



# DLAB

Distance Learning Authorization Board

January 26, 2017

The Honorable Scott Walker  
Governor of Wisconsin  
115 East State Capitol  
Madison, WI 53702

Dear Governor Walker:

On behalf of the Wisconsin Distance Learning Authorization Board (DLAB), I am pleased to provide you with the attached report that summarizes the Board's 2016 activities. The report was approved by DLAB at its January 18, 2017, meeting for submission to you and the chief clerk of each house of the legislature for distribution to the legislature as required by s. 39.87(3), *Wis. Stats.*

If you have any questions about the report, please contact me at (608) 266-1770.

Sincerely,

Morna K. Foy  
Chair, Wisconsin Distance Learning Authorization Board  
President, Wisconsin Technical College System

cc: Jeff Renk, Chief Clerk, Wisconsin Senate  
Patrick Fuller, Chief Clerk, Wisconsin Assembly

DLAB members:

President Ray Cross, UWS and DLAB Vice Chair  
President Rolf Wegenke, WAICU and DLAB Secretary  
David Dies, Executive Director, Wisconsin Educational Approval Board  
Barb Lundberg, Vice President of Academic and Student Affairs,  
Lac Courte Oreilles Ojibwa Community College



# DLAB

Distance Learning Authorization Board

## Report of 2016 Activities

January 30, 2017

The Wisconsin Distance Learning Authorization Board (DLAB) was created by 2015 Wisconsin Act 208, which was enacted on March 1, 2016. The Board is attached to the Wisconsin Higher Educational Aids Board (HEAB) for administrative purposes and HEAB hosts a DLAB-related webpage on its website; the DLAB website is available at <http://www.heab.state.wi.us/dlab/index.html>.

As required by s. 39.87(3), *Wis. Stats.*, no later than January 30, 2017, and annually by January 30 thereafter, the DLAB shall submit a report “that summarizes the board’s actions taken during the immediately preceding calendar year.” This report was approved by the DLAB at its January 18, 2017, meeting for submission under s. 39.87.

### **2016 Meetings**

After passage of 2015 Wisconsin Act 208, DLAB moved quickly to establish processes and procedures that would guide how this new state entity would function and make decisions so that interested institutions could submit their applications to participate in the national State Authorization Reciprocity Agreement (SARA). The first DLAB meeting was held on May 26 with additional 2016 meetings on August 25, September 29 and November 8.

The primary purpose of the May 26 meeting was establishing the operating parameters and governing structure for the Board before acting on Wisconsin’s state application to become a participating SARA state. The primary focus of subsequent 2016 meetings was acting on applications from Wisconsin-based higher education institutions seeking to join the national State Authorization Reciprocity Agreement (SARA).

### **Approval of Bylaws and Operating Agreement**

The Board’s first action at its May 26 meeting was election of officers for terms ending December 31, 2017, from the board membership as defined in Wisconsin statute. Future terms will be one year. Wisconsin Technical College System (WTCS) President Morna Foy was elected chair, University of Wisconsin System (UWS) President Ray Cross was elected vice-chair and Wisconsin Association of Independent Colleges and Universities (WAICU) President Rolf Wegenke was elected Secretary. Additional members of the Board are Barbara Lundberg, representing Wisconsin’s Tribal Colleges, and David Dies, Executive Secretary of the Wisconsin Educational Approval Board.

The Board's bylaws define the name and location of the Board and describe the purpose and membership of the Board as created in Wisconsin statute. The bylaws specify that each organization represented on the Board shall provide staffing to fulfill the needs of the Board.

The bylaws describe the process for election of officers and defines responsibilities of officers as follows:

Chairperson: establish DLAB meeting agendas and preside over DLAB meetings; serve as administrator with authority to execute documents on behalf of DLAB; act as liaison to the Higher Educational Aids Board in its capacity as DLAB's administrative entity; and act as DLAB liaison to other agencies and the Wisconsin Legislature.

Vice-chairperson: preside over DLAB meetings in the Chair's absence and assist the Chair in carrying out DLAB responsibilities.

Secretary: record minutes at DLAB meetings and ensure effective management of DLAB records.

The bylaws require that the Board meet at least annually and at other times at call of the Chair or a majority of the members. The bylaws define a quorum as a majority of the members.

The Board also adopted operating procedures at its May 26 meeting that provide additional information supporting the creation and implementation of the DLAB. The operating procedures define processes for:

- Making decisions on institutional applications and renewals.
- Removing participating institutions.
- Responding to student distance learning complaints that fall under DLAB's authority.
- Providing materials for the DLAB website.
- Providing agency staffing and resources to support DLAB.
- Amending the operating agreement.

The Board members also each designated staff resources that would be available to support the Board.

### **Approval of Wisconsin's State SARA application**

Before any interested Wisconsin-based institution of higher education could become part of SARA, the State had to submit its application. The Board was created in Wisconsin Statute to ensure Wisconsin's compliance with SARA requirements established by the National Council for State Authorization Reciprocity Agreements (NC-SARA). The Board fulfills the requirement for a single "portal entity" through which SARA business is conducted in Wisconsin. Wisconsin is unique in its effort to create a new entity that focuses on cross-sector higher education collaboration that respects each sector's long-standing statutory authority.

The Board approved Wisconsin's SARA application at its May 26, 2016, meeting. The application largely consists of a series of affirmations with which the State agrees to comply. The DLAB by-laws and operating procedures were included as part of the application, which were drafted in large part to ensure compliance with these requirements.

As required s. 39.86(2)(b), the Board-approved application materials were submitted to the Joint Committee on Finance; Joint Finance approved Wisconsin's application on June 24, 2016. The

application was submitted for review to the Midwest SARA (MSARA) director on June 6, pending approval by the Joint Committee on Finance. MSARA operates in conjunction with the Midwest Higher Education Consortium (MHEC). Wisconsin is a member of MHEC under s. 14.90, *Wis. Stats.*, and operates in Wisconsin under s. 39.80, *Wis. Stats.*

Wisconsin's state application was reviewed and approved by the MSARA regional steering committee on July 18; DLAB chair Morna Foy represents Wisconsin on the regional steering committee. The next step was approval of Wisconsin's application by the Midwestern Higher Education Compact (MHEC) executive committee; DLAB Secretary Rolf Wegenke serves on the MHEC Executive Committee which forwarded the application to the NC-SARA after they approved it. Wisconsin's participation was approved by NC-SARA as of August 15, 2016.

### **Institutional Application Approvals**

With Wisconsin's approval by NC-SARA, the DLAB was able to accept and act on applications from Wisconsin-based higher education institutions seeking to participate in SARA. Per the DLAB operating agreement, designated sector representatives reviewed submitted applications, worked with institutions to ensure requirements were met and brought recommendations to the DLAB for action on submitted applications.

As of December 31, 2016, 44 Wisconsin-based higher education institutions have been approved by DLAB to participate in SARA. As required by s. 39.86(3)(a)2., *Wis. Stats.*, the following is the list of all DLAB-approved SARA institutions:

#### **UWS:**

University of Wisconsin Colleges	University of Wisconsin – Parkside
University of Wisconsin – Eau Claire	University of Wisconsin – Platteville
University of Wisconsin – Green Bay	University of Wisconsin – River Falls
University of Wisconsin – La Crosse	University of Wisconsin – Stevens Point
University of Wisconsin – Madison	University of Wisconsin – Stout
University of Wisconsin – Milwaukee	University of Wisconsin – Superior
University of Wisconsin – Oshkosh	University of Wisconsin – Whitewater

#### **WAICU:**

Bellin College	Marian University
Cardinal Stritch University	Marquette University
Carroll University	Medical College of Wisconsin
Carthage College	Milwaukee School of Engineering
Concordia University Wisconsin	Mount Mary University
Edgewood College	Nashotah House
Herzing University (not WAICU member)	Viterbo University
Lakeland University	Wisconsin Lutheran College
Maranatha Baptist University (not WAICU member)	

**WTCS:**

Chippewa Valley Technical College	Nicolet Area Technical College
Fox Valley Technical College	Northeast Wisconsin Technical College
Lakeshore Technical College	Northcentral Technical College
Madison Area Technical College	Southwest Wisconsin Technical College
Mid-State Technical College	Western Technical College
Milwaukee Area Technical College	Wisconsin Indianhead Technical College
Moraine Park Technical College	

The list of approved institutions is available on the NC-SARA website at <http://nc-sara.org/states/WI>; a link to this site is included on the DLAB website. Institution participation becomes official after approval by NC-SARA and payment of NC-SARA institutional fees.

**Exempt Institutions**

Another responsibility assigned to the DLAB by 2015 Wisconsin Act 208 is that the Board “create and maintain” a list of higher education institutions that are legally authorized in Wisconsin. Institutions that are legally authorized in a state are exempt from additional state authorization requirements as stated in the “program integrity rules” issued as final regulations of the U.S. Department of Education in 75 Fed. Reg. 66832 to 66975 (October 29, 2010).

The board is required to make this list available to the public and at least annually provide the list to the Wisconsin Legislative Reference Bureau for publication in the Wisconsin Administrative Register. The list of exempt institutions was provided by DLAB to the Reference Bureau and published in the Administrative Register on October 24, 2016. The listing of exempt institutions is available on the DLAB website; the list that appeared in the Administrative Register is available at:

[http://docs.legis.wisconsin.gov/code/register/2016/730A4/register/public\\_notices/public\\_notice\\_technical\\_college\\_system\\_listing\\_of\\_exempt\\_institutions/public\\_notice\\_technical\\_college\\_system\\_listing\\_of\\_exempt\\_institutions](http://docs.legis.wisconsin.gov/code/register/2016/730A4/register/public_notices/public_notice_technical_college_system_listing_of_exempt_institutions/public_notice_technical_college_system_listing_of_exempt_institutions)

**DLAB Webpage**

To facilitate the sharing of public information about SARA and provide resources to students and institutions, a webpage was created for the DLAB. The webpage is hosted by the Higher Educational Aids Board. The DLAB greatly appreciates the efforts by HEAB to develop the webpage, which continues to evolve to improve the quality and availability of information on Wisconsin’s SARA-related efforts and activities.

As of December 2016, the webpage (<http://www.heab.state.wi.us/dlab/index.html>) includes information as follows:

- On SARA efforts nationally;
- About the Board and its members;
- Information for students on filing a complaint about a Wisconsin-based participating SARA institution;

- Information for institutions seeking to participate in SARA;
- A list of frequently ask questions for students and institutions;
- Links to state and national SARA-related resources; and
- A list of contacts for each participating Wisconsin higher education sector.

### **Wisconsin Representative to the MSARA Regional Steering Committee**

When Wisconsin officially became a participating SARA state, the State had an opportunity to appoint a member to the MSARA Regional Steering Committee. This representative would be in addition to WTCS President Morna Foy, who has served as an at-large member on the Regional Steering Committee.

This committee reviews state applications and state renewals for SARA participation, serves as an appeals committee if institutions are rejected by a state portal entity, and shares ideas and concerns about SARA policies and procedures as a voice for MSARA participating states and institutions with NC-SARA.

The DLAB unanimously recommended Don Madelung to serve as Wisconsin’s representative to the Regional Steering committee. The recommendation was made to Wisconsin’s MHEC commissioners, who approved Mr. Madelung’s appointment unanimously. Mr. Madelung serves as one of Wisconsin’s MHEC commissioners and chairs the Wisconsin Educational Approval Board.

### **Other 2016 Activities**

As a new state portal entity responsible for leadership in Wisconsin’s continued efforts to provide distance learning, DLAB sector representatives continue to field questions from Wisconsin-based institutions and institutions from across the U.S. that are interested in offering online education to Wisconsin residents.

Sector representatives also participate in meetings between state portal entity representatives. These meetings are held face-to-face two to four times per year with additional monthly phone meetings. Participating in these activities provides insight into how other states are complying with SARA requirements and emerging issues that NC-SARA may be exploring.

### **2017 Anticipated Activities**

The strong participation by Wisconsin-based higher education institutions in SARA supports the success of DLAB and Wisconsin’s participation in MSARA. This interest is expected to continue in 2017.

As DLAB begins its second year, the DLAB’s emphasis will be on:

- Reviewing institutional renewal applications;
- Continuing as a strong advocate for local and regional flexibility and autonomy in SARA implementation;
- Continuing strong cross-sector collaboration that makes DLAB unique in how states are complying with SARA requirements;
- Continuing to add materials and improve the DLAB website;

- Continuing as a technical resource for Wisconsin-based higher education institutions seeking to participate; and
- Supporting students participating in distance education as necessary.

In conclusion, the DLAB had a successful and productive first year of activity. The DLAB would like to acknowledge the support of the Higher Education Aids Board in establishing DLAB and the website, with particular thanks to Executive Secretary John Reinemann and Web Developer Jessica Kriplean.