Teacher Training: Represented by Autumn and Shane Edrington

Ms. Stanfill introduced this Agenda item. Ms. Miller was lead.

Ms. Edrington addressed the Board and stated 32 students have enrolled in the Yoga Teacher Training program.

Ms. Miller and Ms. Leonard noted several deficiencies and required changes. Mr. Pistillo noted the financial statements were prepared on the tax basis and are required to be accrual.

Motion: After review and discussion, Ms. Miller made the motion to approve the Conditional to Regular Vocational Program License Renewal application with the following stipulation and required revisions:

1. Maintain the \$15,000 Surety Bond;
2. Revised financials, prepared according to GAAP, on the accrual basis.

3. Revisions to the Catalog:
- * adjust program start dates...perhaps should be an addendum that can be easily updated;
 - * Page 4 - add hours for the program
 - * Page 10 - remove salary figures
 - * Page 12 - clarify LOA (max 7 days) and add terminated if do not return from LOA. Typo in "Attendance Requirements"
 - * Page 14 - conduct policy revised and violations of conduct identify (no alcohol etc.) and terminated if fail to follow policy on conduct.
".....violations of rules and regulations of the school, as set forth in school publications"....where, the catalog is the school publication.
 - * Page 14 - advising - remove "always"
 - * Page 15 - grievance procedure - clear timelines and address where to send complaint
 - * Page 15 - Open ended class schedule could be misleading
 - * Page 16 - remove facilities supplies
 - * Page 16 - sentence regarding Yoga Alliance - rewritten or removed
 - * Page 17 - Notice of Disclaimer - revised
 - * Tie Enrollment Agreement to Catalog

Mr. Tharp seconded the motion and the motion carried. Ms. Edrington agreed to the stipulations.

Note: changed order of the Agenda, heard Agenda Item E.2. next.

E.2. Conditional Vocational Program License Application: Meditation Teacher Academy:
Represented by Sara McLean, Owner, Carol Studenka, Curriculum Assistant and Nancy Uher

Ms. Stanfill introduced this Agenda item and stated that Meditation Teacher Academy is seeking a license to offer the 200 hour Meditation Teacher training. Ms. Miller was lead.

Sara McLean addressed the Board and explained the new program and model. Ms. McLean and Ms. Studenka responded to the questions of the Board.

Motion: Ms. Miller made the motion to approve the Conditional Vocational Program License with the stipulation that the \$15,000 Surety Bond be maintained. Mr. Pistillo seconded the motion and the motion carried.

10:45 Ms. Miller left the meeting.

B. Provisional Degree-Granting License Renewals:

1. Executive Academy of Scottsdale: Represented by Magdalena Cutler

Ms. Stanfill introduced this Agenda item.

Ms. Cutler addressed the Board and explained the only update was that DEAC has approved EAS to continue the application process. Ms. Stanfill requested a copy of the DEAC letter.

Motion: Mr. Pistillo made the motion to approve the Provisional Degree-Granting License with the stipulations that the \$45,000 Surety Bond be maintained and to continue quarterly reporting. Mr. Tharp seconded the motion and the motion carried. Ms. Cutler agreed to the stipulations.

2. University of Medical Sciences Arizona: Represented by Dr. Janice Pitts

Ms. Stanfill introduced this Agenda item.

Dr. Pitts addressed the Board and explained that the clinic had not performed as expected and significant changes have been made. Dr. Pitts also explained the change in seeking accreditation from TRACS to HLC. Dr. Pitts explained that the change from TRACS has due to a difference in a specific Christian belief.

Motion: Mr. Pistillo made the motion to approve the Provisional Degree-Granting License Renewal with the stipulation that the \$15,000 Surety Bond be maintained and continue quarterly reporting. Dr. Radda seconded the motion and the motion carried. Dr. Pitts agreed to the stipulations.

C. Supplemental License Application for a Change of Ownership:

1. ABC Bartending and Casino College: Represented by John and Nancy Barnes

Ms. Stanfill introduced this Agenda item. Mr. Pistillo was lead.

Mr. Barnes addressed the Board and explained that he and his wife attended the school when owned by Mr. Raymond. Mr. Barnes also explained it is their intent to continue to build the relationships with the casinos.

Mr. Barnes responded to the questions of the Board. Ms. Leonard noted the inconsistent use of the name and Mr. Tharp questioned the discount for veterans.

Motion: After review and discussion, Mr. Pistillo made the motion to approve the Supplemental License Application for a Change of Ownership with the stipulation that the \$15,000 Surety Bond be maintained and the school name is properly identified in all materials. Ms. Leonard seconded the motion and the motion carried. Mr. Barnes agreed to the stipulations.

2. Aventis College: Represented by Marie Ruggieri

Ms. Stanfill introduced this Agenda item. Mr. Pistillo was lead.

Ms. Ruggieri addressed the Board and explained that she was previously 50% owner and is now 100% owner.

Ms. Leonard asked why Aventis was not approved for the federal student loan program. Ms. Ruggieri explained the Department had concerns with the clock hours of the programs and is taking steps to make the necessary revisions. Ms. Leonard cautioned in revisions in the clock hours for the programs.

Motion: After review and discussion, Mr. Pistillo made a motion to approve the Supplemental License Application for a Change of Ownership with the stipulation that the Surety Bond be increased to \$73,000. Mr. Tharp seconded the motion and the motion carried. Ms. Ruggieri agreed to the stipulation.

Please note: it was later determined the Surety Bond calculation was incorrect and the correct calculation was a surety bond in the amount of \$44,000.

3. New Horizons Computer Learning Center of Tucson: Represented by Cindy Sutherland

Ms. Stanfill introduced this Agenda item. Mr. Pistillo was lead.

Ms. Sutherland addressed the Board and explained it is the new owner's goal to make improvements of the instructors and programs.

Motion: After review and discussion, Mr. Pistillo made the motion to approve the Supplemental License Application for a Change of Ownership with the stipulation that the \$15,000 Surety Bond be maintained. Mr. Jacob seconded the motion and the motion carried.

The Board also suggested the following revisions:

- Change the use of "counselor" to "advisor"
- Enrollment agreement – strike the reference to STRF
- Admission requirements: clearly explain how an assessment is done to determine the student has the appropriate knowledge for the program to succeed.

Ms. Sutherland agreed to the stipulation and agreed to make the revisions.

D. Regular Degree-Granting License Application: Nova Southeastern University, Represented by Dr. Gregory Stiber

Ms. Stanfill introduced this Agenda item and explained that Nova Southeastern University was previously licensed by the Board until January 2013. Nova is now seeking licensure to open a branch campus at Yavapai College in Prescott.

Dr. Stiber addressed the Board.

Dr. Radda was lead. Dr. Radda had a number of questions regarding the support of student services at the Arizona campus. Dr. Stiber explained that the students' services is provided via online. Dr. Radda expressed his concern regarding the lack of explanation of the support and access of student services.

Ms. Leonard notes several Title IV policies were not in compliance with federal regulations.

Board members also expressed their concerns with the confusion/clarity of many of the policies within the Handbook and the Catalog. The refund policy and scholarships were also noted concerns.

Motion: Dr. Radda made the motion to defer action on the Regular Degree-Granting application and at a minimum; the following revisions/documents were required:

1. Ensure Title IV policies are in compliance with federal regulations;
2. Submit the current Financial Aid Audit;
3. Student services should more clearly explained and easily accessible for the Arizona students;
4. The enrollment agreement, catalog, handbook and policies should be more thoroughly integrated, more readily accessible, consolidated and organized.

A revised updated application will be required. Mr. Pistillo seconded the motion and the motion carried.

E. Conditional Vocational Program License Applications:

1. Accord Healthcare Institute: Represented by Juan Jose Lopez, Owner/Director, Guillermo Lopez, Program Director and Daniela Bulmini, Director of Education

Ms. Stanfill introduced this Agenda item.

Mr. Lopez addressed the Board and explained that Accord has been growing, currently offering the CNA program and is requesting the Board's approval to offer other programs.

Mr. Tharp was lead. Mr. Tharp expressed his concern with the admission requirements; specifically no prior medical background check, and the assessment of the student's ability to speak and read English.

Mr. Lopez and Ms. Bulmini responded to the questions of the Board.

Motion: Mr. Tharp made the motion to approve the Conditional Vocational Program License with the following stipulations:

1. The \$15,000 Surety Bond be maintained;
2. Revisions to the admissions policy.

Mr. Jacob seconded the motion and the motion carried. Mr. Lopez agree to the stipulations.

3. My Dental Assisting: Represented by Dr. William Fulcher

Ms. Stanfill introduced this Agenda item.

Mr. Jacob was lead.

Dr. Fulcher addressed the Board and responded to their questions and concerns.

Motion: Mr. Jacob made the motion to approve the Conditional Vocational Program License with the following stipulations:

1. The \$100,000 Surety Bond be maintained;
2. Submit June 30, 2016 in house statements by August 1, 2016 to include a Balance Sheet, Income Statement, Statement of Cash flows and any additional financial information that may be available.
3. Attend the August 25, 2016 Board meeting to answer any questions the State Board members may have. Concern was expressed that the projections may not be met and corresponding need to adjust the financial model;
4. The following revisions are required:
 - * Admission requirements: clarify that a student is allowed to enroll if the student does NOT possess a High School Diploma or equivalent, but the Wonderlic test will be administered and a specific score must be achieved.
 - * Catalog, page 7: delete the sentence, "This is subject to change as Scholarships present themselves."
 - * Catalog: clarify the consequences if the student does not pass a quiz/test/exam.

Mr. Tharp seconded the motion and the motion carried. Dr. Fulcher agreed to the stipulations.

V. CALL TO THE PUBLIC: Fred Lockhart, Executive Director of the Arizona Private School Association thanked the Board members for their dedication and hard work.

VI. BOARD BUSINESS

A. Executive Director's Report: Ms. Stanfill briefly summarized the Board Report and gave an update on the student records of Everest College Phoenix and Anthem.

B. Discussion & Action on Proposed Rule Revisions to A.A.C. Title 4, Chapter 39

Ms. Stanfill stated at the last meeting, Trish and Dr. Radda sent in some suggested changes. Those changes have been submitted to the rule writer and incorporated as needed.

There were 3 areas that were changed:

1. Page 32, R4-39-303(B)(4) added – Director qualifications for a non-accredited school
2. Page 39, R4-39-402(B) added – clarify the Board will only maintain the transcript, student ledger, enrollment agreement and diploma conferred in the closed student records.
3. Page 41, R4-39-404(E)(3) re-written by Trish – refund period

Mr. Pistillo raised his concern with R4-39-303(B)(4) revisions and suggested (B)(2) be deleted; and change “or” to “and” in (B)(3).

Motion: Mr. Pistillo made the motion to approve the revised rules with the two changes. Mr. Jacob seconded the motion and the motion carried.

C. 2016 MEETING SCHEDULE – The 2016 Meeting schedule was provided.

VII. ADJOURNMENT

The meeting of the Arizona State Board for Private Postsecondary Education adjourned at 1:31 p.m.

The Minutes of the October 29, 2015 Board meeting were approved by the State Board at the January 28, 2016 Board meeting.


Teri Stanfill, Executive Director