

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

**APRIL 25, 2013 RULES COMMITTEE MINUTES**

Members present:                Jason Pistillo, Chairman  
   KC Miller  
   Trish Leonard

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 11:55 a.m.

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

Ms. Stanfill stated the Rules Committee directed her to draft language regarding the 16 items discussed at the February 28, 2013 meeting. Ms. Stanfill stated that the proposed language had been provided to the Committee for their review.

The Rules Committee addressed the following issues:

\*        Reciprocity: A paragraph will be added stating that the Board "may" negotiate and enter into interstate reciprocity agreements with similar agencies, provided the agreements would not limit the Board's powers, duties and responsibilities in carrying out its statutory duties. Committee agreed to the change requesting Ms. Stanfill ensure this language will align with the proposed "State Authorization Reciprocity Agreement" (SARA)

\*        Student Complaint Procedures – Rules Committee accepted the proposed language that anonymous complaints are not accepted and must provide documentation; complaints regarding grade disputes, employment practices or ADA are not accepted. Committee suggested revising the statute of limitations as follows: completed the student grievance procedure within one year of the last date of attendance or initiated the student grievance procedure within one year of the last date of attendance or filed the complaint within six months of completing the student grievance and clarify the Complaint Committee process.

\*        Non-Student Complaint Procedures – There was considerable discussion regarding the State Board's process in accepting all non-student complaints. Mr. Pistillo stated that A.R.S. § 32-3052, states "On its own motion, the Board *may* investigate any evidence indicating that person may be guilty of violating this chapter or rules..." Ms. Galvin stated the Board was required to open any complaint alleging a violation of statute or rules unless the complaint was not under the Board's jurisdiction.

The proposed language stating "Anonymous complaints are not accepted" was discussed. Ms. Stanfill stated it was her belief that the statute A.R.S. §32-3055(B) "On the filing of a sworn complaint with the Board..." supports the language.

After discussion, the Committee requested Ms. Stanfill and Ms. Galvin work on the proposed language relating to this matter and the proposed language that grade disputes, employment practices, and ADA complaints are not accepted.


- \* Management Capability – the Committee requested Ms. Stanfill draft proposed language to define "management capability".
- \* Use of Terms – The Rules committee suggested minor revisions to the language.
- \* Misrepresentation of Academic Credentials – The Committee requested Ms. Stanfill and Ms. Galvin to work on the proposed language.
- \* "Misrepresentation" defined and added to definitions – proposed language acceptable
- \* Renewals, add if the renewal is not complete within 30 days of the expiration of the license, the license is automatically suspended - proposed language acceptable
- \* Additional requirements for Educational Administration for R4-39-104,105,106, and 107 – the Committee suggested minor revisions.
- \* Provisional Licensure – the Committee suggested the proposed language be revised to three years and specifically demonstrates that the licensee is meeting the timeline.
- \* Professional Liability Insurance – proposed language acceptable
- \* Financial Statement requirements – proposed language acceptable
- \* Finance Committee, new section – the Committee suggested minor revisions
- \* Define criteria for financial responsibility – the Committee suggested minor revisions

**IV. CALL TO THE PUBLIC – no one came forward**

**V. ADJOURNMENT**

Chairman Pistillo adjourned the meeting at 1:45 p.m.

The Minutes of the February 28, 2013 meeting were approved at the August 22, 2013 meeting.

  
Teri Stanfill, Executive Director