

TO: Karen Solinski, Vice President for Legal and Governmental Affairs  
Kate-Louise Gottfried, Vice President for Accreditation Relations and Associate Vice  
President for Legal and Governmental Affairs

FROM: Paul Marion

DATE: July 2, 2012

SUBJECT: Information in Preparation for Meeting on July 9, 2012

**Keeping HLC Informed**

Tiffin University (TU) has kept HLC informed of our joint venture (Altius University, LLC) every step of the way. This has included my letter to Dr. Steven Crowe dated January 18, 2008; my letter to Dr. John Taylor dated June 15, 2009; the self-study report submitted in 2009 as part of the process for continuing accreditation; documents provided to the evaluation team that visited TU in March of 2010 and discussions by members of the team with staff and faculty members who were involved in our joint venture; my letter to Dr. John Taylor dated December 8, 2011; and the many documents provided as attachments to my letter to Dr. Sylvia Manning dated March 9, 2012.

The 2010 report of the evaluation team included a number of positive comments and no concerns about our joint venture. TU was approved by HLC for continuing accreditation through 2020 without any concerns or conditions related to our joint venture or any issues with respect to the process that we followed or any alleged default in process in our relationship with HLC.

**TU Fully Responsible for All Aspects Required of Accredited Institution**

As indicated in the attached Memorandum of Understanding (MOU), TU has been and continues to be fully and exclusively in control of all aspects of the academic programs offered through the joint venture, as well as the financial aid, registrar, library, and bursar functions. As also specified in the attached MOU, TU will continue to be fully and exclusively in control of these responsibilities until Altius University (AU) is independently accredited and eligible for Title IV funds. We have not and will not “outsource” any of these functions to any unaccredited entity.

### **Communication Received by HLC**

Dr. Manning's letter to me dated February 27, 2012 indicates that she received a communication containing an MOU executed in June 2011. Although I have not been provided with a copy of this communication, I assume that it was sent to Dr. Manning by the same disgruntled former employee who made allegations to the TU Board of Trustees about our joint venture. In response, the TU Board hired the law firm of Shumaker, Loop & Kendrick, LLP to conduct a thorough investigation and to report back to the Board. After interviewing a number of staff and faculty members and reviewing a number of documents, the attorneys reported to the TU Board that the allegations were without merit. This disgruntled former employee has tried to discredit TU's good reputation, and I assume that was his purpose in communicating with Dr. Manning.

### **Non-Binding MOU Prepared in June of 2011**

As I have indicated in my previous correspondence, the Non-Binding MOU that was developed in June of 2011 was meant to contain some informal thoughts about how the joint venture might proceed in preparation for independent accreditation. Unfortunately, it was written in very legalistic terms and, unfortunately, I signed it without reading it carefully because of my understanding that it was non-binding. The June 2011 Non-Binding MOU has been rescinded and replaced by the attached MOU. I apologize for any confusion that the June 2011 Non-Binding MOU may have caused.

Dr. Manning's letter dated June 1, 2012 states "The Memorandum indicates that in January, 2012, AU apparently selected its own Learning Management System and Student Information System to be used by AU students to replace the previous systems selected and overseen by TU". In fact, all courses in TU's online associate's degree programs now use the Moodle learning management system. These courses were developed by TU faculty and staff members and are taught by TU instructors, so TU still has and will continue to have full and exclusive control over the courses and all aspects of the curriculum. We are now in the process of developing all of our online bachelor's degree and master's degree courses with Moodle used as the learning management system, so the experience that we gained transitioning our online associate's degree courses to Moodle is proving to be very useful as we transition our online bachelor's and master's degree courses to Moodle.

In regard to our student information systems, we decided to use CampusVue for our online associate's degree students because this system is most appropriate for a curriculum that is delivered completely in the online format. We use PowerCampus as the student information system for our bachelor's and master's degree students because this system is most appropriate for programs that are delivered in both the online and seated formats. In order to maintain control of the records for all students enrolled in our online associate's degree programs, we harvest the data that has been collected through the CampusVue system. It is my understanding that some accredited colleges and universities use more than one student information system and that this does not pose any accreditation issues as long as the institution integrates the systems in a way that assures that the institution maintains control of all student records, which is the case for TU.

Dr. Manning's letter of June 1<sup>st</sup> also states "Instead of faculty being recruited and hired by TU, the parties are now beginning a new approach in which faculty formerly employed by TU will be hired and employed by AU subject to approval by TU". This provision was never implemented. TU has and continues to hire, employ, and supervise all faculty members who teach as part of our joint venture.

Finally, Dr. Manning's letter states "The Memorandum further indicates that any and all of the services provided by TU may be amended, removed, or discontinued ..., etc." This provision was never implemented, and TU will continue to be fully and exclusively in control of all aspects of the academic program, as well as the bursar, financial aid, library, and registrar functions, until independent accreditation has been achieved.

### **Effect of the Loss of AU on TU**

Dr. Manning's letter of June 1<sup>st</sup> also states "Although you state that the effect of the loss of AU will be minimal, I note that over half of the institution's current enrollment appears to be AU students". In fact, TU has received no financial benefit from our joint venture because there have been no annual surpluses. All of the student tuition revenue has been used to support the operating budget of AU. As indicated in the attached MOU, "the TU Board of Trustees has determined that any funds that Tiffin may receive when the AU annual operating budget begins to produce a surplus will be placed in Tiffin's endowment or used for one-time expenditures that do not impact Tiffin's operating budget, so that Tiffin's operating budget will not be dependent on revenues received from Tiffin's share of AU operating surpluses". Although TU has not spent any money for our participation in the joint venture, we have equity in the limited liability company. TU plans to sell our equity in the future and to invest this financial "windfall" in ways that will enhance TU's academic quality and financial strength. As a result of this joint venture, therefore, TU will be in a stronger position to have the resources, planning and viability to continue meeting the Commission's Criteria for Accreditation, Core Components and Assumed Practices.

### **Preparation for Independent Accreditation and Response to Dr. Manning's Letter Dated June 1, 2012**

The process for AU to become independently accredited by WASC has not yet begun. Our plan has always been to meet with you before beginning this process in order to get your advice and direction as to how we should proceed. This is one of the main purposes of our meeting with you on July 9<sup>th</sup>.

Another purpose for the July 9<sup>th</sup> meeting is to request your guidance as to how we should respond to the letter that Dr. Manning sent to me dated June 1, 2012. We have begun developing our application for Change of Control, Structure or Organization, but are not clear on a number of issues since no change is contemplated in the near future and since many of the details have not yet been determined. One of our questions, therefore, is whether we should request that the joint venture be approved as a branch campus first and then apply for approval in the future for change of control, structure or organization.