

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

**COMPLAINT COMMITTEE MEETING MINUTES**

**July 31, 2014**

Members Present: Glen Tharp  
Trish Leonard  
Dr. Henry Radda

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

**I. CALL TO ORDER –10:04 A.M.**

Chairman Glen Tharp called the Complaint Committee meeting of the Arizona State Board for Private Postsecondary Education Board Meeting to order at 10:04 A.M.

**II. MINUTES: MARCH 27, 2014**

Ms. Leonard made a motion to approve the minutes of the March 27, 2014 Complaint Committee meeting as submitted. Mr. Tharp seconded the motion. (Dr. Radda abstained)

**Minutes approved**

**III. DETERMINATION TO OPEN A COMPLAINT – Arizona School of  
Massage Therapy (parent company is Utah School of Massage Therapy –  
UCMT)  
Institution: Melissa Wade, VP of Compliance, Steiner Group – telephonically**

Mr. Blanchard summarized the complaint. In December 2013, the Accrediting Council for Continuing Education and Training (ACCET) deferred the application for reaccreditation and issued an Institutional Show Cause directive with Interim Reports for Phoenix Campus and Tempe campus of the Arizona School of Massage Therapy.

The Show Cause directive was based upon systemic errors, inaccuracies, and non-compliant practices for tracking placements, low placement rates at all campuses and low licensure rates at several other campuses.

On December 20, 2013, ACCET's letter stated both the Phoenix and Tempe campuses placement and retention were below ACCET's benchmarks. ACCET identified additional weaknesses in 9 standards.

Ms. Wade stated the Arizona School of Massage Therapy received a verbal disclosure from ACCET that the school is no longer on a "Show Cause" status. Ms. Wade was expecting a letter of conformation from ACCET within two weeks.

**ACTION:** After discussion and review, Mr. Tharp made a motion that staff will open a complaint and requested Arizona School of Massage Therapy to submit written confirmation of the "Show Cause" status and submit updates as each are received. Dr. Radda seconded the motion. **Motion Carried.**

#### **IV. STUDENT COMPLAINT**

##### **A. #14-S010 ITT Technical Institute**

**Institution: Linda Lemken, Allen Spector**

**Emily Reams, Jane Hart and Carolyn Hensley (telephonically)**

**Student: M.M.**

Mr. Blanchard summarized this complaint. On April 23, 2014 staff received a complaint against ITT Technical Institute from former student M.M. In his complaint, he alleges that instructors failed in their responsibility as teachers (nothing specific), which had an adverse effect on students. Pursuant to the complaint, the Dean of Students, Allen Spector would initially respond to M.M.'s concerns (specifically Instructor Tanco) and the Dean indicated he would investigate. M.M. re-approached Dean Spector after additional verbal complaints were made regarding Instructor Tanco, but M.M. stated he did not receive any help.

M.M. did not submit any information specific to the allegations in the complaint. It was noted ITT Tech did not get any written complaint from M.M. The only instructor M.M. appeared to have an issue was an Instructor Tanco. M.M. produced a tape recording of a non-specified class. The committee did not allow it as evidence because it was not M.M.

During the review of the allegations by the committee, the complainant stated he did complete the class surveys and instructor surveys and were all positive feedbacks. The committee reviewed the instructor resume of Mr. Tanco and it was noted he meet or exceeded all requirements to be an instructor at ITT.

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

##### **B. #14-S011 ITT Technical Institute**

**Institution: Linda Lemken, Allen Spector**

**Emily Reams, Jane Hart and Carolyn Hensley (telephonically)**

**Student: R.S.**

Mr. Blanchard summarized the complaint. On April 24, 2014 staff received a faxed complaint against ITT Technical Institute from former student R.S. In his complaint, R.S. alleges he "tried to file a grievance," but Dean Allen Spector would just "sweep it under the rug." R.S. has no supporting documentation and it was during the interview with the complainant that staff was able to determine the specific allegations.

Complainant did not submit any written documentation that supported any of his allegations or the completion of the institutional grievance procedure as required by Rule R4-39-403. ITT Technical Institute stated it has fulfilled all its requirements to help R.S. complete his program. R.S. is still eligible to return.

During discussion, the Committee questioned ITT regarding administrative direction to students, assisting students and classroom observation by the administration. The committee questioned fees for the fourth quarter and based on information provided, ITT Tech should refund the complainants fourth quarter.

The committee noted there appeared to be a failure of ITT to document specific conversations between R. S. and Dean Spector, specific to a withdrawal. It was further discussed that it is the institutions responsibility to follow-up with students and have available supporting written documentation.

**ACTION:** After review and discussion, Ms. Leonard made a motion to forward the complaint to the State Board for additional review. Specifically mentioned by Ms. Leonard was the initial withdrawal request made verbally by R.S. to Dean Spector. Ms. Leonard requested ITT to reach out to R.S. in an attempt to resolve the issues and report any resolution to the State Board. Mr. Tharp seconded the motion. **Motion Carried.**

**Mr. Tharp requested a 5 minute break at 12:10 a.m.**

**Mr. Tharp brought the meeting back to order at 12:17 p.m.**

**C. #14-S012 Arizona Summit Law School  
Institution: Ilya Iussa, Therese Brown  
Complainant: E.D., Mark Gove, Esq.**

Mr. Blanchard summarized the complaint. On May 15, 2013, complainant E.D. submitted a complaint against Arizona Summit Law School (ASLS). E.D. identified herself as Lesbian, Gay, Bi-Sexual, Transvestite (LGBT), which has caused discriminatory reaction from ASLS and the specific reason for her academic suspension. E.D. sent an inappropriate email to her instructor/mentor. Pursuant to E.D., the email communication got blown out of proportion and she was charged with harassment. E.D. states the punishments are excessive and extremely harsh.

E.D.'s reasoning for the suspension and the severity of the numerous issues is due to her LGBT status. ASLS has submitted volumes of documentation regarding the hostile, angry and threatening emails to faculty, ASLS staff, InfiLaw Holdings and Sterling Capital Partners (ownership group). This included 2 voice mails that each committee member heard prior to the July 31, 2014 meeting.

Attorney Mark E. Gove represented E.D. at the meeting and presented E.D. position. In the discussion, ASLS stated E.D. has not been expelled, but has been academically suspended. She can re-apply in the Fall Semester for the Spring Semester. It is noted that E.D. disagreed with her grade appeal outcomes. It was noted that ASLS stated E.D. had filed approximately 9 grade appeals and most were approved in her favor.

**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. Radda seconded the motion. **Motion Carried.**

**IV. Call to the public: N/A**

**V. ADJOURNMENT: 1:02 P.M.**

The July 31, 2014 Complaint Committee Minutes were approved at the September 25, 2014 Complaint Committee meeting

  
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Keith Blanchard, Deputy Director