

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

COMPLAINT COMMITTEE MEETING MINUTES
September 26, 2013

Members Present: Glen Tharp
 Trish Leonard
 Gary Damore

Also Present: Teri Stanfill, Director
 Keith Blanchard, Deputy Director
 Cassandra Pinon, 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 27, 2013

Ms. Leonard made a motion to approve the minutes of the June 27, 2013 Complaint Committee meeting as submitted. Dr. Damore seconded the motion. **Minutes approved**

**III. DETERMINATION TO OPEN A COMPLAINT – A.T. Still University:
 Institution: Dr. O.T. Wendell, Dr. Greg McQueen and Beth Poppie**

Mr. Blanchard summarized the issues on this agenda item stating on September 10, 2013, Board staff received an email from a student questioning ATSU's "mandatory university-wide" policy regarding required Individual Long-Term Disability Insurance. In the information provided, this is required and must be purchased through the university. There are no additional options regarding the carrier of the policy or costs and fees. ATSU has an agreement with Northwestern Mutual as the lone provider.

ACTION: After discussion and review, Ms. Leonard made a motion to open a complaint and gain clarification on the insurance program, not allowing for students to be given choices and Title IV regulations. Dr. Damore seconded the motion. **Motion Carried.**

IV. NON-STUDENT COMPLAINT

**A. #14-NS501 Creighton University:
 Institution: Jim Jansen, General Counsel and Jodi Lange, Paralegal
 (Telephonically)**

Mr. Blanchard summarized this complaint regarding Creighton University, School of Medicine operating without a license, prior to being granted a Regular Degree-Granting License to offer a Doctor of Medicine program on August 22, 2013, by the State Board.

Prior to seeking licensure Creighton University entered into an affiliation agreement with St. Joseph's Hospital and Medical Center on June 30, 2009. Pursuant to Creighton University, the first students began attending medical school in Arizona in July 2012.

ACTION: After review and discussion, The Committee found a violation of ARS §32-3022 (A). Mr. Damore made a motion to offer Creighton University an opportunity to enter into a consent agreement and paying a civil penalty of one thousand dollars (\$1,000). Ms. Leonard seconded the motion. **Motion Carried.**

V. STUDENT COMPLAINTS

A. #14-S001 Community Kitchen: Institution: Rick Frasia, CFO Dr. Gary Damore recused

Mr. Blanchard summarized the complaint stating the complainant Z.J. filed her complaint on May 29, 2013. Z.J. alleged she was not allowed to "exercise her due process" regarding the student grievance procedure. She indicated she was receiving unequal or unfair treatment in her classes compared to Caucasian students. Community Kitchen students do not pay tuition. The tuition is paid by donations to give an opportunity for those students who have "barriers to employment."

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. Mr. Sharp seconded the motion. **Motion Carried.**

B. #14-S002 Kaplan College: Institution: Jacki Rupe, Interim Executive Director

Mr. Blanchard summarized the complaint stating complainant H.H. was a graduate of the medical billing and coding program at Kaplan College. The complaint alleges that she has been unsuccessful in finding employment because she has no certification, which she stated can't obtain without 2-years verifiable experience in medical billing and coding field.

In the institutional response, Kaplan College listed three job placements; PHI Air Medical, Rural Metro via Medix Staffing Agency and Cognizant. Each job placement opportunity was unsuccessful. Kaplan College contacted H.H. on August 13, 2013 to offer additional Career Services assistance and to speak to her regarding questions and concerns.

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

C. 14-S004 Penn Foster College: Institution: Charles Rupe

Mr. Blanchard summarized the complaint and stated on August 22, 2013, complainant M.S. submitted a complaint against Penn Foster College alleging false and misleading advertising on its website. Specifically, M.S. states that Penn Foster College states on its

website it is nationally accredited and leads one to believe that the school is recognized nationally. He alleges that when he attempted to transfer his credits to a college in Portland, Oregon, college told him "No, we don't accept their credits. They're not regionally accredited."

In Penn Foster College's submission and staff's review of Penn Foster website, it states transferring Penn Foster College credit to other schools is the decision to upon the individual receiving schools. Penn Foster states the policy regarding outside institutions accepting its credits is also published in its catalog and student handbook. Penn Foster is accredited by Distance Educations and Training Council (DETC) a U.S. Department of Education approved national accrediting agency. The school is in good standing.

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

**D. #14-S005 American Institute of Dental Assisting:
Institution: Dr. Eldon Hastings and Julia Wheatley
Complainant: K.S. (Telephonically)**

Mr. Blanchard summarized the complaint stating K.S. submitted her complaint against American Institute of Dental Assisting (AIDA) alleging concerns that the school did not help her to complete the program. K.S. disclosed to AIDA at the time of her enrollment that she learning disability that she self-diagnosed. K.S. stated that AIDA did offer for her to re-take the course because of exam failures and cheating, but K.S. felt this was unfair and she should be able to retake the final and receive her certificate.

K.S. failed to disclose felony drug convictions on her application questionnaire. During her initial application, K.S. stated she did not have any criminal history. After a disclosure during the Dental Assisting National Board (DANB) test, it was determined she had a lengthy criminal drug history. In her complaint, she did not take issue about the disclosure of the criminal history, but her perception of how she was being treated differently after the disclosure.

During a review of the cheating allegations, K.S. told school staff the two 2 other students cheated but nothing happened to them. In a subsequent meeting with K.S., Julia Wheatley (mother) and Dr. Hastings, Dr. Hastings asked K.S. for names of other students who may have cheated but she refused to disclose names. AIDA has offered K.S. to retake the entire course at no cost to ensure that she has learned the subject material required for graduation.

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

VI. Call to the public: N/A

VII. ADJOURNMENT: 2:18 P.M.

The September 26, 2013 Complaint Committee Minutes were approved at the January 10, 2014 Complaint Committee meeting

A handwritten signature in cursive script, appearing to read "Keith Blanchard", written over a horizontal line.

Keith Blanchard, Deputy Director