

**ARIZONA STATE BOARD FOR PRIVATE POSTSECONDARY EDUCATION
1400 W. WASHINGTON STREET, CONFERENCE ROOM B1
PHOENIX, AZ 85007**

FEBRUARY 28, 2013 RULES COMMITTEE MINUTES

Members present: Jason Pistillo, Chairman
 KC Miller
 David Walser

Also present: Teri Stanfill, Executive Director
 Keith Blanchard, Deputy Director
 Cassandra Pinon, Program Specialist
 Jeanne Galvin, Assistant Attorney General

I. CALL TO ORDER

Chairman Pistillo called the Rules Committee meeting of the Arizona State Board for Private Postsecondary Education to order at 9:21 a.m.

**II. DISCUSSION AND ACTION ON PROPOSED RULE REVISIONS TO A.A.C. TITLE 4,
CHAPTER 39**

Ms. Stanfill stated that in late 2008 and January 2009, the Board had been working on proposed revisions to the majority of the Rules, but a moratorium was issued on rules revisions at the time by the Governor. The moratorium has been lifted. A copy of the revisions from 2008/2009 were provided to the members.

Ms. Stanfill further explained that since then, several situations have arisen that may warrant consideration for the rules and identified 16 areas for consideration. Ms. Stanfill also stated the language used from other states has also been provided for some of these areas.

Ms. Stanfill noted that lack of a definition of the term "university" is an area of concern that was mentioned at the APSA meeting.

Mr. Pistillo stated the goal of today's meeting should be to review the 16 areas of concern and determine what areas to address and future meetings to review the previous proposed revisions.

Per Mr. Pistillo's request, Ms. Stanfill read the 16 areas for consideration:

1. Specifically states that accredited schools are required to maintain and follow accreditation criteria;
2. Define reasonable and timely progress towards accreditation
3. Define a Private Postsecondary Educational Institution and physical presence.
4. Address the certification issue
5. Define when the terms "university", "college", "institute" may be used in the institution's name (other states' statutes provided)

6. The term "Masters" or "Masters Certificate" cannot be used in the title of a vocational program
7. Update financial statement requirements – specifically as it relates to the smaller schools
8. Professional liability insurance requirements – specifically as it relates to the smaller schools
9. Change the statute of limitations for student complaints to only 1 year
10. Implement a non-student complaint process with a statute of limitation for only 1 year
11. Anonymous complaints are not accepted. Both student and non-student complaints must be submitted on the State Board form signed and notarized and MUST include documentation to support the allegations
12. Clarify that grade disputes are not under the Board's jurisdiction
13. Clarify that EEOC and ADA complaints are not under the Board's jurisdiction
14. Define financial stability (current ratio, losses)
15. New revisions for the refund policy, enrollment agreement requirements and catalog
16. Misrepresentation of academic credentials

Ms. Miller requested clarification regarding the use of the "Masters" or "Master's Certificate" in the program name. Ms. Stanfill explained the State Board had previously reviewed the use of "Masters" or "Master's Certificate" and determined that the terms could not be used in a vocational program. Ms. Miller requested this be reviewed further.

Mr. Pistillo stated he had areas for possible consideration: 1) for initial licensure, less subjective but more quantitative measures; and 2) definition of misrepresentation. Mr. Pistillo also expressed concerns regarding the student complaint process and the importance of the non-student complaint process.

Mr. Walser stated another area of concern is licensure in this state by out of state institutions and the potential for reciprocity. Mr. Pistillo responded this is a national issue regarding state authorization and physical presence. Ms. Stanfill explained that there are extensive discussions to develop an effective and practical framework to develop interstate reciprocity agreement and that a draft by the President's Forum, the Council of State Governments, the Commission on Regulation of Postsecondary Distance Education SHEOO has been released. Additionally, the states have been requested to put together a "team" to attend a national conference to discuss implementation of the recommendations in April and Mr. Blanchard will be attending the meeting representing this Board. The members further discussed reciprocity and potential concerns with reciprocity and the physical presence issue and stated these are very important matters to address.

Mr. Pistillo also requested Ms. Stanfill and Ms. Galvin to discuss if reciprocity and the definition of physical presence would also require statutory changes.

Action: Mr. Walser made a motion to direct Staff to proceed with drafting language to address the 16 areas addressed in Staff's memo, develop more clearly defined requirements for initial licensure and definition of misrepresentation. Ms. Miller seconded the motion and the motion carried.

The Committee determined the next meeting to review draft language would be the April meeting.

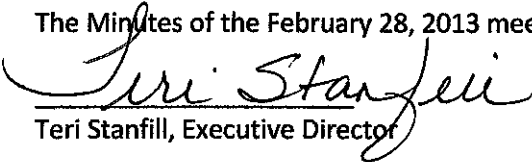
VII. CALL TO THE PUBLIC

Mr. Tharp addressed the Committee and expressed his concerns regarding reciprocity and the lack of regulation in many of the states and that the Committee takes this into consideration.

IX. ADJOURNMENT

Chairman Pistillo adjourned the meeting at 9:54 a.m.

The Minutes of the February 28, 2013 meeting were approved at the April 25, 2013 meeting.


Teri Stanfill, Executive Director