

COMPLAINT COMMITTEE MEETING MINUTES

September 24, 2015

Members Present: Mr. Glen Tharp
Ms. Trish Leonard
Dr. Henry Radda

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

I. CALL TO ORDER – 1:00 P.M.

Chairman Glen Tharp called the Complaint Committee meeting of the Arizona State Board for Private Postsecondary Education Board Meeting to order at 1:00 P.M.

II. MINUTES: JUNE 25, 2015

Ms. Leonard made a motion to approve the minutes of the June 25, 2015 Complaint Committee meeting as submitted. Dr. Radda seconded the motion. **Minutes approved**

III. Determination to open a complaint – Brookline College
Institution: Roy Hawkins, Dr. Shawn Johnson-Carter
Complainant: None

Mr. Blanchard summarized the complaint. At its meeting on May 14 and May 15, 2015, the Arizona State Board of Nursing, reviewed an Investigative Report regarding Brookline College RN program. During the meeting the Board of Nursing offered a Consent Agreement for Decree of Censure regarding a number of issues relating to violation of Board of Nursing rule R4-19-203(C) (1), (2) and (7).

The institution presented its position on the Consent Agreement includes that it did not agree with most of the finding. Dr. Johnson-Carter spoke about Brookline College NCLEX results being 93% and its on-time completion rate, which was 47% and is now at 60%.

ACTION: After review and discussion, Mr. Tharp made a motion to open a complaint for possible violations. Mr. Tharp requested Brookline to submit any updated information to Board staff as it becomes available and monitor any additional outcomes. Dr. Radda seconded the motion. **Motion Carried.**

IV. Determination to open a complaint – Prescott College
Institution: Dr. Paul Burkhardt - Telephonically
Complainant: None

Mr. Blanchard summarized the complaint. On September 8, 2015, Board staff received a complaint from complainant S.C. (non-student). His complaint was regarding his findings in a thesis submitted in January 2008 by then Prescott student Camilla Fox. S.C. had concerns of factually incorrect information in her thesis project, which was accepted by Prescott College faculty to satisfy graduation requirements.

S.C. contacted Prescott College regarding his concern and received a response from Dr. Paul Burkhardt, Executive Vice President and Provost requesting his concern that Camilla Fox had included in her thesis from January 2008 and requested that the College take action against Camilla Fox.

Dr. Burkhardt communicate with S.C. that the College does have a policy on academic integrity and that he would forward the information that he had provided to the appropriate department for review, but would be unable to disclose the finding due to FERPA

Executive Session:

Mr. Tharp made a motion to enter into Executive Session to obtain legal advice. Dr. Radda seconded the motion. Executive Session 1:15 p.m. Executive Session ended 1:18 p.m.

Return to order: 1:20 p.m.

ACTION: After review and discussion, Mr. Tharp made a motion to not open a complaint, stating lack of jurisdiction due to 3-year statute of limitations. Dr. Radda seconded the motion. **Motion Carried.**

V. STUDENT COMPLAINT

A. #15-S006 Arizona Summit Law School

Institution: Nicole France Stanton, Atty. and Shirley Mays, Dean
Student: B.G.

Mr. Blanchard summarized the complaint. Complainant B.G. submitted his complaint on the April 24, 2015 and failed to submit any evidence or supporting documentation at the time of submission. B.G. stated his last date of attendance was April 24, 2012. He was dismissed from school for SAP (1.81 cumulative GPA), which in part came from a violation of attendance policy in his Contracts II class by allegedly missing five classes (policy states students can only miss four). After his Contract II grade was changed to an "F", B.G. was no longer academically eligible to continue.

B.G. requested for a postponement based on information he wanted to submit.

ASLS did not make a presentation prior to the committee voting to go into Executive Session to obtain legal advice.

Executive Session:

Mr. Tharp made a motion to enter into Executive Session to obtain legal advice. Dr. Radda seconded the motion. Executive Session 1:26 p.m. Executive Session ended 1:28 p.m.

Return to order: 1:36 p.m.

ACTION: After review and discussion, Dr. Radda made a motion to postpone the determination of the complaint. Dr. Radda stated the B.G. shall submit his supporting documentation within 30-days prior to the December meeting. The complaint will be on the December 8, 2015 agenda. Mr. Tharp seconded the motion. **Motion Carried.**

B. #15-S007 Northcentral University
Institution: James Dorris, Interim Provost
Student: K.W. (Did not appear)

Mr. Blanchard summarized the complaint. K.W. she was dismissed on July 24, 2015 from her DBA – Human Recourse. She stated she was given inconsistent advice regarding her second attempt on her comprehensive exam. There were a number of discrepancies between the complaint and NCU including NCU stating K.W. withdrew and K.W. stated she was dismissed on July 24, 2013. NCU stated K.W. was offered “The Fresh Start Program.” K.W. stated she never received such offer and did not know anything about the terms and conditions. K.W. was told she was not eligible for the hardship payment plan because was told she missed the deadline, when in fact she was never told about any deadlines.

Prior to the meeting, NCU stated there was a resolution and K.W. was re-enrolled in her DBA – Human Recourse program.

ACTION: After review and discussion, Ms. Leonard made a motion to dismiss the complaint due to a mutual resolution. Dr. Radda seconded the motion. **Motion Carried.**

C. #15-S008 Argosy University
Institution: Hugh Jensen, Campus President, Renee Posey and Nicole Shell
(Telephonically)
Student: D.J (Telephonically)

Mr. Blanchard summarized the complaint. Board staff received a complaint from D.J. on May 11, 2015. She alleges that she was discriminated against because of her religious beliefs. She stated she was told how she could address another student. After submitting her appeals and having those denied, she was required to wait one year from the date of dismissal to apply for re-instatement. She re-applied and was again denied.

In its response, Argosy stated there was another appeal that D.J. has not completed. Ms. Leonard questioned D.J. as to why she would file a complaint and not complete all the available appeals. Ms. Leonard also questioned Argosy regarding their communication to the complainant regarding her available appeals and notifying her regarding status.

ACTION: After review and discussion, Ms. Leonard made a motion to dismiss the complaint due to lack of jurisdiction and instructed the institution to communicate with
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D.J. regarding completing her appeals and hopefully return to school. Mr. Tharp seconded the motion. **Motion Carried.**

D. #16-S001 West Coast Ultrasound Institute

Institution: Andrew High, COO

Student: M.D. (Did not appear)

Mr. Blanchard summarized the complaint. On July 21, 2015, M.D. submitted a complaint alleging she was wrongfully terminated from her Diagnostic Medical Sonographers (DMS) program. After allegations that she was falsely accused of unprofessional contact at her externship site.

The termination of the externship site was in 2012. Prior to filing a complaint with the State Board, WCUI received a letter of representation for M.D. WCUI responded and the matter was dropped. In November 6, 2012, WCUI received a letter from the United States Department of Education stating M.D. was being discriminated against alleging her epilepsy disability. WCUI responded to the department stating M.D.'s termination was for unprofessional conduct only and the school was never made aware of any epilepsy issue until the July 13, 2012 episode. The department closed the complaint.

Executive Session:

Mr. Tharp made a motion to enter into Executive Session to obtain legal advice.

Dr. Radda seconded the motion. Executive Session 2:34 p.m. Executive Session ended 2:37 p.m.

Return to order: 2:38 p.m.

ACTION: Mr. Tharp made a motion to dismiss the complaint for lack of jurisdiction citing the 3-year statute of limitations for filing a complaint. Ms. Leonard seconded the motion. **Motion Carried.**

VI. Call to the public: N/A

VII. ADJOURNMENT: 2:40 P.M.

The September 24, 2015 Complaint Committee Minutes were approved at the December 8, 2015 Complaint Committee meeting


Keith Blanchard, Deputy Director