



May 19, 2023
11:00 am
Virtual Meeting

MEETING MINUTES

Members present:

- President Morna Foy – Chair – Wisconsin Technical College System (WTCS)
- President Eric Fulcomer – Vice Chair – Wisconsin Association of Independent Colleges and Universities (WAICU)
- President Jay Rothman – Secretary – University of Wisconsin System (UWS)
- Daniel Hereth, Acting Secretary-Designee, Wisconsin Department of Safety and Professional Services (DSPS)

Others Present:

- Johannes Britz, UWS
- Joan Gage, DSPS
- Rebecca Larson, WAICU
- Paige Smith, UWS
- Megan Stritchko, WTCS
- Julie Drake, WTCS

Call to Order, Roll Call and Open Meeting Statement

President Foy called the meeting to order at 11:00 am. Julie Drake read the open meeting statement and roll call indicated that a quorum was present.

Action Item. Approval of the December 16, 2022, and March 17, 2023, meeting minutes.

It was moved by President Fulcomer, seconded by President Foy to approve the December 16, 2022, and March 17, 2023, meeting minutes. Motion carried unanimously.

Acting Secretary-Designee Hereth joined the meeting at 11:03 am.

Report of the Chair

President Foy thanked the Higher Educational Aids Board for their work to support the Board. As a reminder, the Board is administratively attached to the Higher Educational Aids Board (HEAB) and relies on HEAB staff for administrative and technical support. In the past, the Board supported opportunities to provide additional resources to HEAB, including grants from M-SARA, but this financial support offers modest, short-term resources that cannot sustain HEAB in the longer term.

As part of the biennial budget process, the Governor proposed GPR funding and positions to increase current HEAB IT staff to full time and support an IT Modernization Project, providing needed ongoing

support for HEAB and, indirectly, the Board. A related provision to provide administrative support to HEAB through the Department of Administration was removed by the Joint Committee on Finance. The committee has yet to act on proposals for IT staffing at HEAB.

Action Item. Approval of Amendment to DLAB Operating Procedures

Ms. Smith explained the amendments which provided a clarification of administrative work done by the sector representatives for the DLAB Board. The proposed draft includes a new section that authorizes a sector representative the authority to approve and sign any other authorizations or administrative approvals or documents required for general processing of all other Board actions, including verification of institution closures to NC-SARA, with the authorization of the Chair. Under the new section, the sector representative shall report said action to the Board at the next scheduled meeting. Additionally, minor grammatical and board title changes are included throughout, intended to provide clarity and consistency

It was moved by President Rothman, seconded by President Fulcomer to approve the amended DLAB Operating Procedures. Motion carried unanimously.

Action Item. Approval of Midwest College of Oriental Medicine Application

Ms. Gage provided an overview of the Midwest College of Oriental Medicine application, an Educational Approval Program (EAP) approved school with fewer than 2,500 students, which meets all of the qualifications and is an accredited institution

It was moved by President Foy, seconded by President Fulcomer to approve the Midwest College of Oriental Medicine application. Motion carried unanimously.

Report: Review of Institutional Application Submissions, Renewals and Withdrawals

- a. Wisconsin Association of Independent Colleges and Universities (Rebecca)
 - i. Ms. Larson reported on renewals for WAICU since December for Sacred Heart School of Theology and the Nashotah House, approved at the March meeting. Based on action of the operating procedures, Ms. Larson will be filling out a form for Cardinal Stritch University with their recent closing and submitting it on behalf of the DLAB Board.
- b. Wisconsin Technical College System (Megan)
 - i. Ms. Stritchko reported WTCS approvals for Blackhawk, Gateway, Milwaukee Area and Waukesha County technical colleges.
- c. Wisconsin Department of Safety and Professional Services (Joan)
 - i. Ms. Gage reported one renewal in March for Wright Graduate University. There is a subsequent planned closure in May of 2024.
- d. University of Wisconsin System
 - i. Ms. Smith had no renewals to report for the UW System.

Report: State Portal Entity Representative Updates

- a. General Updates
 - i. Federal Regulatory Updates – Ms. Smith provided a brief update on the recent Notice of Proposed Rulemaking published by the U.S. Department of Education under the Higher Education Act, as Amended. Ms. Smith highlighted two main proposed rules

that would potentially impact SARA-participating institutions. First, the proposed rules would require institutions to determine that each of their professional licensure and certificate programs either do or do not meet the educational prerequisites for professional licensure or certification in the state that the student is located. This requirement would create a significant administration burden and potential liability for institutions who do not have the ability to research and verify each and every state requirement where students are located. The proposed rule would also require each institution to create a website where it will disclose all information for prospective and enrolled students.

Second, the proposed rules would modify the type of state enforcement of consumer protection laws that state can impose against SARA-participating institutions by extending state's authority to require all institutions to comply with that state's consumer protection laws related to closure, recruitment, and misrepresentations, including both generally applicable state laws and those specific to educational institutions. Such change to require institutions participating in SARA (or any reciprocity agreement for state authorization) to be subject to the various state rules that could include but may not be limited to paying into tuition recovery funds, securing bonds, meeting certain requirements to register recruiters, and/or restricting an institution's recruiting practices or methods.

The proposed rules are open for comment for a 30-day period and will close as of June 18, 2023. If the proposed rules are finalized and enacted on or before November 1, 2023, they will go into effect on July 1, 2024.

President Foy and President Rothman acknowledged the significance of this proposed rule change on the overall purpose and effectiveness of SARA and requested that Ms. Smith draft comments to be submitted to the Department of Education on behalf of DLAB by the deadline.

- ii. Policy Modification Process – Ms. Stritchko reported that NC-SARA has implemented a new Policy Modification Process that provides greater transparency and input from members in the policy process. Additionally, it includes the opportunity for the public to submit proposals, provide comments and participate in public hearings.

All the regions are extensively involved, and the Midwest region leadership (M-SARA) is representing us in this process. President Foy is a member of the M-SARA Regional Steering Committee and is a voice in the policy modification process through her involvement in that group.

A second public forum will take place in June. Each region will vote on proposals this summer and proposals approved by all four regions before the NC-SARA Board at their October meeting.

The policy modification process will be cyclical, with plans for it to take place every year, providing DLAB with an ongoing opportunity to work with NC-SARA on policy changes moving forward.

- b. Update on SARA Student Complaints – Ms. Gage reported no complaints for the first quarter.

General Updates

- President Foy announced that she has served on the M-SARA Regional Steering Committee (RSC) for close to a decade and is stepping down from that role. The DLAB Board can select who they want to represent Wisconsin and that representation can include any DLAB member, sector representative, an institutional leader heavily involved in distance learning function. The M-SARA RSC meets regularly with most being virtual. President Foy asked Board members to consider individuals that they wish to nominate for this role and contact her with suggestions.,

Adjournment

It was moved by President Fulcomer, seconded by President Rothman to adjourn the meeting. Motion carried.

The meeting was adjourned at 11:41 am.