

# Arizona SARA Council Operating Agreement

## Council Structure

1. The Council shall consist of the following required representatives:
  - a. Three representatives appointed by the Arizona Board of Regents (ABOR)
  - b. Three representatives appointed by the Arizona Community College Districts (AZCCD)
  - c. Three representatives appointed by the Arizona State Board for Private and Postsecondary Education (AZPPSE)
2. The Council may also include the following optional representatives:
  - a. One representative from an accredited, degree-granting Arizona Tribal college or university.
3. Representatives shall serve a two-year term on the Council. In order to ensure consistency across time, one-half of the appointed representatives will begin their terms each year. Representatives may serve multiple terms on the Arizona SARA Council as determined by each of the appointment-granting bodies listed in 1., above.
4. In the event a representative must be replaced mid-term, the appointment shall be for the remainder of the term if more than one year remains on the outgoing representative's term, or for the remainder of the term plus the next two-year term if less than one year remains on the outgoing representative's term.
5. The Council shall designate a Chair of the Council with the following responsibilities:
  - a. Establish agendas for and preside over Council meetings
  - b. Provide overall direction to, and evaluation of, staff assigned to the Council
  - c. Seek legal counsel for issues pertaining to the administration of Arizona SARA and its various workflow
  - d. Act as the liaison to the fiduciary agent regarding budget authority and reporting requirements
6. The Council may, at its discretion, appoint standing or ad-hoc Committees, Task Forces and Workgroups to accomplish the goals and objectives of Arizona SARA, the Council and this Agreement.

## Council Meetings

1. The Council shall meet, at a minimum, four times per calendar year for the purpose of reviewing applications, resolving complaints, evaluating NC-SARA and W-SARA requirements, establishing and amending Arizona SARA policies and recommending changes to this Operating Agreement.

2. The timing of Council meetings shall coincide with any ongoing submission or reporting requirements as established by the Western Interstate Commission on Higher Education (WICHE) in relation to SARA matters.
3. The Council may convene meetings at other times of the calendar year, as needed, to fulfill its responsibilities.
4. A quorum for any Council meeting is a simple majority of active, appointed members in attendance.
5. Minutes from all Council meetings shall be available on the Council website within 30 days after each meeting.

#### Staff Support

1. The Council will hire staff, including a Program Director, on a permanent or part-time basis, as needed, to support the ongoing operations and management of the Arizona SARA Council.
2. The Program Director will be the primary contact with WICHE-SARA for all matters related to the Arizona SARA Council.

#### Policies

1. The Council may establish, as needed, policies to regulate and govern the activities and rights of the Council, its staff, the appointment-granting bodies, member institutions and individuals participating in Arizona SARA.
2. New policies must be published sixty (60) days prior to the meeting at which they will be discussed in order to allow feedback from ABOR, AZCCD and AZPPSE and the Arizona SARA member institutions. A two-thirds majority vote of the Council is required to approve any new policy.
3. Amendments to existing policies must be published thirty (30) days prior to the meeting at which they will be discussed in order to allow feedback from ABOR, AZCCD and AZPPSE and the Arizona SARA member institutions. A simple majority vote of the Council is required to approve amendments to existing policies.

#### Legal Counsel

1. The Council shall have the right to seek legal counsel as needed on matters related to the administration of Arizona SARA and related workflow.

2. On matters related to the administration of Arizona SARA, legal counsel from ABOR, AZCCD and/or AZPPSE may be consulted first, as appropriate.
3. In the event additional counsel is required, the Council may retain appropriate representation as required.

#### New Application Review

1. Applications for participation in Arizona SARA shall be submitted to the Council according to the designated process, as listed on the Council website.
2. Applications will be reviewed by a standing committee comprised of staff from the appointment-granting bodies, member institutions and/or other parties relevant to the evaluation of applications for participation:
  - a. Applications with structural or substantive deficiencies will be returned to applicants with applicable notations to be corrected and resubmitted for consideration.
  - b. Applications deemed to meet the requirements set forth in the application process will be forwarded to the Council for final review and approval.
3. Council staff will provide support to the Council, standing committee and applicants throughout the entire application review process.
4. Applications will be reviewed and voted upon at the next regularly-scheduled Council meeting. Approval of an application requires a two-thirds vote of the Council.
5. Applications rejected by the Council will be returned to the applicants with applicable notations and must be resubmitted through the normal process.

#### Application Renewals

1. Renewal applications for participation in Arizona SARA shall be submitted to the Council according to the designated process, as listed on the Council website.
2. Council staff will prepare a summary report for the Council related to renewal applicant that identifies:
  - a. Physical locations covered by Arizona SARA including any additions or deletions.
  - b. Student enrollment in activities governed by Arizona SARA at each location.
  - c. Number of complaints handled by the institution at the institutional level, appellate level and Council level.
3. Renewal applications will be reviewed and voted upon at the next regularly-scheduled Council meeting. Approval of a renewal application requires a simple majority vote of the Council.

4. Renewal applications rejected by the Council will be returned to the applicants with applicable notations and must be resubmitted through the normal application process.

#### Removal of a Member Institution

1. In the event that a member institution violates the requirements of Arizona SARA and does not take appropriate corrective measures within specified deadlines, the Council may remove a member institution from participation in Arizona SARA.
2. Removal of a member institution requires a two-thirds vote of the Council.
3. Any and all costs paid by the member institution as a part of the application or renewal process will be forfeited by the institution.

## Complaint Resolution

1. The provisions of SARA and its governing structure are designed to safeguard students taking college courses online, in a state other than the home state of the institution in which the student is enrolled, as well as to protect state and institutional interests.
2. Complaints arising from actions taken by Arizona SARA member institutions shall be resolved according to the *Arizona SARA Complaint Review Policy*.

## Costs

1. The Council shall collect the Arizona SARA application fees from member institutions at the time of application or renewal. Costs for participation in AZ-SARA shall be established by the Council on an annual basis at the time the operating budget is reviewed and approved.

## Financial Responsibilities

1. The Council shall appoint a fiduciary agent to act as the responsible party for revenue collections and expense disbursements.
2. An operating budget shall be prepared annually for Arizona SARA and approved by the Council. The budget must be published thirty (30) days prior to the meeting at which it will be approved in order to allow feedback from ABOR, AZCCD and AZPPSE and the Arizona SARA member institutions. A simple majority vote of the Council is required to approve the operating budget.
3. Expense authority is granted to the Council, and related staff, upon approval of an operating budget.
4. The Council shall maintain an operating reserve of ten percent (10%) of the annual estimated revenue amount. Authorization to expense from the operating reserve requires a simple majority vote of the Council.
5. The Council shall direct the fiduciary agent to prepare annual financial reports which will be presented at the first meeting following the close of the fiscal year. Copies of the annual financial reports will be available on the Arizona SARA website.

## Website

1. The Council shall maintain, at a minimum, a website with the following information:
  - a. Arizona SARA description and scope
  - b. Council structure and current appointments

- c. Policies related to Arizona SARA and the Council
  - d. Annual operating budget and financial statements
  - e. Member institution application submission process and related workflow
  - f. Arizona SARA complaint resolution process and related workflow
  - g. Meeting minutes
  - h. Links to WICHE-SARA and NC-SARA websites
2. The Council may provide additional information and workflow via the website as necessary.

#### Amendments to the Operating Agreement

1. Proposed amendments to this Agreement must be published by the Council sixty (60) days prior to the meeting at which they will be discussed in order to allow feedback from ABOR, AZCCD and AZPPSE and the Arizona SARA member institutions.
2. All amendments to this Agreement shall be made by a two-thirds vote of the Council.