



DLAB

Distance Learning Authorization Board

State of Wisconsin Distance Learning Authorization Board (DLAB)

May 27, 2022

11 AM

Virtual Meeting

MEETING MINUTES

Members present:

- Dr. Anny Morrobel-Sosa, Chair – (UW System)
- Dr. Morna Foy, Vice Chair– Wisconsin Technical College System (WTCS)
- Rebecca Larson, on behalf of Dr. Rolf Wegenke, Wisconsin Association of Independent Colleges and Universities (WAICU)
- Secretary Dawn Crim, Wisconsin Department of Safety and Professional Services (DSPS)
- Dr. Russell Swagger (Lac Courte Oreilles Ojibwe College)

Others present:

- Dr. Connie Hutchinson, Wisconsin Higher Educational Aids Board (HEAB)
- Paige Smith, UW System
- Joan Gage, DSPS
- Megan Stritchko, WTCS
- Amanda Reese, UW System

Call to Order and Open Meeting Statement: Paige Smith called the meeting to order at 11:01 a.m. and stated a quorum was present. Paige also stated in the record that notice of the meeting was posted in accordance with the Wisconsin Open Meetings Laws.

1. **Action Item:** Approval of the Minutes from the December 17 and December 21, 2021, DLAB meetings (Attachment A). The minutes of the December 17 and December 21, 2021, meeting were unanimously approved (Morrobel/Foy motion). The minutes will be posted to the DLAB website.
2. **Report of the Chair.** Dr. Morrobel-Sosa introduced Paige Smith to deliver the report. Ms. Smith announced the departure of Dr. Morrobel-Sosa as of May 31. She also announced that Jay Rothman has been hired as the new UW System President, effective June 1, 2022. She has spoken with him briefly about his role and service on this board and he looks forward to serving as Chair.
3. **Report: Review of Institutional Application Review.** Ms. Larson had no renewals to report for the WIACU institutions, updated on Nashotah House Theological Seminary and they have received a \$23000 letter of credit from U.S. Department of Education (USDE) and anticipate an increased score by next renewal cycle. Ms. Stritchko shared the renewals of the following WTCS institutions: Lakeshore Technical College, Gateway Technical College, Blackhawk Technical

College. Ms. Gage shared the renewals of the following DSPS institution: Wright Graduate University. Ms. Smith reported that UW Systems is starting up the renewal process for all 13 of its institutions, none submitted at this time.

4. **Action Item: Review and Approval of State of Wisconsin Renewal Application for NC-SARA membership (Attachment C).** Ms. Smith provided an overview of the State of Wisconsin's NC-SARA renewal application that will be submitted to the Regional Steering Committee during its July 2022 meeting. The Chair has reviewed and approved the application on behalf of the Board. The Board voted to approve the application unanimously (Foy/Morrobel-Sosa motion).

5. **Report: State portal entity representatives updates.**

Ms. Smith provided an update to the Board on the U.S. Department of Education's ("Department") proposed rulemaking that would amend the state authorization and professional licensure provisions under the Higher Education Act. In March of 2022, the Department announced a proposed change to Section 668.14 (Program Participation Agreement) that would give states the authority to enforce their respective education consumer protection laws against SARA-participating institutions. Such a change would negate the standardized and consistent regulatory structure of state laws under SARA. In addition, the proposed rules would require institutions to verify whether their distance education professional licensure programs met the state requirements of each prospective or enrolled student. Such a change would require institutions to determine the professional licensure program requirements for every state of every prospective or enrolled student that licenses distance education programs offered by the institution.

The negotiated rulemaking process requires that the rulemaking committee reach consensus on any proposed rules before they can be enacted. At this point, the Department's negotiated rulemaking committee has not reached consensus on the proposed language. If consensus is reached at some point, the Department will provide the public with a 30-day comment period. The negotiated rulemaking committee will consider all comments and finalize the proposed language of the rule. If the Department approves the final rule on or before November 1, 2022, the change will go into effect on July 1, 2023. If after November 1, 2022, then the rules will not go into effect until July 1, 2024.

Ms. Larson provided an update on the NC-SARA board meeting that took place in early May of 2022. Other than general business items, the pertinent topic was the policy modification process proposal. The NC-SARA Board decided to table the item and deferred it to a later Board meeting.

Dr. Foy provided an update on the Regional Steering Committee. The RSC continues to discuss the overall scope and mission of NC-SARA and the way in which its board is engaging with its state members. There are new board members that are more receptive to the fact this is a member driven organization. In response to two separate letters sent by a group of state Attorney General Office representatives to NC-SARA, Dr. Foy reached out to the Wisconsin's

Attorney General's Office. Dr. Foy met with a few DOJ and AG representatives to discuss the overall state authorization process and provide an overview of NC-SARA and what SARA means. Dr. Foy told the representatives that it is critical that the DLAB and AG's Office have a united front on matters that impact Wisconsin. After the meeting, Ms. Smith followed up with the AG and DOJ representatives and offered to continue to meet on a regular basis to discuss SARA-related issues and the type of protections offered by SARA to students regarding consumer protection concerns. Ms. Smith and the other state portal representatives will be meeting with the DOJ and AG's Office again to identify any specific consumer protection concerns and share ideas on how Wisconsin can ensure that its citizens are properly protected.

Ms. Larson provide an update on the MSARA Mini Grant. Any state portal entity can apply for funds of \$5,000. The application deadline is June 10, 2022, and for this cycle Dr. Foy has recommended that DLAB utilize the mini grant funds to support the Wisconsin Higher Education Aids Board in enhancing its technology.

6. **Honoring President Rolf Wegenke's work and service on DLAB**

Ms. Larson notified the board that Dr. Wegenke recently received a Governor's Proclamation, a letter of recognition from all the congressional members of the Congressional Delegation and received the Futuremaker Partner Award from the Wisconsin Technical College System Board. Dr. Foy added that Dr. Wegenke was instrumental in Wisconsin becoming a participant in SARA.

7. **Adjournment:** The meeting was adjourned at 12:10 p.m.