

MINUTES OF THE NC-SARA BOARD MEETING

MAY 3, 2018

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NOTICE OF MEETING

Notice of the time and place of the NC-SARA Board Meeting was posted on the NC-SARA website and given to Board members, regional directors, Lumina Foundation, the Bill & Melinda Gates Foundation, and other interested parties.

An agenda is maintained in the NC-SARA office at 3005 Center Green Drive, Suite 130, Boulder, CO 80301; and online at www.nc-sara.org.

Welcome and introductions

Paul Lingenfelter, Chair

Board members in attendance:

Kathryn Dodge
Joe Garcia
Dianne Harrison
Larry Isaak
Paul Lingenfelter
Teresa Lubbers
Patricia O'Brien
Pamela Quinn
Kathleen Curry Santora
Paul Shiffman
Peter Smith
Michael Thomas
Larry Tremblay
Leroy Wade
Belle Wheelan

Board members in attendance by phone:

Leah Matthews
Michael A. Zola

Board members not in attendance:

Barbara Ballard
Chris Bustamante
M. Peter McPherson
George E. Ross
David Spence

NC-SARA staff present:

Marianne Boeke
Victoria Brieske
Alan Contreras (consultant)
Marshall A. Hill
Mary Larson
Holly Martinez
Jennifer Shanika
Shannon Walker

Regional Compact SARA directors and staff present:

Wanda Barker, SREB SARA
Kris Biesinger, SREB SARA
Emily Jacobson, MHEC SARA
Elisa Jaden, SREB SARA
John Lopez, WICHE SARA
Rachel Stachowiak, NEBHE SARA

Guests:

Cheryl Comstock,
Aims Community College
Heather DeLange,
Colorado Department of Higher
Education

Agenda Item I (Action): Approve minutes of November 3, 2017 NC-SARA Meeting

Larry Isaak — moved

Michael Thomas — seconded

Approved unanimously.

Agenda Item II: Update on progress of the SARA initiative

Marshall Hill, National Council for State Authorization Reciprocity Agreements Update

Marshall Hill reported that 48 states, the District of Columbia, and the U.S. Virgin Islands are now members of SARA. Almost 1,800 institutions participate, with institutional renewal rates above 99 percent. He noted that the agenda materials provide information on institutional characteristics, breaking down participation by institutional enrollment and sector.

He stated his opinion that most institutions with activities outside their own state now realize the benefits of participating in SARA, and that institutions that do not meet SARA requirements are increasingly pressing for SARA to lower its requirements. As for SARA institutions, many are eager for SARA to cover more and more of their out-of-state activities, such as professional licensure reciprocity, which would be an extremely challenging expansion of mission. He said he did not support either lowering requirements or unmanageable expansions of mission.

Larry Isaack, Midwestern Higher Education Compact Update

Larry Isaack and Emily Jacobsen provided the MHEC update, noting that all MHEC states are now members of SARA. The MHEC SARA Steering Committee and the MHEC region SARA Portal Entity staff are active in the initiative.

Michael Thomas, New England Board of Higher Education Update

Michael Thomas reported that all states in the NEBHE region, except Massachusetts, have now joined SARA; though some issues have yet to be resolved, Massachusetts' application is anticipated within the next few months. He reported that Sandy Doran, who has directed SARA efforts in the region for the past several years, has accepted a position as interim president of Salem Academy and College, located in North Carolina, and will be leaving NEBHE by June.

Wanda Barker for Dave Spence, Southern Regional Education Board Update

Wanda Barker reported in place of Dave Spence, who was unable to attend. All SREB states are now members of SARA. In addition, Pennsylvania, the District of Columbia and the U.S. Virgin Islands have affiliated with SREB to enable their participation in SARA; all are now SARA members. Puerto Rico has also affiliated with SREB for SARA purposes, and its application for membership in SARA will be reviewed by the SREB SARA Regional Steering Committee in early June.

Joe Garcia, Western Interstate Commission for Higher Education Update

Joe Garcia reported that most of WICHE's 17 members are members of SARA. (North Dakota, a member of both WICHE and MHEC, is a member of SARA through MHEC.) Two remaining WICHE members – the Northern Mariana Islands and Guam – have discussed pursuing SARA membership, but their relatively modest distance education engagement with other SARA states does not at this time justify membership. Discussions about SARA membership continue in California.

Following the national and regional reports, Paul Lingenfelter led a discussion about the scope of SARA efforts going forward. Marshall Hill reported that he is frequently contacted by individuals interested in whether the “SARA approach” could help solve other problems. He said that while he has been very willing to discuss the “what, why and how” of SARA, he has resisted the idea of SARA taking on other worthy but not-directly-related work proposed as additional SARA activities.

NC-SARA staff recommended that the Board direct them to bring forward for Board consideration only those proposed activities that meet all of the following points:

- Related to the interstate delivery of postsecondary distance education
- Serves students, states and/or institutions
- The proposed activity would not be better provided by others
- NC-SARA is in an advantageous (if not unique) position to provide
- External demand is evident
- Financially viable within available resources

During discussion, Larry Isaak drew attention to the *Unified Agreement for State Authorization of Distance Education* and the respective roles it assigned to the regional compacts and NC-SARA. Following discussion, the addition of an implicit seventh point was proposed, stipulating that all activities of the organization will be fully vetted with stakeholders and approved by the Board.

Motion to approve the specified guidance to staff (with the addition of that seventh point):

Pat O’Brien – motion
Kathryn Dodge -- second
Motion passed unanimously.

Agenda Item III (ACTION): Modification to NC-SARA Bylaws regarding board member and officer term limits

At the November 3, 2017, NC-SARA Board meeting, discussion began on whether NC-SARA’s maturation as an organization should prompt organizational or process modifications. The Executive Committee discussed that topic during phone calls held in February 2018. The Committee decided to recommend that the Board consider modifying its policies regarding term limits of both members and officers and directed the staff to propose modifications consistent with that conversation.

Proposed modifications would limit the terms of members of NC-SARA appointed after June 1, 2018 to a maximum of two three-year terms. The Committee and staff further recommended that NC-SARA officers be limited to serving a maximum of two two-year terms.

Motion to adopt modifications:
Teresa Lubbers — motion
Dianne Harrison — second
Motion passed unanimously.

Agenda Item III(a): Conflict of Interest Policy

Each year, NC-SARA board members and the Executive Director in writing confirm their receipt, understanding and compliance with NC-SARA’s *Conflict of Interest Policy*. Such a policy, and those annual confirmations, are necessary to satisfy IRS requirements relating to NC-SARA’s federal non-profit status. Two modifications to the *Policy* were proposed. The two modifications: 1) specify how "Financial

Interests" are to be reported to NC-SARA; and 2) state that failure to disclose an actual or potential conflict of interest may lead to dismissal from the Council or its employ.

Motion to approve policy revisions:

Belle Wheelan — motion

Peter Smith — second

Motion passed unanimously.

Agenda Item IV (ACTION): Additions and modifications to the NC-SARA Manual

- a. Staff proposed modifications to Section 6 of the SARA Manual, dealing with data submission requirements for institutions participating in SARA. The two proposed modifications: 1) would require institutions participating in SARA to report their in-state distance education enrollments (in addition to out-of-state enrollments); and 2) annually report to NC-SARA the numbers of their students engaged in certain experiential learning placements (rotations, internships, student teaching, etc.), disaggregated by state and two-digit *Classification of Instructional Programs* (CIP) codes as assigned by the U.S. Department of Education. Both requirements would become effective with the spring, 2019 data reporting.

Motion to adopt new data reporting strategies:

Peter Smith — motion

Belle Wheelan — second

Motion passed unanimously.

- b. Staff recommended the following new language be added to the *SARA Manual*, Section 5.1 (c): Institutional participation in SARA does not excuse or exempt institutions that participate in federally funded programs from compliance with the federal rules applicable to such programs. Such programs include, but are not limited to, federal Title IV student assistance programs and military tuition assistance programs.

Motion to make the modification:

Kathryn Dodge — motion

Peter Smith — second

Motion passed unanimously.

Agenda Item V (ACTION): Enhance support for distance education students, SARA states and SARA institutions

- a. Progress report on actions approved in May 2017
The Executive Director reported on progress made in providing enhanced support for students, states and SARA institutions. He reported that additional staff have been hired, content development has begun, and vendors have been hired to do the necessary IT and website development. He reported on favorable conversations with leaders of specialized accrediting associations to provide better information about the effects of state authorization on programs and students studying in programs intended to lead to state licensure by sharing information and communications. He further stated that a full re-design of the NC-SARA website has begun, with anticipated launch of the new site in summer, 2018.
- b. ACTION: Consideration of creating a student-searchable database of academic programs offered at a distance by SARA institutions

NC-SARA staff recommended that NC-SARA create a searchable database of academic programs offered at a distance by SARA institutions. Key points:

- Institutional participation would be voluntary and carry no additional cost to participating SARA institutions.
- Institutions could cease participation at any point.
- Available programs would be searchable by discipline, degree level, etc.
- Searching students would be directed from the results of their search (a listing of institutions offering their sought-for programs) to an institutional web page (maintained by the institution) from which additional information about the institution and its available distance education programs could be readily accessed. From that institutional page forward, students would deal with the institution, not NC-SARA.
- Prior to inclusion of their programs, institutions would be required to certify that all programs they list in the database have been approved for institutional offering by whatever approval mechanism their state requires.
- Institutions would be required to maintain accurate, up-to-date information about their listed programs or their programs would be removed from the database.
- Database entries would be coordinated with any existing SARA states' databases of distance education programs offered by those states' institutions.
- The database would be maintained by NC-SARA.

The Executive Director used a set of presentation slides, available at: [http://nc-sara.org/files/docs/NC-SARA Board Presentation 05-03-18.pdf](http://nc-sara.org/files/docs/NC-SARA_Board_Presentation_05-03-18.pdf)

Staff recommended that the Board direct NC-SARA staff to:

- Create and maintain a searchable database of academic programs available through distance education and offered by SARA institutions that voluntarily choose to list such programs in the database;
- Publicize the availability of the database;
- Include funding for related work in annual NC-SARA operating budgets; and
- Collect, maintain, analyze data and periodically report to the Board on utilization of the database.

Discussion followed, with questions and suggestions from Board members.

Motion to approve the creation of a student-searchable database:

Kathryn Dodge — motion

Peter Smith — second

Motion passed, with 15 voting in favor, one opposed and two abstentions.

BREAK

Agenda Item VI (ACTION): Finance Committee — Leroy Wade, Treasurer

- a. Finance Report (FY 2018 third quarter)

Treasurer Wade referred to the FY 2018 third-quarter financial statements provided the Board under separate cover and reported that they indicate the organization is in good financial state. No action on the Finance Report was required.

b. **ACTION:** Proposed FY 2019 budget

Mr. Wade referred next to the proposed budget for FY 2019. He indicated that it had been reviewed by the Finance Committee and the Committee recommended approval. He noted that since the Board had just approved the creation of a searchable database of academic programs, the funds for that work (separately identified in the proposed budget) would be part of the budget the Board would now vote to approve. The budget includes inflationary and related increases to the annual allocations and reserve funding received by the regional compacts, maintains previously approved NC-SARA staffing levels, and provides that NC-SARA reserves be accumulated over FY 2019 to equal one-half of annual operating expenses.

Leroy Wade – moved

(No second was needed, as the motion was made on behalf of the Finance Committee.)

Motion passed unanimously.

Agenda Item VII: Information Items — Marshall A. Hill, Executive Director

a. U. S. Department of Education (ED) rules on state authorization of distance education

The Executive Director reported that new rules on the state authorization of distance education are set to take effect July 1, 2018. He indicated that he and colleagues in the field of distance education have expressed to ED significant concerns about aspects of those rules, and he and many of his colleagues anticipate that ED may delay implementation. (Note: On May 9, the federal Office of Management and Budget indicated that ED plans to delay implementation by two years and once again refer the issue to negotiated rulemaking.)

b. Status of current year work

Provided in agenda materials; no additional comment.

c. Executive Director presentations, November 2017–May 2018

Provided in agenda materials; no additional comment.

d. Dates of remaining 2018 meetings

2018 State Portal Entity Meeting

- September 18–20 in Salt Lake City, Utah

The Executive Director indicated that funds were available to support the participation in the SARA states meeting of any NC-SARA Board member who wanted to attend.

2018 NC-SARA Board Meetings

- October 31–November 1 in Memphis, Tennessee

Agenda Item VIII (ACTION): Executive Session

Meeting moved into Executive Session at 1:23 p.m.

Agenda Item IX (ACTION): Questions, comments, reflections from council members

No questions, comments or reflections were offered beyond those already made in the meeting.

Executive Session concluded and meeting adjourned at approximately 2:00 p.m.