

**State of Wisconsin
Distance Learning Authorization Board (DLAB)**

Thursday, May 30, 2019

Minutes

Members present: Dr. Morna Foy, WTCS
 Dr. Ray Cross, UW System – via phone
 Dr. Rolf Wegenke, WAICU
 Secretary Dawn Crim, DSPS

Others present: Dr. Connie Hutchinson, HEAB
 Ms. Monique Currie, WTCS
 Ms. Joan Gage, DSPS
 Ms. Paige Smith, UW System- via phone
 Ms. Rebecca Larson, WAICU
 Ms. Erin Engsberg, WAICU

Call to Order and Open Meeting Statement – Dr. Rolf Wegenke, DLAB Chair

Dr. Wegenke, DLAB chair, called the meeting to order. Dr. Wegenke requested that Ms. Engsberg read the Open Meeting Statement as follows: “The May 30, 2019 meeting of the Wisconsin Distance Learning Authorization Board and all other meetings of this board are open to the public in compliance with State Statute. Notice of the meeting has been sent to the press in an attempt to make the general public of Wisconsin aware of the time, place and agenda of the meeting.”

Introductions of New Members

Dr. Wegenke introduced Secretary Dawn Crim, Wisconsin Department of Safety and Professional Services. Secretary Crim will be filling a statutory seat on DLAB as Secretary of DSPS. Dr. Connie Hutchinson, Executive Secretary of the Higher Education Aids Board (HEAB), also joined the meeting.

Dr. Foy informed the board that two names were forwarded to the Governor’s office to fill the vacancy in the tribal college seat. Ms. Larson reported that she had been in contact with staff in the governor’s office and that Dr. Russell Swagger, Lac Courte Oreilles Ojibwa Community College president, has been nominated and is awaiting confirmation from the Governor.

Report of the Chair – Dr. Wegenke

Dr. Wegenke opened his report by thanking Dr. Foy and her team for the huge amount of work that they did in the first two years of DLAB operation. Their work has made DLAB operations much more streamlined and efficient. We have a strong foundation to build on.

The 2018 DLAB Annual Report was submitted to the Governor and Legislature in January of 2019. A copy of the annual report and an overview of DLAB activities were shared with Governor Evers' staff, Speaker Vos's staff and Senator Fitzgerald's staff.

The Administrative Register listing of Exempt Institutions to demonstrate compliance with Federal Program integrity regulations as required by the state statute was submitted by HEAB in December of 2018.

There will be an updated Executive Order from Governor Evers available soon. The previous Executive Order was issued by Governor Walker in January of 2018. The staff and legal team from the Governor's office are working toward a final version.

Dr. Wegenke and Ms. Larson will be going to the Midwest SARA meeting July 8 and 9 in Chicago, Illinois. This meeting is a joint convening of the Regional Steering committee and the state portal entities in the MHEC region. Dr. Wegenke will be attending by proxy from Dr. Foy.

The NC-SARA annual meeting will be held in September 2019 in Atlanta, Georgia. Ms. Paige Smith of the UW System will represent DLAB at that meeting.

Action: Approval of December 18, 2018 DLAB meeting minutes – Dr. Wegenke

The minutes of the December 18, 2018 meeting were approved unanimously as presented. (Cross/Foy motion)

The minutes will be posted on the DLAB website.

Report: Review and Approval of Institutional Renewal Applications

Ms. Currie provided an update on the renewals for the Wisconsin Technical College System. Two colleges have submitted their renewals: Gateway Technical College and Blackhawk Technical College. Both colleges have been approved.

Report: MSARA Regional Steering Committee Report

Dr. Morna Foy provided background and an update on the MSARA Regional Steering Committee. The Midwest Higher Education Compact (MHEC) is one of four regional interstate compacts that were created to advance cooperation and resource sharing in higher education in their respective regions. MHEC is comprised of 12 midwestern states, including Wisconsin. The four regional compacts are the actual signatories to the national state authorization reciprocity agreement or SARA. The participation of Wisconsin's higher education institutions in SARA is dependent upon the State of Wisconsin's membership in SARA and Wisconsin's membership in SARA is approved by MHEC's SARA Regional Steering Committee. The primary function of the Regional Steering Committee is to establish the criteria for and approve state participation in SARA.

a. New NC-SARA President Announced

Dr. Lori Williams has been appointed the new president of NC-SARA, the national SARA organization, which is headquartered in Boulder, Colorado. Dr. Williams most recently served as Vice President of the western regional accrediting agency WSCUC. She will become president and CEO in August following the retirement of Dr. Marshall Hill, NC-SARA's founding president.

b. NC-SARA Board Representation

There is an issue of board representation at the national level. There are not a sufficient number of institutions of higher education on the NC-SARA Board. Institutions of higher education are most likely to bear the additional costs and responsibilities associated with Board mandates, such as reporting, but do not have a voice on the Board. Of the twenty-one current Board members only one is currently an executive officer with an institution of higher education that participates in NC-SARA (i.e., pays fees to NC-SARA). In addition, there are no 2-year, or private, non-profit or for-profit institutions represented. A subcommittee of the MHEC Regional Steering Committee developed proposed changes to the NC-SARA bylaws. These changes would guarantee better representation of institutions of higher education and other affected parties on the NC-SARA Board. The Regional Steering Committee members agreed that this modification to the bylaws would be brought forward to the NC-SARA full Board in November. Ms. Susan Heegaard, MHEC president, has offered to champion this proposal and has been building support for it among the presidents of the other regional compacts prior to the November meeting.

c. NC-SARA Manual Changes

At the NC-SARA Board meeting earlier this month, several changes were approved including changes to the bylaws resulting from changes to the mission statement of the organization and to the NC-SARA policy and procedures manual.

Highlights of the new language in the mission statement include:

- Mission is now to "...provide access to postsecondary educational opportunities...increase quality and value of higher education credentials earned via distance education and assure students are well served."
- De-emphasizes the establishment of a state level reciprocity process.
- Promoting and advancing state authorization reciprocity agreements is just one of the means by which NC-Sara proposes to achieve its mission.
- Removes all references to consumer protection.
- Removes reference to "all institutional sectors" from the stakeholders it represents. The phrase "large and small-scale distance education providers" remains.

The Board also approved over 30 changes to the policy and procedures manual. The manual now outlines conditions for participation in the national reciprocity agreement, which in many cases goes beyond current federal requirements.

d. Draft Branch Campus Language

Another major topic for the Regional Steering Committee concerns a proposed change in the definition of the term “home state” which would allow a SARA institution to have more than one home state. This would impact how branch campuses are treated. The impetus for the change is from the Minnesota State Portal agency who have encountered problems with branch campuses in their state.

15. “Home State” means: a member state where the institution’s location holds its legal domicile, authorization, ~~and accreditation,~~ and where instruction takes place and students can complete 50 percent or more of the courses leading to a degree or certificate program that emanates from that institution’s location. To operate under SARA an institution ~~must have a single~~ may have more than one Home State based on that institution’s accreditation and where that program emanates.

3.1.e.2. Systems. Institutions in a state system, or nonpublic institutions with common ownership but which operate separately with separate accreditation or where instruction takes place and students can complete 50 percent or more of the courses leading to a degree or certificate program that emanates from that institution’s location, must apply separately to SARA. ~~Any independently accredited entity must apply to SARA separately. A branch campus that operates under the accreditation of a main campus is not considered a separate institution for purposes of SARA.~~

There was no consensus and the proposed change was returned for additional work.

Federal Update on State Authorization for Distance Education

Ms. Rebecca Larson reported that the U.S. Department of Education’s Negotiated Rulemaking Committee reached consensus on the distance learning language of the proposed rulemaking. Per the agreed upon language, compliance can be achieved through a reciprocity agreement. There is a requirement for disclosure of professional licensure that extends to all licensure programs on campus. The disclosure language was deleted for distance education but now applies to all programs including distance and on the ground programs. If the final rule is published before November 1, 2019, the new rule - will go into effect July of 2020 Changes could be made to the proposed rule based on the comments received.

Website Update

Ms. Currie reported that she was working with her contact at HEAB to update the DLAB website including new board officers and other changes. When the Governor approves the tribal college appointment to the DLAB Board, the appointment will also be added to the website. Other additions to the website include the latest annual report and the list of exempt institutions. Ms. Currie commented that the state boards and compacts need to create a uniform appeal process

with standard language. When complete this will be included on the website. The sector representatives will be meeting independently and will work on these issues in the coming year.

Other items

The Board was reminded that the majority of the renewal updates will be addressed at the September meeting.

Next meeting

The next scheduled meeting of the DLAB Board of Directors will be September 6th at 11:00 a.m.

Adjournment

There was no further discussion and the meeting adjourned by unanimous consent (Foy/Cross motion).