



## Arizona State Board for Private Postsecondary Education

### SMALL BUSINESS BILL OF RIGHTS

You are entitled to all of the rights established in A.R.S. § 41-1001.01 and A.R.S. § 41-1009(A)(1)-(7), as well as A.R.S. § 32-3003, A.R.S. 32-3053 and A.A.C. R4-39-501 relating to inspections.

The links to the applicable Title 41 are provided below.

Copies of applicable State Board statutes and rules are attached hereto.

If you have any questions or concerns regarding this inspection, please contact:

Teri Stanfill, Executive Director

[Teri.Stanfill@azppse.gov](mailto:Teri.Stanfill@azppse.gov)

602-542-2399

If the event you have made a reasonable effort to resolve any problems with the agenda and have not been successful, you may contact the Office of the Ombudsman-Citizens Aide:

Arizona Ombudsman-Citizen's Aide

3737 N. 7<sup>th</sup> Street, Suite 209

Phoenix, AZ 85014

602 -277-7292

1-800-872-2879 (outside Phoenix Metro area)

Fax: 277-7312

Email: [ombuds@azoca.gov](mailto:ombuds@azoca.gov)

1400 WEST  
WASHINGTON  
ROOM 260

PHOENIX,  
ARIZONA  
85007

Phone:  
602-542-5709

Fax:  
602-542-1253

Website:  
[www.azppse.gov](http://www.azppse.gov)

Regulatory Bill of Rights: <http://www.azleg.gov/ars/41/01001-01.htm>

Inspections and Audits: <http://www.azleg.gov/ars/41/01009.htm>

### State Board Statutes and Rules:

#### 32-3003. Powers and duties

##### A. The board shall:

1. Annually select a chairman from among its members.
2. Meet at least four times a year.
3. Adopt rules which are necessary or proper for the administration of this chapter.
4. Administer and enforce this chapter and rules adopted pursuant to this chapter.
5. Establish minimum standards for private vocational program licensure requirements.
6. Adopt an official seal for attestation of licenses or other official papers and documents.
7. Consider and pass upon applications for private vocational program licenses and licenses to grant degrees.
8. Hear and pass upon complaints or charges.
9. Compel attendance of witnesses, administer oaths and take testimony concerning all matters coming within its jurisdiction.
10. Keep a record of its proceedings.
11. Keep a register which shows the date of each application for a private vocational program license, qualifications and place of business of the applicant and disposition of the application.
12. Keep a register which shows the date of each application for a license to grant degrees, qualifications and place of business of the applicant and disposition of the application.
13. Maintain a list of institutions licensed pursuant to this chapter which is open to public inspection at all reasonable times. The board shall give a copy of the list to any person who requests it.
14. Engage in a full exchange of information with other regulatory boards, governmental agencies, accrediting agencies and the United States department of education.
15. Do other things necessary to carry out the purposes of this chapter.

### ARTICLE 5. INVESTIGATIONS AND HEARING PROCEDURES

#### R4-39-501. Investigations

- A. The Board shall investigate any sworn complaint against a person or entity alleging violation of A.R.S. § 32-3001 et seq. or this Chapter. For purposes of this Section, "investigated party" means an entity or person who is the subject of a Board investigation.
- B. Board staff may request production of records or information from an investigated party or complainant, or request an interview with an employee or agent of the investigated party. The investigated party may file written objections with the Board to the Board's request within 15 days of receipt of the request. Unless the investigated party timely files an objection to the Board's request, the investigated party shall not fail to produce documents or information or attempt to make available for an interview an employee or agent of the investigated party. Board staff shall attempt to informally resolve objections to requests for documents, information, or an interview. If no resolution is reached, the matter shall be heard and decided by the Board.

- C. The Board shall not disclose documents and materials relating to an investigated matter except to the investigated party, until the matter is closed, settled by stipulation, or set for hearing under Title 41, Chapter 6, Article 10.
- D. Upon completion of the investigation, the matter shall be referred to the Board's Complaint Committee for consideration.
- E. After consideration of the matter investigated, the Complaint Committee may take the following actions:
  - 1. Instruct Board staff to conduct further investigation. After further investigation, the matter may be re-heard by the Complaint Committee or referred to the Board;
  - 2. Determine that the investigation does not demonstrate a violation of A.R.S. § 32-3001 et seq. or this Chapter and recommend to the Board that the investigation be closed; or
  - 3. Determine that the investigation demonstrates there are reasonable grounds to indicate a violation of A.R.S. § 32-3001 et seq. or this Chapter and send a report of its findings and recommendation to the Board.
- F. If the Board determines that the investigation demonstrates that there are reasonable grounds to indicate a violation of A.R.S. § 32-3001 et seq. or this Chapter, the Board shall serve notice of the Board's determination and set the matter for hearing.

*Historical Note*

Adopted effective May 21, 1985 (Supp. 85-3). Amended effective February 23, 1993 (Supp. 93-1).  
Section repealed; new Section made by final rulemaking at 8 A.A.R. 1947, effective April 2,  
2002 (Supp. 02-2).