

ARIZONA STATE BOARD FOR PRIVATE POSTSECONDARY EDUCATION
1400 West Washington St., Conference Room B1
Phoenix, AZ 85007

COMPLAINT COMMITTEE MEETING MINUTES

March 27, 2014

Members Present: Glen Tharp
Trish Leonard (Telephonically)
Gary Damore

Also Present: Teri Stanfill, Director
Keith Blanchard, Deputy Director
K.D., Board Secretary

I. CALL TO ORDER –1:05 P.M.

Chairman Glen Tharp called the Complaint Committee meeting of the Arizona State Board for Private Postsecondary Education Board Meeting to order at 1:05 P.M.

II. MINUTES: JANUARY 10, 2014

Dr. Damore made a motion to approve the minutes of the January 10, 2014 Complaint Committee meeting as submitted. Mr. Tharp seconded the motion. **Minutes approved**

**III. DETERMINATION TO OPEN A COMPLAINT – Bryman School/Anthem Education
Institution: William Van Zwol for Anthem and Lisa Ramirez of Bryman**

Mr. Blanchard summarized the anonymous complaint, which was submitted by “74 dedicated employees of 35 Anthem Education/Florida Career College campuses in numerous states.” The complaint was a one page letter, which listed 11 allegations pertaining to admission representatives, financial aid officers and instructors violations. The complaint did not provide any information, including not specifying a specific Arizona campus. It was noted the complaint was postmarked from Santa Ana, California.

Anthem College/Education did submit a response regarding the allegations in the submission. It included a copy of the same complaint sent to the Florida Attorney General’s office.

ACTION: After discussion and review, Mr. Tharp made a motion that staff will not open the anonymous complaint stating the allegations are non-specific, to general and without any documentation to support the allegations. Dr. Damore seconded the motion. **Motion Carried.**

IV. NON-STUDENT COMPLAINT

A. #14-NS504 Accelerated Performance Institute (“ACE”)

Mr. Blanchard summarized this complaint regarding emails distributed in November 2013 by ACE that the school was offering "Free Training." This training included Electronic Records, Biller, Coder and Solar Training. In January 2014, additional emails were sent out and on the subject line of the email it stated "Free Solar Training." It appears that ACE removed the free training information, but failed to remove the information from the email subject line.

It was noted that staff had not received any written response from ACE and no representative of ACE attended the Complaint Committee meeting regarding the allegations in the complaint.

ACTION: After discussion and review, Dr. Damore made a motion to issue a Letter of Concern for violation of Board rule R4-39-304. Ms. Leonard requested to include language in the Letter of Concern that further non-participation of and lack of responses for information will be brought before the State Board. Ms. Leonard seconded the motion. **Motion Carried.**

V. STUDENT COMPLAINTS

A. #14-S007 Northcentral University Institution: Melanie Shaw – Ombudsperson (Telephonically) Complainant: A.A. (Not present)

Mr. Blanchard summarized the complaint stating complainant A.A. was an on-line professor candidate at Northcentral University (NCU) pursuing a Ph.D. in Business Administration with a specialization in Computer and Information Security. At its meeting in January 2014, the Complaint Committee voted to open a complaint, but to only include issues that took place after October 31, 2013 pursuant to a settlement agreement that was reached during the Early Complaint Resolution Process (ECR) on October 31, 2013. The ECR was an agreement made after A.A. filed a complaint with U.S. Department of Education Office for Civil Rights (OCR) in April 2013.

During discussion, Dr. Damore cautioned NCU regarding its automated messages that was given to A.A. stating his success with SAP, but had terminated him for Student Code of Conduct violations. Mr. Tharp noted that A.A. had declined two available options to allow him to complete his program.

ACTION: After review and discussion, Ms. Leonard made a motion to dismiss the complaint finding no violations of statute or Board rules that govern private postsecondary institutions in Arizona. Dr. Damore seconded the motion. **Motion Carried.**

B. #14-S008 Western International University Institution: Austin Rhodes Complainant: M.M. (Not present)

Mr. Blanchard summarized the complaint stating WIU had resolved the issue that was presented in the complaint. M.M. requested and was offered the opportunity to meet the graduation and Master of Arts in Human Dynamics (MA.HD) program GPA

requirements by allowing M.M. to complete a fourth course on Academic Probation; specifically she must retake LDR-625, to bring the GPA up to the required program and graduation GPA requirement. Failure to achieve the minimum GPA after this course completion will result in permanent withdrawal from the University. This was the resolution she sought.

ACTION: After review and discussion, Dr. Damore made a motion to dismiss the complaint finding resolution and no violations of statute or Board rules that govern private postsecondary institutions in Arizona. Ms. Leonard seconded the motion. **Motion Carried.**

C. 14-S009 Anthem College

Institution: Lisa Ramirez – Executive Director

Complainant: C.G.

Mr. Blanchard summarized the complaint stating C.G. submitted his complaint on January 2, 2014 regarding allegations that he has been unable to find gainful employment as a Medical Assistant after his graduation from Anthem in May 2012. C.G. made additional allegations regarding “Incidents of Harassment.”

Staff’s original submission to Anthem was requesting documentation regarding the issue with job placement. After receiving the list of allegations under “Incidents of Harassment,” staff submitted the additional allegations, which Anthem stated it never received. In an email sent by Anthem on March 14, 2014, it states that C.G. never submitted a written complaint during his enrollment regarding the harassment allegations.

Complainant did not submit information regarding his completion of the grievance procedure as required by Rule R4-39-403. He did indicate he has made a number of inquiries to Anthem regarding job opportunities, but has not gotten responses.

ACTION: After discussion and review and finding no violations of statute or Board rules that govern private postsecondary education in Arizona, Dr. Damore made a motion to dismiss the complaint. Ms. Leonard seconded the motion. **Motion Carried.**

D. 14-S010 L.S. Coding and Education (“LSCE”)

Institution: Lynn Schoeler

Complainant – S.S. (Telephonically)

Mr. Blanchard summarized the complaint stating on March 3, 2014, staff received a complaint from S.S. alleging LSCE failed to comply with its refund policy. LSCE failed to submit a refund of “pre-paid” items, which she did not receive until after the 30-day refund requirement. S.S. said LSCE told her she was not receiving any refund on the original \$1,650.00 tuition she paid. She alleged she completed only one chapter of the program. LSCE said S.S. had logged into her chapters 8 times and per the school’s policy, no refund would be provided.

Complainant exhausted the Student Grievance Procedure as required by Rule R4-39-403.

ACTION: After discussion and review, the committee recommending LSCE refund 50% of the tuition (\$825.00), which was agreed upon by LSCE and S.S. Finding no violations

of statute or Board rules that govern private postsecondary education in Arizona, Dr. Damore made a motion to dismiss the complaint. Mr. Tharp seconded the motion.

Motion Carried.

E. 14-S011 Anthem College
Institution: William Van Zwol
Complainant ~ T.S.

Mr. Blanchard summarized the complaint stating on February 18, 2014, T.S. submitted her complaint stating she was a prior Veterinary Technician student who was terminated by Anthem from her program after an allegation of harassment was reported against by 2 female students. Anthem stated they met with T.S. regarding a “pattern of harassment” and was instructed not to contact any students regarding the meeting. After the meeting, T.S. allegedly began texting students to determine who may have reported her behavior. On November 5, 2013, T.S. was dismissed. T.S. filed her available appeal, which was denied. T.S. was instructed that she could re-apply in January 2014.

Complainant did complete the institutional grievance procedure as required by Rule R4-39-403 and all available appeals as published in Anthem’s policy and procedures.

Anthem determined to terminate T.S. based on a student incident report submitted in June 2013 regarding the comment of “snitches get stiches” and a report of bullying in the classroom in November 2013. There are no other reports submitted by Anthem that suggest any other concerns with T.S.

During review, the Committee questioned Anthem’s response and the lack of documentation that allowed Anthem to terminate T.S.

ACTION: After discussion and review, the committee voted to forward the complaint to the State Board for further review. During the discussion, Dr. Damore noted concerns with the lack of written documentation to justify the termination of T.S. Mr. Tharp made a motion to forward the complaint to the Board and requested additional information. Dr. Damore seconded the motion. **Motion Carried.**

F. #14-S012 University of Phoenix
Institution: Austin Rhodes and Stephanie Neuhring
Complainant: D.H.

Mr. Blanchard summarized the complaint stating the complainant’s prior credits from Carrington College did not transfer and other classmates from the same Carrington College program were accepted by the University. D.H. stated “he is unaware of any regulation that states if Student A and Student B have the same credits, from the same school at the same time, then Student A will receive full credit and not Student B.”

The University submitted the evaluation information of classes and those that qualified for credit, the re-evaluations after D.H. appeals and an explanation in the comparison of one of the student identified as W.B. (Name given by D.H.)

During the review, Mr. Tharp discussed the “transfer of credit” within higher education. He gave examples of each school using its own criteria to accept credits from another institution.

ACTION: After review and discussion, Dr. Damore made a motion to dismiss the complaint finding resolution and no violations of statute or Board rules that govern private postsecondary institutions in Arizona. Mr. Tharp seconded the motion. **Motion Carried.**

VI. Call to the public: N/A

VII. ADJOURNMENT: 3:14 P.M.

The March 27, 2014 Complaint Committee Minutes were approved at the July 31, 2014 Complaint Committee meeting



Keith Blanchard, Deputy Director