

ARIZONA STATE BOARD FOR PRIVATE POSTSECONDARY EDUCATION
1400 West Washington St., Room 230-
Phoenix, AZ 85007

BOARD MEETING MINUTES

May 26, 2011

Members Present: Laura Palmer Noone, Chair
 Jim Dugan
 Holly Helscher (by phone)
 Trish Leonard
 Scott Rhude
 Glen Tharp

Also Present: Teri Stanfill, Director
 Keith Blanchard, Deputy Director
 Jeanne Galvin, Assistant Attorney General
 Cassandra Piñon, Board Secretary

I. CALL TO ORDER – 10:01 A.M.

Chairman Laura Palmer Noone called the meeting of the Arizona State Board for Private Postsecondary Education Board Meeting, to order at 10:01 A.M.

II. BOARD MEETING MINUTES: April 28, 2011

Mr. Rhude made a motion to approve the April 28, 2011 minutes as submitted. Mr. Tharp seconded the motion and the motion carried. Ms. Galvin reminded Board Members if they did not attend the meeting, the member could not make the motion or second for approval of the Minutes.

III. Discussion, consideration and possible action concerning Ms. Miller's May 19, 2011 email to the full Board relating to Automotive Parts Training and possible violation of the Open Meeting Law

Ms. Galvin stated she received a copy of the May 19, 2011 email from Ms. Miller to the full Board regarding Ms. Miller's questions and concerns regarding Automotive Parts Training. Ms. Galvin expressed concern that Ms. Miler's email to the full Board was outside of a public meeting and therefore, although unintentional, a violation of the Open Meeting Law. Ms. Galvin then read Ms. Miller's email into the record. Ms. Galvin noted that Ms. Miller responded to Ms. Galvin and Ms. Stanfill stating that the email sent to the full Board was an oversight and was not an effort to circumvent the Open Meeting Law. Ms. Galvin stated that there have been some changes to the Open Meeting Law that specifically address the use of technology. Ms. Galvin recommended that the Board agree to a future training session by a member of the Attorney General's Open Meeting Law Enforcement Team. The Board agreed with Ms. Galvin's suggestion and the training session will be scheduled for a future meeting date. Ms. Galvin further explained that she will work with Ms. Stanfill addressing a letter regarding the matter to be sent to the Open Meeting Law Enforcement Team of the Attorney General's office.

IV. LICENSING:

A. CONDITIONAL VOCATIONAL PROGRAM LICENSE APPLICATIONS:

1. Auctioneers and Appraisers Academy: Represented by Debra Weidenhamer and Jacque Weiner

Ms. Stanfill summarized the Report. Ms. Weidenhamer responded to the questions of the Board members regarding marketing and faculty. Members expressed their concern with the sentence “the list of opportunities can be endless” in the student materials. Ms. Weidenhamer explained the potential earnings for auctioneers

Action: Mr. Rhude made the motion to approve the Conditional Vocational Program License with the following stipulations: 1) maintain the \$15,000 Surety Bond; 2) re-number the pages in the Enrollment Agreement and Grievance Procedure and 3) add the “auction” in the line “...the list of auction opportunities can be endless” in the student materials. Ms. Leonard seconded the motion and the motion carried.

2. Automotive Parts Training: Represented by Dewayne Demland

Ms. Stanfill stated that the Board reviewed the application submitted by Automotive Parts Training at the April meeting and determined to postpone action based upon the substantial questions and concerns the Board had with the application. Ms. Stanfill stated that Mr. Demland has re-submitted the application addressing the questions and concerns raised by the Board.

The Board had additional questions regarding the ASCE certifications, refund policy and if Mr. Demland had access to additional funds if necessary. Mr. Demland sufficiently addressed the Board’s questions.

Action: Mr. Tharp made the motion to approve the Conditional Vocational Program License with the following stipulations: 1) maintain the \$15,000 Surety Bond and 2) revise the refund policy on the Enrollment Agreement. Ms. Leonard seconded the motion and the motion carried.

V. CALL TO THE PUBLIC: No one came forward.

VI. BOARD BUSINESS:

A. Question on the use of the term “Master’s Certificate” in a Vocational Program.

Ms. Stanfill explained that Phoenix Computer Academy submitted a new program application for “Health Information Management Master’s Certificate”. During the review, Staff was concerned with the use of the term “Master’s Certificate” in this program because the proposed program is a vocational program and a bachelor’s degree is not required as part of the admissions requirements.

Ms. Stanfill stated this question has been raised in the past, specifically for programs in the Project Management field. The use of “Master’s Certificate” in these programs was commonly commonly accepted in the industry and accordingly, the term was allowed in these specific programs. Staff had requested Ms. Gupta revise the program name removing the term “Master’s Certificate”.

Ms. Gupta disagreed and stated that the term "Master's Certificate" is used in other vocational programs and is justified. Ms. Gupta submitted a list identifying the programs, which was a list from AZ Heat and not the Board's program listing.

Ms. Gupta and Dr. Gupta addressed the Board reiterating their position that the term "Master's Certificate" is justified.

After considerable discussions and deliberation, the Board made the following motion:

Action: Ms. Noone made the motion that the use of the term "Master's Certificate" may be misleading and the term cannot be used in the title of a vocational program. The Board clarified that the use of the term "Master Certificate" would be acceptable. Mr. Tharp seconded the motion and the motion passed.

Further, the Board directed Staff to identify all licensed programs that used the term "Master's Certificate" and contact the licensees regarding the required change.

B. Executive Director's Report: Ms. Stanfill summarized the Board Report.

C. Discussion regarding the USDE Final Regulations

Ms. Stanfill reported on the NASASPS meeting held earlier in May and the discussions of the State's and the State Authorization regulation. Ms. Stanfill explained that many of the States are not quite clear and provided questions to the Department at the meeting. The Department is expected to research the questions and provide the State's with further clarification.

Ms. Stanfill provided a copy of the questions that she sent to Toney Dyon at the Department in Washington and will also send the questions to Region IX.

VII. ADJOURNMENT: The meeting adjourned at 11:28 A.M.

Minutes approved at the June 23, 2011 meeting of the Arizona State Board for Private Postsecondary Education.


Teri Stanfill, Executive Director

Teri Stanfill

From: KC Miller [kc@swiha.edu]
Sent: Thursday, May 19, 2011 4:47 PM
To: Teri Stanfill; Laura Palmer Noone; SLRhude@aol.com; Dugan, James A; Trish@TrishLeonardConsulting.com; Helscher, Holly; Glen Tharp
Cc: Jeanne Galvin
Subject: RE: Automotive Parts Training ~ KC's update

Dear Board Members

Re: Automotive Parts Training

Last month I was the lead for the Automotive Parts Training application and I was VERY hard on him. I hope I didn't come across too critical or knit-picky. High quality on-line education has before my passion and personal commitment.

I will not be at the upcoming board meeting.* Thank you all for following through on the concerns raised last month.

Today I have gone through the resubmitted application, as well as listened to and viewed the information available on the link provided to us. I can report that Dewayne Demland with Automotive Parts Training has done a pretty good job of correcting the many deficiencies noted at the last board meeting.

The one area that still needs to be addressed is the Enrollment Agreement / Refund Policy.

1. The Enrollment Agreement is a three page document; the pages need to be listed as 1 of 3, 2 of 3 and 3 of 3
2. The total cost of the programs are \$3000 and \$2100. **I feel he will need to include the State Board standard required refund policy.**
 - a. I feel strongly he needs to be in full compliance with the State Board's standard refund policy because this would be our greatest repercussion IF a student were to file a complaint. What if they do pay \$3000/\$2100 up front? At the last meeting he explained that he would only be accepting money for one class at a time. How can this be assured? On the Enrollment Agreement he does list the full tuition with no mention of the student being able to only pay for one class at a time.
 - b. In another section of the re-submitted material he makes the following statement: **A student is enrolled for the complete program.** This statement, in my opinion, definitely confirms my strong recommendation to require he abide by the State Board's standard refund policy and include it on the Enrollment Agreement and in School Catalog.

With the corrections to the Enrollment Agreement, and after a determination is made about the Refund Policy, there is probably not a reason not to issue a license.

Blessings
 :) KC

PS * I will not be at the board meeting due to a long awaited vacation. My husband and I have been married 20th years and we are going deep sea fishing in the Bahamas. Life is grand!

KC Miller – Founder / Director
 Southwest Institute of Healing Arts

Teri Stanfill

From: Jeanne Galvin [Jeanne.Galvin@azag.gov]
Sent: Friday, May 20, 2011 7:52 AM
To: SLRhude@aol.com; Holly Helscher; James A Dugan; Glen Tharp; Laura Palmer Noone; KC Miller; Trish@TrishLeonardConsulting.com
Cc: Teri Stanfill
Subject: RE: Automotive Parts Training ~ KC's update

Dear Board Members:

I was copied on the email below from Ms. Miller relating to Automotive Parts Training. As this communication was provided to the full board from another board member about current board business, it is in violation of the Open Meeting Law. Please disregard the email. As you recall, the Open Meeting Law, in very basic terms, requires that the business of public agencies be conducted in open where the public is allowed to attend. Communication among board members (particularly a quorum or more) outside of an open meeting is strictly prohibited and a violation of that law. Please refrain from communicating (via telephone, email, text etc) with other board members (particularly the full board but even individual members) about board business. I will be in touch with Teri later today to discuss how to remedy this situation. I will speak with her as soon as I am available as I have a board meeting to attend all day. Thank you ver much for your cooperation.

Jeanne

Jeanne M. Galvin
Assistant Attorney General
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Phoenix, Arizona 85007
(602) 542-7983 (tele)
(602) 364-3202 (fax)
jeanne.galvin@azag.gov

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>>> KC Miller <kc@swiha.edu> 5/19/2011 4:47 PM >>>
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The one area that still needs to be addressed is the Enrollment Agreement / Refund Policy.

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2. The total cost of the programs are \$3000 and \$2100. I feel he will need to include the State Board standard required refund policy.

a. I feel strongly he needs to be in full compliance with the State Board's standard refund policy because this would be our greatest repercussion IF a student were to file a complaint. What if they do pay \$3000/\$2100 up front? At the last meeting he explained that he would only be accepting money for one class at a time. How can this be assured? On the Enrollment Agreement he does list the full tuition with no mention of the student being able to only pay for one class at a time.

b. In another section of the re-submitted material he makes the following statement: A student is enrolled for the complete program. This statement, in my opinion, definitely confirms my strong recommendation to require he abide by the State Board's standard refund policy and include it on the Enrollment Agreement and in School Catalog.

With the corrections to the Enrollment Agreement, and after a determination is made about the Refund Policy, there is probably not a reason not to issue a license.

Blessings
:) KC

PS * I will not be at the board meeting due to a long awaited vacation. My husband and I have been married 20th years and we are going deep sea fishing in the Bahamas. Life is grand!

[Description: SWIHA_sig]

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Phone (480) 994-9244

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Be our guest at 'Discover Your Gifts and Graces' the first Friday of every month at 6 pm

From: Teri Stanfill [mailto:Teri.Stanfill@azppse.gov]
Sent: Thursday, May 19, 2011 3:40 PM
To: Laura Palmer Noone; KC Miller; SLRhude@aol.com; Dugan, James A; Trish@TrishLeonardConsulting.com; Helscher, Holly; Glen Tharp
Cc: Jeanne Galvin; Teri Stanfill
Subject: FW: Web Site Access

Hi everyone! The board materials are being delivered today (Scott & Holly - you should get yours by Monday).

Dewayne Demland with Automotive Parts Training asked that I share the link with you as a part of the revised application.

See you next week!

Teri Stanfill
Executive Director
Arizona State Board for
Private Postsecondary Education
1400 W. Washington Street, Room 260
Phoenix, AZ 85007
602-542-2399 phone
602-542-1253 fax
Website: www.azppse.gov<<http://www.ppse.az.gov/>>

From: Automotive Parts Training [mailto:dewayne@automotivepartstraining.com]
Sent: Monday, May 16, 2011 8:41 AM
To: Teri Stanfill; Keith Blanchard
Subject: Web Site Access

I welcome you to look at this prior to sending this information to the board members and welcome your comments.

There is an introductory video, about 20 minutes long, that needs to be looked at prior to logging onto the site. In part it contains the video manual that the students will receive prior to their first log in.

http://automotivepartstraining.com/web_manual_board.mov

Below is the log in information for everyone:

Member

Log In

Password

Laura Palmer Noone

laura

1234

KC Miller

kc

1234

James Dugan

james

1234

Holly Helscher

holly

1234

Patricia Leonard

patricia

1234

Scott Rhude

scott

1234

Glen Tharp

glen

1234

Teri Stanfill

teri

1234

Keith Blanchard

keith

1234

Let me know if you have any comments.

DeWayne

Teri Stanfill

From: Jeanne Galvin [Jeanne.Galvin@azag.gov]
Sent: Monday, May 23, 2011 9:02 AM
To: KC Miller
Cc: Teri Stanfill
Subject: RE: Automotive Parts Training ~ KC's update

Hi KC: Thank you for promised diligence in the future relating to communications. It can happen, we just try to avoid it but when it does, we need to cure it. We will take care of it this next meeting. Thanks. Jeanne

Jeanne M. Galvin
Assistant Attorney General
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Phoenix, Arizona 85007
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Teri Stanfill

From: KC Miller [kc@swiha.edu]
Sent: Friday, May 20, 2011 11:18 PM
To: 'Jeanne Galvin'
Cc: Teri Stanfill
Subject: RE: Automotive Parts Training ~ KC's update

Dear Jeanne and Teri
Please forgive me! Now that you remind me, I fully realize that I should not have emailed all the board members.

I am leaving town for a while and was just in a hurry to make sure I got everything I needed to do done and communicated with everyone who needed to know. Obviously I over-communicated in this instance. I apologize and certainly will take great care in the future to not violate the open meeting laws.

Blessings
:)KC

-----Original Message-----

From: Jeanne Galvin [mailto:Jeanne.Galvin@azag.gov]
Sent: Friday, May 20, 2011 7:45 AM
To: KC Miller
Cc: Teri.Stanfill@azppse.gov
Subject: RE: Automotive Parts Training ~ KC's update

Hi KC: I was copied on your email to the other Board members re: Automotive Parts Training. I know how dedicated you are to the issues that come before the board and I am sure that this was just an oversight on your part but direct (or indirect) communication to the other board members about an issue that is currently before the board (or may be before the board) is a violation of the Open Meeting Law. In very basic terms, the Open Meeting Law requires that the business of public agencies be conducted in open where the public is allowed to attend. Communication among board members (particularly a quorum or more) outside of an open meeting is strictly prohibited and a violation of that law. Obviously, your communication to the Board is intended to convey your remaining concerns about the application given your inability to attend the next meeting. This cannot be done under the Open Meeting Law. I will be in contact with Teri today to discuss how to remedy this situation. I just wanted to make you aware of the issue and ask that you please refrain from such communication in the future. Please call me with any questions. I am in a board meeting today but I can be reached by cell at 602-689-8520.

Jeanne

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- Member
- Log In
- Password
- Laura Palmer Noone
- laura
- 1234
- KC Miller
- kc

1234

James Dugan

james

1234

Holly Helscher

holly

1234

Patricia Leonard

patricia

1234

Scott Rhude

scott

1234

Glen Tharp

glen

1234

Teri Stanfill

teri

1234

Keith Blanchard

keith

1234

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