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NATIONAL ADVISORY COMMITTEE ON
INSTITUTIONAL QUALITY AND INTEGRITY
(NACIQI)

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HILTON ALEXANDRIA OLD TOWN HOTEL

GRAND BALLROOM

1767 King Street

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MS. HONG: Hi good morning and welcome everybody. Morning -- this is the National Advisory Committee on Institutional Quality and Integrity Meeting also known as NACIQI. My name is Jennifer Hong and I am the Executive Director and Designated Federal Official of NACIQI.

In the absence of a Committee Chair and in accordance with the Federal Advisory Committee Act or FACA I call this meeting to order.

I would like to welcome our Committee Members and members of the audience. We have had some time since our last telephonic meeting in August. As many of you know NACIQI was established by Section 114 of the Higher Education Act of 1965 as amended or HEA and is also governed by provisions of the Federal Advisory Committee Act as amended or FACA which sets forth standards for the formation and use of Advisory Committees.

Sections 101C and 487C-4 of the HEA and Section 801-6 of the Public Service Act, 42 USC Section 2966 require the Secretary to publish lists of state approval agencies, nationally recognized accrediting agencies and state approval and accrediting agencies for programs of nurse education that the Secretary determines to be reliable authorities as to the quality of education.
Eligibility of educational institutions and programs for participating in various federal programs requires accreditation by an agency listed by the Secretary. As provided in HEA Section 114 NACIQI advises the Secretary in the discharge of these functions and is also authorized to provide advice regarding the process of eligibility and certification of institutions of higher education for participation in the federal student aid programs authorized under Title 4 of the HEA.

Further, in addition to these charges, NACIQI authorizes academic graduate degrees from federal agencies and institutions. This authorization was provided by letter from the Office of Management and Budget back in 1954. This letter is available on the NACIQI website along with all other records related to NACIQI’s deliberations.

So before we begin our introductions I would like to welcome our newest members to NACIQI. We have Brian Jones, President of Strayer University who was appointed by House Republicans, welcome Brian.

Steven Van Ausdle, President Emeritus of Walla Walla Community College, appointed by Senate Democrats.

And we will be joined tomorrow by Claude
Pressnell, President of the Tennessee Independent Colleges and Universities Association who filled our remaining vacancy and was appointed by Senate Republicans.

We welcome all of you onboard to NACIQI and thank you for your willingness to take on this role.

Finally I would like to thank our former Chairperson Susan Phillips and Vice-Chairperson Art Keiser whose terms expired last December for their service in leading this Committee so thank you to them.

I am going to briefly pass the microphone to Herman who had an announcement that he would like to share.

MR. BOUNDS: I would just like to share that one of our Senior Analysts, Mr. Steve Porcelli will be retiring. This will be his last NACIQI meeting. Steve has over 30 years of service and I was told that his first NACIQI meeting was in 1987.

So I would just like to congratulate Steve on his future endeavors.

MS. HONG: Okay let’s proceed with introductions around the table. We can start on my left.

MR. BOUNDS: Herman Bounds the Director of the Accreditation Group at the U.S. Department of Education.

MR. Wu: Frank Wu, Member of the Faculty, University of California Hastings College of Law.
MR. KEISER: Art Keiser, Chancellor, Keiser University.

MS. NEAL: Anne Neal, American Council of Trustees and Alumni.

MR. FRENCH: George French, President Miles College.

MR. ZARAGOZA: Federico Zaragoza, Vice Chancellor for Economic and Workforce Development, Alamo Colleges.

MS. DERBY: Jill Derby, Senior Consultant, Association of Governing Boards.

MS. DERLIN: Bobbie Derlin, Associate Provost Emeritus at New Mexico State University.

MR. O’DONNELL: Rick O’Donnell, CEO of Skills Fund.

MR. BOEHME: Simon Boehma, Student Member.

MS. PHILLIPS: Susan Phillips, University of Albany, State University of New York.

MR. JONES: Brian Jones of Strayer University.

MR. WOLFF: Ralph Wolff, the Quality Assurance Commons.

MR. VAN AUSDLE: Steve Van Ausdle, President
Emeritus, Walla Walla Community College.

MR. LEBLANC: Paul LeBlanc, Southern New Hampshire University.

MS. SULLIVAN ALIOTO: Kathleen Sullivan Alioto, Philanthropic and Educational Consultant.

MR. ROTHKOPF: Arthur Rothkopf, President Emeritus, Lafayette College.

MS. MANGOLD: Donna Mangold, Department of Education, Office of General Counsel.

MS. MORGAN: Sally Morgan.

MS. MCKISSIC: Stephanie McKissic, Accreditation Group.

MS. HARRIS: Nichole Harris, Analyst with the Accreditation Staff.

MR. PORCELLI: Steve Porcelli, Accreditation Staff.

MS. DAGGETT: Elizabeth Daggett, Accreditation Group.

MR. MULA: Chuck Mula, Accreditation Group.

MS. LEFOR: Valerie Lefor, Analyst, Accreditation Group.

MS. HONG: Thank you. One new analyst we are
MS. SCHULTZ: Rachael Shultz, Accreditation Group.

MS. HONG: As a reminder to the members please remember to press the speak button and make sure that your mic lights up red so that we can capture what you are saying and then turn it off when you are done with your remarks, thanks.

Our first item of business is the election of a Chairperson and Vice Chairperson. Both offices serve three year terms. Without further ado nominations from the floor are now open for these offices. Arthur?

MR. ROTHKOPF: I nominate Art Keiser -- I nominate Arthur Keiser to be Chair of NACIQI for whatever period goes on without having to have another election.

MR. FRENCH: I would like to second the nomination and nominate Frank Wu as well for Vice Chair.

MS. HONG: So Art Keiser is nominated for Chairperson. Frank Wu is nominated for Vice Chairperson. Are there any other further nominations for these offices?

MR. HERMAN: I vote nominations be closed.

MS. HONG: Okay we declare the nominations closed. Since there is only one nominee for Chairperson we will
elect Art Keiser by Acclamation is there any objection to electing Art Keiser for Chairperson? Hearing none Art Keiser is elected as Chairperson, congratulations, acceptance speech?

    MR. KEISER: Thank you very much.

    MS. HONG: If there are no other nominations for Frank Wu as Vice Chairperson, is there any objection to electing Frank Wu as Vice Chairperson by acclamation? Hearing none, congratulations Frank -- Frank is our new Vice Chairperson.

    At this moment we are going to take a brief break and do some reshuffling here and get our Chair and Vice Chairperson squared away and we will proceed with our Agenda, about 10 minutes.
CHAIR KEISER: Well good morning. This will be my first duty as Chair. Thank you members of the Committee I appreciate your confidence. I am honored to serve in this capacity. This morning our first item of business is to have a discussion with the panel on Outcome Measures.

We have invited representatives from various accrediting associations to talk to us about how the accrediting agencies that they represent consider outcomes measures as part of their review of institutions and programs.

Each representative is also invited to share any new initiatives that they may be working on. For example you may recall the C-RAC or Council on Regional Accrediting Commissions announced last fall that they would be looking at low graduation rates.

So we would be interested in hearing more about how the regionals are implementing the initiative and it is my pleasure to introduce the members who will be part of this panel and they include Barbara Brittingham who is the Chair of the Council of Regional Accrediting Commissions, or C-RAC.

Laura Rasar King, Chair of the Association of Specialized and Professional Accreditors and Michale McComis, Executive Director of the Accrediting Commission of Career
Schools and Colleges. Would you please come forward? The floor is yours.

MS. BRITTINGHAM: Good morning members of the Committee and thank you for this opportunity to share with you. Let’s see I have a PowerPoint so if we can figure out how to get it up there -- I never do PowerPoints at the end of a meeting but Jennifer do you know if it is going to be -- okay, okay. That’s good.

CHAIR KEISER: Well while we are waiting for the PowerPoint maybe you could do a better job of introducing yourselves than I did. Micale?

MR. MCCOMIS: Good morning. My name is Dr. Michael McComis. I am the Executive Director of the Accrediting Commission of Career Schools and Colleges, a recognized agency. We have been recognized by the Department since 1967 and our agency predominantly accredits vocational and career-oriented institutions.

We have about 700 or 650 institutions that we accredit.

MS. BRITTINGHAM: Thank you and I’m Barbara Brittingham. I’m President of the Commission on Institutions of Higher Education for the New England Association of Schools and
Colleges and I currently serve as Chair of C-RAC, the Council of Regional Accrediting Commissions.

MS. KING: Good morning my name is Laura Rasar King. I am the Executive Director of the Council on Education for Public Health but I am here in my capacity as the Chair of the Association of Specialized and Professional Accreditors.

MS. BRITTINGHAM: Thank you the PowerPoint is up so we will proceed, well we will. Turning it on turns out is important. Oh there are no batteries so we will just proceed without the PowerPoint that’s okay.

So I want to give you two main messages today. One is that there -- ah there we go. These are -- he’s our sort of Commission mascot. One parent says to the other, “What does he know and how long will he know it?” So this sort of gets us into looking at student outcomes and student learning and the next slide please.

I want to give you two main messages today. One is that given the variation in institutions in regional accreditation. There is no one size fits all. And the second message is that regional accreditors use a variety of ways to look at outcome measures and student achievement. And if we can go to -- oh we
found batteries, excellent, yes there we go thank you very much.

So regional accreditors accredit about 3,000 institutions of higher education that collectively enroll approximately 20 million students -- we do this collectively with about 170 professional and staffed employees and rely on the commitment of over 4,300 volunteers per year.

We work together through three meetings a year. We have projects together. We develop policies together and we speak regularly together on the phone. These are the regions of regional accreditation. You can see that they are of different size and character and they are much like states in that the logic of drawing the lines is in some cases quite apparent and other cases not so much.

Our institutions vary enormously in their characteristics. Could you go to the next slide please? There we go. So I just want to run through some of these dimensions. They vary by mission area so some of our institutions are teaching only institutions. A few are essentially research institutes that also run educational programs.

Land grant institutions add service so teaching research and service. They vary by control. We give credit to public independent and for profit institutions. They vary by degree
level from associate, bachelors, master’s, professional doctorate and PhD. Programs and any given institution may offer programs at one, two or all of those levels. Some of the institutions have a parent and some do not. The parents include the state, either an institution alone or in a system. Some -- a few institutions have the federal government as their parent. There are parents of religious congregations, hospitals, a research institution as a parent, a museum, a municipality or a for-profit organization as a parent. Thank you. They offer a range of programs. A few institutions offer a single program, others offer hundreds of programs. We have special purpose institutions, seminaries, institutions that focus only on business, health, engineering, law, medicine, art, music, landscape design or maritime studies. They vary by location -- urban, suburban, rural or entirely online. Some institutions have a single campus others have multiple branches and locations, both in the U.S. and in other countries. Some institutions are entirely residential. Some are partially or not at all and some institutions, whether or not it is residential varies by campus or location. The enrollment of regionally accredited institutions varies from I think 18 is the lowest to over 60,000 students on a
single campus. The selectivity varies from institutions that admit fewer than about 6% of their students to institutions that are essentially open enrollment.

And student characteristics vary also based on things like SAT scores, whether students are first time/full time versus part-time or transfer students. We have institutions that are single sex. Some students are first generations, PELL recipients, we accredited an institution that focuses on helping students with learning disabilities.

And many institutions have varying percentages of international students. There are also institutions that have certain designations -- historically black colleges and universities, Hispanics serving institutions and minority servicing institutions and tribal colleges.

The liberal arts vary from our institutions to institutions that are purely liberal arts institutions to institutions where liberal art shows up only in general education. The delivery varies from face-to-face, online and blended and the credit systems vary as you know from those that are strictly traditional courses to those that include competencies or direct assessment or blended programs.

In some institutions it varies by program. We have
institutions that focus on helping students complete a degree and have very few first-time, full-time students. Institutions vary by the extent to which they use prior learning assessment, dual enrollment, ACE credit recommendations, KLEP or other mechanisms to help students bring in sometimes tall credits from elsewhere.

In addition to academics, some institutions focus on things like religious formation, we have work colleges, colleges where co-operative education is important and we have a few institutions that have a core of cadets.

And finally, of course, institutions vary by how wealthy they are -- whether that is public or private and that refers to the extent to which they can offer their students scholarships, provide other support and opportunities for students.

So this variation I think is the hallmark of American higher education. It certainly makes our jobs and the job of our Commissioners interesting to help figure out how to apply a single set of standards and procedures to institutions of this variation.

You see here some examples of mission variation. Some of these places you will recognize, some you will not. Southern New Hampshire University is now largest in terms of enrollment in New England.
You see Amherst College, a traditional liberal arts community college in Vermont which has no single campus but 12 locations and others that sort of by their names speak to how they are distinctive.

The last one on the list there -- the Institute for Doctoral Studies in the Visual Arts is the newest accredited program in New England -- I’m sorry, institution in New England and you can tell by its name what it does. It is Maine and enrolls about 25 students.

MR. ROTHKOPF: May I ask a question related to what you were just talking about? In a report that NACIQI put out I think within the last year or two there was I think favorable comment and we certainly have heard from research universities who believe that this idea of covering everything from MIT at the one hand and the community college on another that there really should be some separation by mission.

I’m assuming that you all don’t agree with that but I would really be interested in knowing whether you, or C-RAC or individual regional accreditors considered this recommendation that there be a separation of the kinds of schools that are being reviewed so that there’s a more specific knowledge about the needs, requirements of research universities on the one hand and
some of the other schools on the other.

I guess my question is have you thought about it and if you don’t want to do it, why don’t you want to do it?

MS. BRITTINGHAM: Or do we want to do it. So thank you for the question. First of all C-RAC, my counterparts and I and our Commission Chairs met a few months ago at the American Council on Education with the heads of institution and like groups, their executives and their Chairs of their Boards to talk about this very issue and the relationship of that to something I am going to talk about in a few minutes which is looking at low graduation rates and how could we make sure our process is attuned to that difference in mission.

I have had a follow-up meeting with the heads of the Land Grant Group and the Association of American Universities to talk about that and we are trying to work on -- I think a way to experiment with that a little bit more.

And some of the regionals do differentiate their process a bit -- the Higher Learning Commission has a pathway for institutions that have demonstrated certain stability. In New England what we try to do is make sure that the team visiting the institution includes people who have deep experience with institutions of that mission so that they can fully understand the
I would say every institution in New England can look at the standards and find places where they would like to be better no matter how good they are and we want to send them -- we want to help shape their self-study to focus on the areas that are going to bring them the most value and make sure that their team includes a number of people who have deep understanding of that kind of institution.

So I think that conversation that we are having with the Presidential Associations is a continuing one. We are looking better to getting back together with them again, is that helpful?

MR. ROTHKOPF: All I would say maybe because I have been around here since we reconstituted -- but I thought one of the most persuasive pieces of testimony that NACIQI received in the last several years was from President Tillman of Princeton who laid out I thought a very persuasive case for separating at least the research universities but maybe other groups from what you all review.

Because it seemed to me that she made the case that you were running -- when I say you, you are talking about middle states -- sort of a one size fits all and you know you check the boxes for all these different schools but they are very different and
their missions are different and I just continue to wonder why no
progress has been made in that direction.

MS. BRITTINGHAM: Well I do think there is
some progress. I mentioned Higher Learning Commission -- I
think Middle States and some of the other Commissions are
looking to have different pathways.

Again, it’s a continuing conversation that we are
having with them and have we reached a conclusion? No we
haven’t, but it is something that is on our table to consider.

I want to talk a little bit now about how in New
England we monitor institutions on an annual basis using some of
the ratios and statistics that we get from the federal government.
Each institution submits an annual report where we get enrollment
and other information including anticipated substantive changes
that they are having.

We have a Committee every year that looks at
finance enrollment on certain institutions that have demonstrated
fragility in those areas and we use the loan default rates -- the
federal loan default rates to review institutions. We have triggers
of 20% loan default for any given year or 15% for three years in a
row and we look at what institutions are doing to help students
understand the obligations of borrowing money and their
responsibility to pay it back.

We look at the financial responsibility ratio. Any institution below the 1.5 just to make sure that they are on our radar screen to keep an eye on their capacity to deliver strong educational programs and we look at the results of the federal program reviews where institutions have been asked to repay significant amounts of money to the federal government to see what that implies and would it also financially destabilize the institution.

So in New England we look at student achievement and success in three complimentary ways. And we have recently revised our standard -- our new standard 8 is on educational effectiveness and it really breaks this out into three different ways of looking at it.

One is retention, graduation or transfer -- I’ll come back to that in a few minutes. The second one is assessment of student learning outcomes -- and this is generally a faculty activity looking at what students have learned in their academic program and how the faculty can see what should be improved about the program and opportunities for students from that evidence.

And the third is other measures, quantitative measures of student’s success. Our Commission looks at that in
the comprehensive evaluation and in the interim report in which institutions are asked to write reflective essay on understanding what students have gained as a result of their education.

And certain institutions are asked to submit progress reports to undergo focused evaluations in these areas where significant problems appear.

So we are really asking here these three questions with retention, graduation and transfer -- did the students make it, did they graduate? Second, under assessment under student learning what did they learn and third, the other measures of student success address how did they do after graduating.

And here I have listed some examples of other quantitative measures of student success and you can see that some of these apply well to the institutions with certain missions and others of them apply to other institutions of success.

For over 10 years we have had a series -- a robust series of data forms that ask institutions to identify what their quantitative measures are of student success and that’s part of the comprehensive review and also the interim report.

I want to talk now about the C-RAC project and this was alluded to in the introduction here. Last September I believe it was the Council of Regional Accrediting Commissions agreed to
take a project where we would look at IPEDS graduation rates of 150% of expected time for first-time, full-time students. This is the traditional IPEDS graduation rate. It was started in 1985 -- two years before Steve Porcelli joined the Department and it was invented to help look at how student athletes graduation rates compared to other students at their institutions.

So 150% for 2-year institutions of course is 3 years. We looked at institutions that have graduation rates after 3 years of 15% or lower and the 4 year institutions, the 6 year graduation rates of 25% or lower. And we did this with two things in mind. One is are we going through this process identify institutions where we find that there is a problem that needs further review and second, just to learn more about this.

These numbers as you know can be very controversial when it is cited that an institution is graduating only 10% say of its student body -- what’s going on there? And we wanted to learn more about that.

So I will tell you what we are doing in a minute but the other institutions and I have here included. Higher Learning Commission is doing a survey of approaches of some of their low-performing versus high-performing institutions. Middle States is
looking at additional data over a 20 year period in identifying
about 25 institutions for further review.

WASC has developed something called an absolute
graduation rate where they look at all entering students to see what
the graduation patterns are not just first-time/full-time students.
And the Southern Commission has individual institutions that they
are looking at plus the National Student Clearinghouse data.
The Northwest Commission and the ACCJC are
also embedding this process in their reviews. I am going to give
you a little more detail about how we are going about this in New
England. We have about 28 institutions that met this criteria out of
about 240 institutions and we wrote to each one of them and asked
them to provide us with a short report addressing four questions.

We took not only the graduation rate data but the
other data on the federal spread sheet and gave it to them so they
could see what we were looking at and asked them are the data
correct.

And then we asked them what else do you know
about your students when it comes to graduation rates? In other
words what else can you tell us to help round that out? Third, what
are you doing to help students move toward graduation and how is
it working and four, what else are you planning to do?
We have identified a group of peers who are going
to help us review those and that group will be meeting the third
week in March and they will make recommendations to our
Commission for its meeting in April.

So what are we seeing already? Well first of all
some preliminary observations from reading some of these reports.
You will not be surprised to hear that the institutions identified are
overwhelmingly community colleges and minority-serving
institutions.

And I think something that helps explain
particularly for community colleges is there is evidence to indicate
that the typically time -- elapsed time toward graduation for a
student earning an Associate’s Degree is 5.6 years. So when you
are looking at a number that says how many have graduated in 3
years you know that that number is going to be below the -- well
below the mid-point.

The 5% figure refers to one of our institutions that it
serves adult population. 5% of its students are first-time/full-time
students so when you see its low graduation rate that’s something
to look at but it tells you very little about that institution overall.

And the 50% refers to the fact that many of these
institutions when they threw information that they gained from the
National Student Clearinghouse, where they include not only the students who graduated but the students who have transferred to another institution and students who are still enrolled. They get to or sometimes over 50% of the students and that’s at the 150% rate. When they go to 6 years which really works better for community colleges, some of them get well up into the 70’s or 80’s even. So as successful as that may have been for student athletes it just doesn’t work very well for students in these institutions.

The National Student Clearinghouse I mentioned is a wonderful resource for data and many of these institutions have worked with networks of institutions working on graduation rate and student success. Achieving the Dream, Voluntary Framework for Accountability and Complete College America are some that were measured.

They used federal and sometimes private grants to help support initiatives. TRIO was mentioned in several reports in Title III for developing institutions helps give institutions additional capacity to work on these issues.

The lives that these students lead, I think, make it very challenging for many of them to graduate. Many of them are first-time/full-time students, first in their families, very high rate of
PELL recipients. Many of them work, many of them work full-time and many of them who work have jobs where they cannot count on certain reliable hours each week which makes it very difficult for them to attend college.

Nurses and welders -- we have an institution whose primary degree program is nurses -- nursing students. And those students do very well but they are not included in the graduation rate because their nursing program starts in the summer and first-time/full-time starts in the fall.

So if you counted those nurses in there that rate would go up significantly. Welders are another example -- students at one institution remarked that its welders had a low graduation rate and that was because when they got to a certain point in their program they could go from making $10.00 an hour to $25.00 an hour and they didn’t graduate.

The institution has found ways to move those students along to graduation while letting them work. Other institutions noticed that their young men who came directly from high school were not being successful and they developed some initiatives for them.

Another institution noticed that students who traveled the farthest tended to have higher graduation rates --
perhaps that’s an indicator of commitment to the program. A success in math is a key in several areas. Institutions are developing degree maps and guides working on stronger methods of orientation and advisement.

They are watching early behavior of students so that they can pick up early on which students are likely to have trouble graduating. Committees and task force are used throughout these institutions and they are relying not only on better data nationally and locally but also better software to do things like trigger when a student is about to graduate so that the institution can help pull them across the finish line.

The reaction from institutions to this I would say has generally been quite positive. Institutions -- when we announced this I got a call from Walter Bumphus who is head of the American Association of Community Colleges thanking C-RAC for undertaking this project because he knows that the first-time/full-time graduation rates don’t tell a very complete story and he was looking forward to having the story better told.

So we will have more information about this in the months ahead. And finally, one more cartoon -- this says it would be a great honor for me to be counted as one of your successes and that’s what we are all concerned about so thank you very much.
MR. KEISER: I want to try to hold the questions but Frank has an important question.

MR. WU: I don’t know that it’s a very important question but one that I would ask all three panels, actually a two-part question. The first is -- are we looking at the right data? Would you encourage us to look at different data -- so that’s the first part?

The second is as you differentiate among schools what would be an appropriate way to do that with the data that’s fair, that takes into account different types of schools so that it is on the one hand not one size fits all, but on the other hand not being gamed by schools in some way that would not be appropriate?

MS. BRITTINGHAM: Thank you for that question and Frank I would not expect anything less than a two-part question from you. I think, you know, I think one of the things that this shows is that first-time/full-time rate works really well for some institutions.

You know we have institutions that score in the high 90’s there. But for the institutions here for most of them -- and we will review them and see if there are problems in there but for the vast majority of them it really doesn’t tell their story.
And one of them commented that, you know, this is one with the 5% graduation rate and people see that on the score card and it discourages perspective students because they think they won’t graduate but it is a tiny proportion of the student body. So I would say what to use -- I would say use the information from the National Student Clearinghouse so you can figure out how to do it because that does include students who have transferred and students who are still enrolled and to lengthen the time, particularly 2-year institutions from 3 years to probably 6.

MR. KEISER: Thank you. If I can just remind you I think we allocated about 15 minutes for each speaker so.

MR. MCCOMIS: Well good morning. I’ll go next and talk a little bit about the national accreditation landscape. While I’m going to largely direct my comments around the Accrediting Commission of Career Schools and Colleges, I think that largely what you will see across the national accreditation community is variation on its theme. And so while I will get into some specifics about how my agency deals with assessment and outcomes, I think largely again much of that can be extrapolated to other organizations akin to mine.

So just a little bit of background -- ACCSC was first
recognized in 1967 so that means that we are celebrating our 50th
year anniversary so Happy Birthday to us! You can hold your
applause to the end.

But that also makes us actually one of the youngest
agencies and compared to many of our peers and interestingly as
we have been doing a lot of research about our genesis and our
origins, one of the things that we found is that there wasn’t a place
for "trade schools" to land after the Higher Education Act of 1965
was instituted.

And so, you know, trade school representatives,
presidents, owners, directors came together and said well I guess
we have got to start our own shop and essentially that’s what they
did and we received our first recognition from then the Office of
Education in 1967 and again, doing a little bit of research to what
was in our first recognition letter was that, you know, the promise
of the future and here we are 50 years later hoping that we have
helped to fulfill at least part of that process.

My agency was last reviewed in 2016 before this
Committee and we received a 5 year grant of re-recognition so we
thank you for that and we look forward to seeing you again in 5
years. Thank you.

So now where Barbara talked about I think
heterogeneity I think probably one of the things that is a hallmark of our accrediting agencies is more along the line of homogeneity. And that while missions are not identical, there are some core factors to the missions that I think overlap and that is that we are all primarily directly in some way towards vocational or career oriented institutions and outcomes.

And so to Frank’s multi-part question you know looking at the data and how to differentiate -- sometimes the membership of the organization does that on its own. And while we feel that we have lots of diversity amongst our own membership because we train everything from short-term, 180 clock hour truck driving programs to Master’s Degrees and kind of everything that falls in between there from welders to wooded boat builders to guitar makers, you know, within that there’s still the primary goal that institutions complete their programs and that they get employment at the end of that.

And so if those are two primary things that we can agree upon as measurable outcomes that’s what we have been able to coalesce around and very much can create an outcomes system. My agency currently accredits about 675 institutions but again we look at and improve over 2,000 programs. Again, some of those are variations on a theme as well depending
upon markets and depending upon the subtleties of how you want
to offer your medical assisting program or your welding program
but largely in order to be accredited by agencies such as ACCSC
there is the primacy of vocation, the primacy of employment that
would come through the training that’s received.

And again we are primarily sub-Baccalaureate so
even though we -- and my agency has recognition up through the
Master’s Degree level it only represents about 1% of our
membership. About 24% of the membership are Baccalaureate
Degree granting institutions and then amongst those that are
remaining across the remaining 75% even of that group the
majority fit within actually a non-degree area.

So our balance is about 56% non-degree
institutions, 44% degree-granting institutions. So largely in sub-
Baccalaureate in many ways, sub-Associate Degree as well.

So we focused primarily in two areas that I am
going to talk about today and the distinctions between student
learning outcomes and student achievement outcomes and then I
will talk a little bit about a verification program that my agency has
in place with regard to those student achievement outcomes.

But the student learning outcomes are -- I think the
hallmarks between the two, one is a qualitative process and the
other is a quantitative process. The qualitative process is process
oriented whereas the quantitative process is data driven and I’ll
talk a little bit about those distinctions.

So if you can read that really fine print I’m sorry.

So student learning outcomes again -- a process oriented approach
but the onus rests with the school to demonstrate. What are we
asking them to demonstrate then which is -- how do they design
programs such that they clearly articulate what the program
objectives are?

What is the intent of the program? How do they
assess throughout -- and this is where we kind of look at retention
largely is through the student learning outcomes, how are they
progressing toward those outcomes? And how do they use those
objectives designed in a way to measure competence?

Again that’s one of the things that I always say is
easier about my job is that we can put our hands on something and
even some of those competencies can be a morphos and can be
subjective but that’s okay, that’s part of the process as well and
that’s for the institution to decide how it is going to go through and
measure -- whether or not an institution achieves those.

It doesn’t have to be a quantitative process to do
that and many of our art oriented vocational programs -- there’s
nothing but subjective evaluation that’s part of that but it is rubric oriented, it is still looking to measure whether or not the students are able to demonstrate again what the objectives of a particular program were.

Whereas in a welding program you are making sure that the weld is not going to break and in an art program you are looking for some kind of aesthetic that is generally agreed upon as having met the objectives of that particular course and the progression through that program.

So it is all measurable in some way but the institution largely has to demonstrate to the Commission or to its accreditor that it has a process -- the process is geared towards objectives and competencies and how then they go through and do the evaluative and assessment component of that.

So at the very end of the program what we are able to say is the institution has gone through a process to demonstrate that before they hand that credential over -- that piece of paper they have made a determination that that student has met at least minimally -- because there is a bell curve here, at least minimally the expectations for what it means to be a graduate of that particular program.

And so that’s largely how we work with our
institutions through student learning outcomes. It is a process-oriented approach that is driven by the institution based upon their programs, the objectives of those programs and then processed to measure the progression and ultimate success of students through that.

Now to grasp at the student achievement outcomes many national accreditors have quantitative assessment approaches and so for my agency what we look at is graduation rates, employment rates and licensure pass rates and those things probably sound familiar to this committee because they are recognized and instituted throughout the Higher Education Act and Section 602 for all accreditors to have those kinds of assessment points.

But what we are able to do is really look at uniform reporting across all schools and all programs and that takes into account the diversity because the idea here is not to at the entry point try to distinguish all the diversity and the diverse characteristics of institutions but have a broad starting point that becomes more narrowly focused to the institution as certain triggers might be met or tripped as it were.

And so yes we do look at and we give every student the opportunity to graduate with 150% of normal program length
but if an institution or if a student is unable to graduate within 150% we tell the institutions well you can go on and continue to work with that student and hopefully get them to graduation but for the pure purposes of reporting, we are going to ask you to not count them as a completer because we are again agreeing upon a starting point here to what our data set is going to look like.

And so that gives us -- that’s one example of how uniform reporting gives you a starting point. And it also, again, allows us to do some benchmarking and I have got a couple of charts that I will share with you to show how that benchmarking works.

It also provides us an opportunity to establish monitoring and reporting triggers as well so that just as all other agencies record some form of annual, you know, assessment reporting -- an annual report, whatever it is -- by collecting student achievement data for every single program, every single year we are able to use that data to see where an institution is annually with respect to the benchmarks that have been established.

And then if an institution needs to go into a monitoring or reporting mechanism we are able to do that. And then several years ago my agency instituted program level actions to deal with -- instead of having to take institutional level actions
like a probation or a show cause or a warning -- we are able to
work directly at the program level and say to an institution, “This
is a program that has been reporting below benchmark outcomes
for over a period of time and we are going to direct you to cap
enrollment on it, cease enrollment in it.”
“We are going to take the approval suspend it or
evoke the approval of that program.” So trying to use more of a
scalpel as opposed to a meat cleaver approach of trying to get in
and identify what specifically within an institution you need to be
worked on.
So the student achievement outcomes again we use
a graduation employment chart, that’s the uniform reporting
mechanism. It is based on cohort reporting so there is a complex
formula -- I won’t try and instruct you on that here.
We have lots of resources but essentially we
identify cohorts and within each cohort we individually track every
single student. So there are a couple of categories where we can
take students out for incarceration or death -- we feel that’s a good
reason that someone doesn’t graduate.
But there aren’t very many categories why you get
to take folks out of the calculation. So the same thing for
employment but we establish a 12 month reporting period. And
again this is the starting point for assessment and one of the things
that I often say is that please don’t mistake outcomes assessment as
a panacea for, you know, every type of assessment that might
work.

It works well with institutions that have some
homogeneity. It works well when you are able to establish
uniform reporting processes. It works well when you are able to
agree upon what a graduate is but it is really just an opportunity to
give you a starting point so you could see where you are at any
given time in relation to a benchmark.

And that’s largely how we try and use that. Now
my agency has been using quantitative benchmarks since 1998.
We have been doing this assessment for close to 30 years since I
started collecting data with the Ohio State University back in 1989-
1990 and eventually established a quantitative benchmark in 1998.

Our most recent benchmarks are established on 11
year data set -- from 2005 to 2015 we collected all the data for
every program reported in our annual reports over that 11 year
period of time and used that to establish our data benchmarks.

And they are semi-permanent meaning that we will
only adjust them if there is some significant reason to do so. But
in that 11 year data set and I have been with the agency for 22
years now I can say really going back even further than that. There is a significant stability in the data.

   Even with employment the only real dip that we saw was in around 2010, ’11 and ’12 with the results of the recession. But since then things have tipped up and so I will show you where we are. Now these are how we have categorized -- we have tried to segment by program length because the data tells us that the strongest relationship to graduation is actually program length.

   And that doesn’t mean that program length itself is the cause, it is that the longer the program the more opportunity is for all other causes to occur. So for 1 to 3 month programs the benchmark would be 84%, 24 months or longer the benchmark is 40%. So that’s our floor -- really is 40% anything below that goes into a monitoring mechanism and you can see the other benchmarks there separated and segmented.

   In employment there is no time necessary to program length. Every program has its objective employ-ability and so we just lump all the data together and it comes up with an average employment rate of 78%. We go one standard deviation below that for a benchmark rate of 70%.

   So owe are looking for employment benchmarks of
70% for all programs and then our licensure and certification pass-rate benchmark is 70% as well. And that was harder to collect data on but we found that 70% seems to be a fair representation.

Lastly, I’ll just quickly talk about verification for one minute. I’m getting the hook by Dr. Keiser so basically we have established guidelines for employment classification that helps institutions identify who can be classified as an employed graduate and then we require third party independent verification of all reported employment rates for every institution that goes through either an initial or renewal process and then we do random sample verification annually.

And quickly just the results of that -- we have looked at over 20,000 records 70% of them have been verified as correct, 19% unable to verify just meaning that the third party couldn’t find the folks. About 9% verified but different and that just means that maybe the job title or the start date or some data in the employment record was not exactly right.

But only 2% verified as not correct across 20,551 records, only 481. So we are finding that that gives us a great deal of confidence in the reliability of the data that we are basing many of our accreditation decisions upon. So I’ll stop there and -- oh I did just want to say the real value of student achievement that we
see -- 5,000 automotive mechanics, 2,800 welders, 3,200 HBC
technicians, 2,000 electricians -- 1,200 -- that’s what last year ACCSC
accredited institutions added to the workforce so thank you.

MR. KEISER: Thank you, any specific questions,

Kathleen?

MS. SULLIVAN ALIOTO: Well it seems as if
you’re data-driven in your decisions, would that be correct?

MR. MCCOMIS: It’s a significant portion of the
decision paradigm yes. We always look at where an institution is
in relation to those benchmarks.

MS. SULLIVAN ALIOTO: And how are you
using the data to actually help these programs besides not putting
them on the scaffold?

MR. MCCOMIS: Well right and that’s why I say
that the data is really just a starting point for the analysis, both by
the accreditor but also by the institution. Because you can see
through the data number one where you are in relation to the
benchmark and number two where you are in relation to the
average right?

And so one of the ways that we try to encourage
institutions to drive other outcomes is by having a differentiation
and the grant of accreditation -- that is to say that we will give an
institution a school of excellent distinction if they are able to
demonstrate that they have got above average -- not above
benchmark but above average outcomes.

And they can earn an additional year of their
accreditation cycle because of that so we are using it in some ways
to incentivize. In other ways we are using it to -- one of the
hallmarks of accreditation is sub-evaluation, another is institutional
assessment and improvement.

And so it is not just about you are below benchmark
but it is how are you driving a process to improve upon that? You
know Barbara mentioned the issue of the welder that leaves
because there is low -- there’s a job opportunity right? But we are
going to work with institutions honest to say, modulate the
program length so that the student will stay there and graduate and
then go on to get the job as opposed to look at that as a positive
employment outcome but let’s try to work with the institution to
modulate the program length and get the graduation rate where it
needs to be as well by making sure that we are targeting and
tailoring programs to what the employment community needs.

So those are just some ways that we are trying to
use the data as nudges and as incentives and as tools to enhance
student opportunity.
MS. SULLIVAN ALIOTO: My other question is
Miss Brittingham pointed out this 5.6% -- the actual graduation
rate from -- but it is not 150%, it’s not 3 years it’s actually 6 years
and if some of the problems that our students have when they
arrive 6 years is very good.

And you are still using the 150% I’m not sure why
after 30 years of bringing data together you are doing that.

MR. MCCOMIS: Well I think that what Dr.
Brittingham was talking about was in community colleges that is
the data. That would not bear out in the types of institutions that
might have similarly situated agencies represent. And that is
because -- I suspect, I don’t know for sure the college between it
but often times the types of institutions that my agency accredits
are again very focused on targeted programs that are again sub-
baccalaureate, sub-Associate Degree that are tailored to what the
employment community has asked for and what they need.

And also that takes into account -- to the extent that
they can the challenges that beset students such that they are
unable to graduate within 150%. So our data doesn’t bear out that
the majority of students are unable to complete in 1.5 times other
types of programs because again they tend to be shorter.

In fact our data shows that predominantly students
that do graduate either on time or within that 1.5 duration.

MS. SULLIVAN ALIOTO: Thank you.

MR. ZARAGOZA: Thank you for your testimony.

You have been talking about data and kind of the data is used in the evaluation program review process so talk to me a little bit about the data integrity component.

We know that a lot of the accrediting bodies use IPEDS and kind of national data. What is your standard for the integrity component number one. Two -- related, how that data relates to not just the placement but the wages and then the return investment that gainful employment tries to get at -- so again data integrity and as it relates to gainful employment?

MR. MCCOMIS: So on data integrity our institutions and my agency and I don’t believe any of the other national agencies rely upon IPEDS data. We rely upon data that is designed for our particular process and it is what I refer to as our --

do you have a question?

MR. ZARAGOZA: Self-reported data?

MR. MCCOMIS: It is self-reported data, yes.

MR. ZARAGOZA: Thank you.

MR. MCCOMIS: So the data is collected through institutions using again our mechanism -- we call it the graduation
employment chart. Other agencies have different names but it is all self-reported.

The data integrity piece is related to, as I talked about the third party independent verification on the employment side. On the graduation side when we go through and do on site evaluations for initial renewal accreditation there is an assessment that looks at, either through random sampling or either whole data sets that will look at how an institution has gone through their student academic progress policy.

And that’s looking at the monitoring of students as they progress through a program for retention purposes and to make sure that they can graduate on time or within that 150%. And also looking at transcripts to ensure that the number of graduates that are reported -- if they told us that 20 students started we are looking for 20 students and we are looking for 20 transcripts at the end or how many graduated.

So our on-site evaluation teams review all the data. With regard to gainful employment my agency does not look at the gainful employment measures with regard to salary to debt ratios or anything along those particular lines.

We are looking at, however, just pure employability.
MR. KEISER: Dr. King?

MS. KING: Thank you. I had a PowerPoint, okay thank you so much. Okay so rather than speaking to you today about my own agency I am going to do my best to represent ASPA member organizations and all of the accreditors collectively.

So we have 60 members so this will be a monumental task but I will do my best. So ASPA is a collaborative forum and collective ways for accreditors in specialized and professional higher education programs in schools in the U.S. and we have 60 members.

And they comprise about 60% of the agencies recognized by the Department although our members are responsible for less than 2% of Title IV funding -- so just to give you a sense of that.

Our 60 members span professions from medicine, dentistry, pharmacy and nursing to construction, engineering and architecture and go literally from cradle to grave. We have members in midwifery and funeral services.

So what do programmatic accreditors do? So, on the slide you see what we officially do. But from my perspective what we do is we provide a link between practitioners in the profession and faculty in colleges and universities so that students
graduate with the skills and knowledge they need to be competent practitioners. While each accreditor accredits programs with differing missions, all have the same expectation. So at the end all students come out with the same skills and knowledge base as those from any other school regardless of mission or focus of institution.

So there has been growing discussion over the last several years about the use of outcomes in the accreditation process. With each draft of policy, legislation, every think tank report that comes out they all suggest different outcomes of varying utility and they are not always measuring what specialized accreditors are interested in which is quality of education period. That is what we are looking at.

So ASPA conducted a survey in early 2016 to collect the actual practices of any of our members around outcomes indicators that they use as part of their evaluation of programs. And so I wanted to show the results of that with you.

So our methodology was that we formed a small task force of accreditors to service the research team and we collected excerpts from member’s standards criteria and policies and then called them for references to indicators as well as any
benchmarks or numerical thresholds that the accreditor required of
its programs.

The original response -- the original report came out
in January, 2016 and originally it included 45 of our 60 members.
It came to the Board and I admit it was me who pushed let’s go
back to the other 50 I want 100% response rate for this. I want to
understand what all of our members are doing and so we actually
went back to those 15 members that had not responded and stocked
them to get the information that we needed to complete this report.

So in terms of findings and I am going to show you
just a few graphs to kind of illustrate it for you, but all respondents
look at outcomes period. Competency assessment, we looked at
bright line indicators so that means that the accreditor itself would
specify a numerical threshold on a certain indicator as well as
program determined indicators because those are also important to
some of the evaluation that we do.

And in all cases we consider the context. One size
does not fill all. The indicator doesn’t always represent what is
going on at the program and those are the things that we use the
indicator as Mike was, you know, talking about as one indication
that we might need to look into something but not as the only
indication.
So the outcomes categories they have to meet the needs of the profession so it depends on the nature of the field so if you are looking at outcomes in nursing and outcomes in construction obviously those outcomes may not be exactly the same and so that needs to adjust and that’s why one size doesn’t fit all.

The labor market -- we are looking at what employers need and want. Professions change over time, more research is done, there are best practices developed and we need to make sure that we are on top of that and that our educational programs are reflecting what’s going on in the labor market in our respective fields.

And then also licensure and certification -- we work in a world with very complicated licensure and certification requirements. Different states require -- have different requirements and so accreditors are very in tune with that as well.

So the full report of what I am presenting with more information is available on our website so I encourage you to take a look at that because of time limitations I am only going to give you the top line.

So the important thing on this slide is that not every programmatic accreditor uses the same indicator or indicators,
compliment of indicators or even type of indicators to support its
evaluation of quality.

They are wholly profession specific however at the
d end of these very professional programs, competition practitioners
emerge. So here you see that 52% of our responding agencies
specify any bright line indicators or set any numerical thresholds.

82% of them use any program determined
indicators and 93% use competency assessment as indicators.

Most agencies I would say use a compliment of those things so
they overlap -- they are counted more than once.

So here is the bright line assessment and this is what
accrreditors again prescribe a certain numerical level of
performance on certain indicators. So those who use any bright
line as I mentioned or 52% -- 35% set completion and retention
rates specifically, 27% set job placement rates and licensure and
pass rates 47% set specific outcome indicators for that.

The next slide is program determined outcomes. So
this is sort of a broader array of indicators that our members
reported are program determined. And this is when either the
program picks its own indicator as its own measure of success or it
could be that the accreditor requires a certain indicator but lets
them set their own threshold.
So this is more, you know, mission driven in terms of the program and its ability to set its own indicators. So 82% of our members use this kind of indicator for a number of areas including alumni performance, student satisfaction, licensure pass rates, completion retention as well as job placement.

These are indicators that are most frequently used by our members in any way so it could be bright line, it could be program determined but as you can see here competency assessment in our world as well as exam, licensure and pass rates are very important.

So 72% of our members use licensure pass rates as one of the indicators -- or certification pass rates but keep in mind not all of our professions have licensure certification. So that’s probably a good indicator that those who do would typically use that as an indicator.

And then competency assessment is really kind of the hallmark of what we do. Nearly all of us -- it’s 93% although I’m wondering if that’s just not sort of a limitation of the data in that we didn’t pick out the right things or we missed something.

But most, if not all of us, use competency assessment and that is really the important part of what we do. Our only intent is to graduate people who are safe and effective
practitioners.

So then we went back to our members and this is not 100% -- this was kind of in preparation for this meeting and wanting to kind of give you a sense, but this is a small percentage of our members responded here -- but we asked them about numeric thresholds, if they set them.

So if they said that they set bright line standards, what were they generally in their criteria? And I would say the range -- there was a 50% reported but most of the accreditors in the specialized world are setting 70/80% graduation rates from our programs and our programs are meeting those rates.

So many of them take a 2 or 3 year average depending on the field in particular with licensure pass rates a lot of times they are looking at more percentiles and averages on licensure pass rates.

So those are kind of the area that they fall into. We also are looking a lot at quantitative outcomes. And here are just some examples of those. So again it’s not all about numbers, it’s really about the quantitative indicators as well.

Employer satisfaction with graduate readiness -- so many of us actually either -- well both, but require programs to hold to do surveys, focus groups, interviews with employers in the
field and to find out how satisfied they are in general with their programs graduates.

That’s very helpful information not only for our assessment but also for the program’s quality improvement because if the employers are saying hey they are coming out, they are great in this but they are a little -- you know, need a little more work in that then programs can be found in the areas that they need a little bit more work, so that’s a very important indicator.

They look -- some accreditors look at the impact of the program on the profession or the community. They look at graduate satisfaction they look at learning outcomes and proficiency of course. They also look at alumni perceptions of readiness for employment.

Another really important data point because if you ask your alumni once they are in their first job -- what did you feel most prepared for? What did you feel like you weren’t as prepared for? And that also is really good information to match with the employer data to help them improve their programs.

Now the last thing that I wanted to talk about and I think this gets to Dr. Wu’s question a bit is are we looking at the right data? And one of the trends that has been kind of bothering me lately is the question that has come from NACIQI and others
which is how many programs have you denied?

So my response to that -- and I say this frequently to anyone who talks about it -- that is not the goal here. And so I wanted to really provide you some information about the kinds of things that accreditors do so that programs aren’t denied. We never let them in the door, okay?

So I think that’s a really important point for you to understand. And so some of the ways that we addressed that are the following and we asked the members about this. They reject applications for accreditation or they send them back and ask for more time, revisions, whatever they need so that they are not accepting -- even into the process, programs that are not likely to meet the standards.

When self-study reports come in we can delay site visits, we can delay self-study reports -- we can make them go back, we can make them collect additional data, all of those kinds of activities as well.

They can -- actually a couple of our members wrote that they advised potential applicants not to proceed into the formal process until they made some corrections with their programs and really aligned it more with the accreditation standards.

That is sort of on the front end but then if programs
run into trouble once they are in the process then of course there are unannounced visits, there are certain terms, there is mandatory consultation and training, there are focused site visits, there are many ways that we address that once they get into the process.

Accreditors also provide a lot of assistance with compliance. One of the ways that they do this a lot, they report it is Ad Hoc staff consultation by phone, email and in person, whether that’s with the staff or a member of the Board or an external consultant.

They do progress reports -- many of them do trainings for applicants when they first come into the process they do trainings related to self-study, they are doing all of that and a tremendous amount of resources from the Agency’s websites.

So in conclusion no matter the outcome indicators chosen by the Agency, specialized and professional accreditors will remain laser focused on quality programs that produce safe and effective practitioners. And I am happy to answer any questions that you have, thank you.

MR. KEISER: Thank you Dr. King questions -- Arthur?

MR. ROTHKOPF: Yeah I have a question really for primarily Barbara and Mike and that goes again to the report
which NACIQI agreed upon and submitted to the Secretary -- not
the original one, my dates aren’t right but I think it is the one of
either late 2016 or late 2015 or ’16.

And one of the issues that we spent a lot of time
talking about at NACIQI and even had conversations at the
Department was the idea that more focus would be given to
reviews of those schools that pose the greatest risk. It was a whole
-- a lot of discussion and a lot of concern about risk-adjusted
reviews of institutions.

And it’s not specific and I can’t say whether either
one of you have mentioned this this morning but I guess I am
trying to get a sense of do you take seriously what NACIQI says or
do you just wait for either Congress or the Department to level its
attention to you?

But I guess my question is do you take into account
the risks involved in assigning personnel? Because I have this
sense that at least in the past the same attention was given to high
risk institutions as were given to low risk institutions.

So I know it is a complicated subject but do your
Agency whether it be C-RAC or Mike your Agencies, take the risk
into account when you decide how much attention should be given
to the particular institution?
MS. BRITTINGHAM: I’ll start and thank you for the question. I would say we do. I have a chart -- I don’t have it with me but I would be happy to show it to you at some point. And what I did was look at a sample of institutions that are coming up for comprehensive evaluation this year in 2017 and look back over 10 years. We have a 10 year cycle. And there are institutions on the chart, you know, read it left to right and the left-hand-side are high capacity institutions that the Commission has seen twice in 10 years -- once for a comprehensive evaluation and once for the interim report. And the risk increases so some of the times the Commission sees an institution -- it’s initiated by the institution, it’s a substantive change. But often it is something that the Commission is looking at. So I mentioned earlier the annual report on finance and enrollment -- that’s one way we look at risk. If the institution is -- has something that appears to be a risk factor the Commission will ask for a progress report or a focused evaluation. And as the chart goes from left to right you see more and more entries per year over on the right-hand-side there’s an institution, one institution that was on probation and recovered and one institution that was on probation and did not and the
Commission withdraw accreditation.

And you see as you read down the years that the Commission is seeing an institution not only every year but in some cases multiple times a year so risk is very much on the mind of the Commission.

And when the Commission in particular considers a comprehensive evaluation or the interim report, one of the things they ask themselves is, “Are you willing to wait 5 years before you see this institution again?”

And again for some high capacity, very stable institutions the answer is yes. New England has a high number of small independent institutions and a demographic challenge in the decline in the number of 18 year olds and so I would say that level of risk for institutions has gone up so I think that chart looks very different now than it would have looked 20 years ago. Does that answer your question?

MR. ROTHKOPF: Yes I think it does. Mike, what’s your groups’ too?

MR. MCCOMIS: Yeah so all of that and, you know, there are several measures just as Barbara mentioned, you know, with regard to -- not just student achievement outcomes but finances and growth and, you know, looking at a variety of ways to
do interim monitoring.

The one thing that I would say about the issue of risk and high risk and low risk in the sense that everybody is reviewed the same way. I think that maybe more of an issue of transparency than anything else. And it goes along with also the criticism that accreditation is just a binary process of on or off. And that behind the scenes there is a wide array of monitoring or assessment that may be going on from one institution that another institution isn’t enjoying right? And so the low risk school says, “Hey we all have to go through the same process,” not really understanding or really recognizing how much an accreditor is doing with regard to any other institution.

And I think that is, again as I said, is an issue of transparency. And Barbara and I were just at a meeting last week kind of talking about, you know the future of higher education quality assurance and again the criticism levied was well it’s a binary process.

But the folks that levied that criticism didn’t understand how many layers of assessment kind of go on before any kind of institutional action of revoking accreditation may take place because as Dr. King said that’s not the goal. There’s a lot of rehabilitation and assessment and monitoring that goes on.
And I would say that our Agency spends 90% of its
time on 10% of its institutions which is probably not dissimilar
across the spectrum.

MR. KEISER: Simon, then Anne and then Jill.

MR. BOEHME: Thank you so much and thank you
for presenting. I think it should be acknowledged what Miss
Brittingham said the looking at institutions with particularly low
graduation rates, that should be acknowledged and I think that’s a
step in the right direction.

This is a quick question for all three of you. Seeing
that this is an outcomes panel how are students currently involved
in your process of coming to your conclusions as accreditors? And
then the second question is where do you see students having a role
in the future in this process?

MS. KING: Oh okay so currently how are students
involved in the process -- we require students within one of our
accreditation -- I’m speaking for my Agency now, let me clarify,
not everybody.

In our accreditation standards we require that
students are involved in the program in any committee which it is
appropriate. So tenure and promotion usually not, but every other
Committee program governance -- all of that we require that
students are involved in that.

In the accreditation process we look at student surveys and require that they do student surveys, that they ask certain questions. We look at all of those data. We require that students help to develop the self-study and we ask them -- we meet with them on site, any of the students who are involved in developing the self-study to ask for their, you know, feedback on how all of that went.

We also meet with students -- usually a large number of students. We talk with them, we ask them questions so they are fairly involved in the process of accreditation, we get lots of their feedback.

MS. BRITTINGHAM: In New England many institutions that we do not require -- many institutions involve students in the self-study process. When the team is there they frequently look at student surveys. Again our data form provides opportunity for that. There’s always a required open meeting with students with nobody else in the room and there’s always somebody who is a Dean of Students, Student Affairs Officer on the team who seeks out a lot of students.

I’m on a quality assurance body in Ireland and one in Iceland and as you know European countries have a very
formalized student union -- not the facility but the organization to
develop student leadership.

And students are involved in both of those countries
and I would say it is interesting but because of that leadership
development organization that those countries have it is much
clearer how to get a student who has gone through the
development process who would be invaluable. I would be happy
to talk to you more offline about this, okay?

MR. MCCOMIS: I think the biggest way they
participate is to go to school, graduate and hopefully get a job at
the end and produce those positive outcomes. And all of that is
through the support of the institution.

So how are we gathering information and data
through surveys, through participation in Advisory Committees,
through alumni associations, all of those things I think is an
important opportunity to get the feedback and to use that in ways
to help develop and support student service programs, identify
what are the challenges that students may bring to an institution so
they can develop support services that will help then, you know,
eventually get through the program.

MS. NEAL: Well welcome and thank you for being
here today. I want to follow up a little bit on the transparency
issue that we were just talking about. And I heard from all of you
that you are engaged behind the scenes, that there are layers and
layers of working and improving organizations and helping to
bring them along and of course I am happy to hear that.

And it goes expressly to the self-improvement role I
think that you all have undertaken over the years. But I guess it
brings me back to the dual role that we contend with whenever we
talk to accrediting bodies in terms of improvement as well as
compliance and self-assurance.

And as I look at my role here in NACIQI trying to
protect taxpayer dollars and ensure that accreditors are
guaranteeing educational quality -- so based on what Dr. King has
said showing what you all are looking at behind the scenes,
retention, grad rates, assessments, employer satisfaction,
employment rates -- admissions tests.

My question to you is again based on a
recommendation that has been made by a significant number on
this body in the past that why not allow you all to go back to your
self-improvement role and provide for taxpayers and students and
parents a system which ensures financial stability and provides
public information on all of these important points that you all are
looking at behind the scenes but that are nevertheless not available
to parents and the public.

Why not go to that system and then you all could
continue working but then this would provide real information to
consumers which they don’t currently have in the binary system?

MS. KING: Um, I sort of got lost in the middle of
the question. I think the question was about transparency. Again
those aren’t specific questions that we asked all of our members so
I can speak for my own Agency as an example. And I know that
we are a bit of an outlier.

Our accreditation reports are available to the public
so all of those data are in there and it could be seen. I don’t think
that’s the case for the majority of my colleagues but again that’s
something that I think is negotiated within the profession -- those
are conversations that we have had with our profession and that’s
why we do what we do.

And I think others do that as well. I’m not -- where
I got lost is going back to the role of improvement versus what?

MS. NEAL: We have had many conversations here
about there is improvement, the self-improvement and then there’s
the quality assurance role which is really an external role and the
two of them may not always be the same process.

MS. KING: Oh I see what you are saying. So, you
know, I don’t know. I mean I actually think that they go hand in hand. I don’t know that you can completely separate those two things. We -- and I would say probably I could probably speak for our members -- we aren’t involved in quality improvement for an already stellar quality institution.

We are involved when and all of those extra things that I talked about, that kicks in when an institution is having problems or when a program is having problems. And so you know the option would be to help them understand what they need to do and really sort of stay on them until they do what they need to do or make the choice not to.

Or it would be too bad, so sad. You know, you fell out of compliance you are done without any sort of explanation or assistance at all. Sometimes the assistance is just connecting them to other programs that are doing well in those areas.

So from my perspective they go hand in hand.

MS. BRITTINGHAM: Good morning. I agree I think sometimes people -- sometimes we talk about quality assurance and quality improvement like they are opposite in opposition to each other and I think there can be tension but they are often complementary.

With respect to transparency and public disclosure
our Commission has a standard on public disclosure that articulates
what it is our Commission believes the institution should make
public so that students and families can make informed choices.

And on our annual report we started asking for up to
two links to where the Commission makes it explicit -- publicly
explicit about what the students have gained as a result of their
education, because some of the public disclosures more input --
who are the faculty, what are the opportunities there and so forth
but being more explicit about what are students actually gaining.

With respect to what the Commission makes public
that is the topic of continuing concern in New England and it was
on our Commission’s agenda in November and our Commission
meets next week and it will be on there again and I suspect for a
longer discussion, probably at a retreat.

So it is something that is very much on our mind.

MR. MCCOMIS: Right and I can’t really speak for
all the nationals so I will just talk about our agency in this regard
and I think there continues to be movement in this particular area.
We require -- if we are just talking about outcomes here for a
minute, we require all of our accredited institutions to report the
graduation and employment rates that were reported to our Board
as they were reported and we monitor and assess that as well.
We are making that data available through our website. We have had a few technology impediments that have kept us from making that an easy opportunity but we will make that available as well.

And we have been broadening the amount of information that is available either through adverse actions, probation actions, warning actions and looking at other -- what we think could be potentially useful information and data per students as they make decisions.

MR. KEISER: Jill, Ralph, Steven?

MS. DERBY: Well my question was also about transparency and I think you have answered. I have to say that I am encouraged that there is movement in that direction and it sounds like Barbara, you know, I heard you say that’s a conversation you are engaged in.

And I’m wondering are you moving to a requirement of institutions to make more of this accrediting information available to the public and I would ask that of Barbara and others as well?

MS. BRITTINGHAM: What we -- our Commission -- what our Commission is talking about right now is what information about accreditation at the institution it should
make available.

MS. DERBY: Yes.

MS. BRITTINGHAM: The public disclosure standard does not specifically require them it encourages them through our policies and our letters and everything it encourages them to make it public.

I think our public institutions pretty much assume it is public and many of our independent institutions will make their self-study, the team report and the Commission letter available on their website. We do not require it.

I will say some of the other regionals are -- have stronger requirements than New England does about this and make the Western Association Group for the senior colleges makes the team reports available. Middle States makes the summary of all the actions available so there is some variation among the regionals.

MS. DERBY: Yeah, okay.

MR. KEISER: Ralph?

MS. DERBY: Before Ralph, I just wanted to follow up with a comment if you don’t mind. You know given that this Committee is the Advisory Committee on institutional quality and integrity I just want to applaud the leadership here for making
this time and presentation available.

We do spend nearly all of our time here in the business of recognition of agencies but I have found this time enormously valuable in terms of the role I play here so thank you to all of you for I think very good presentations. I would be interested in having those PowerPoints available, full of good information.

And as a member of this Committee I want to say this has been time very well spent.

MR. KEISER: Thank you Jill.

MR. VAN AUSDLE: Well I too appreciate what I have heard here today, a lot of wisdom at that table. We step back and look at the United States right now we are at a critical talent shortage. Our educational attainment rates are in the 40% range. We need to be in the 60’s to be competitive and productive as a nation.

So I guess we are looking for ways, innovative ways -- I’m going to use that word to change what we are doing to get more educational attainment from the resources we have. And the Department brings a lot of resources to the table, there’s a lot of money through the Department of Education and we need to make sure we spend every dollar of it optimally I think if we are
going to move the arrow on educational attainment.

And by that I mean working age population.

Having a certificate or a degree that says they are competent enough to earn a family living wage and the benchmark isn’t very high.

So I think as we think about this this morning what’s been running through my mind -- what is the role of accreditation and re-accreditation? Can we move the arrow? Can we look at innovative practices focus our energy as we were talking about down here to high risk institutions and work together where we can raise all boats.

It’s a process that takes a lot of energy but what can we do? Are you optimistic that if we sit down and talk about change and new policies in how we evaluate what we are doing that it will make a difference or do you have a specific recommendation for us as we look at how we can increase educational attainment in our country?

MS. BRITTINGHAM: Well there’s an easy question but thank you for that. I will say just yesterday at my Agency we were talking about, you know, thinking ahead to our annual Conference and thinking about these reports that we are getting from these institutions with these “low graduation rates.”
And I really am impressed -- not with every one of them, but with so many of them of what they are doing and how they are going about trying to not only find students in their communities who have some credits but not a degree and move these students along using better technology, better software, better interventions -- there’s some really creative stuff going on there.

And part of what we have been talking about is how can we get that word out there through the Conference, through a paper, through some way so that other -- so they get some recognition for what they are doing but also other institutions it will help them think about what they could be doing as well.

So I think that’s, you know, one thing accreditors can do. I think Frank’s question -- are we looking at the right information is another thing that this Committee can think about. You know what information should you be looking at and I would say that traditional IPEDS graduation rate is of some value in some places but that is not going to get at the issue that you have identified.

MR. MCCOMIS: Yes I will start by just thanking Jill for her comments and to let you know that my PowerPoint will be available in the lobby for $35.99 so -- signed right. So yeah that’s a big question and if we just end with are you optimistic then
the answer is yes.

And you know can we work together? Yes. Should we work together? Yes. And the three of us have been, you know, before this Committee on more than one occasion either for our own Agencies or for presentations like this -- and I think that we have consistently tried to resonate a message that this is not an easy process and the answers are not easily attainable and a lot of it has to do with the kind of diversity that exists in the higher education system.

But some agreed upon fundamentals I think is where we are really starting to coalesce and that is the exact kinds of things that you brought up which is the goal here is to have an education system that provides access and opportunity.

And I have often said that there’s a nature tension that exists in a system that has high access but also has high accountability and so trying to wrangle and figure out where to put the fulcrum to achieve the kind of balance that you are looking for within that system is a challenge but it is one that I think we are tinkering toward, you know, just trying to get it just right.

But it will take recognition that innovation is an important player within that paradigm. That my Agency has been asked by numerous new kinds of players to look at them as
entrants into the realm of accreditation that we haven’t really considered you know, “schools” before but we are trying to broaden that perspective because students have different expectations, they learn differently than maybe we have thought about before.

Our Agency is very much interested in trying to move the needle on innovative projects like pathways to success that aren’t just the traditional degree pathway or the traditional credential.

So stacking tier step programs, badges, getting away from seat time and moving to competency assessment -- those are the kinds of places where we think -- at least in vocational education we can move the needle in those areas and stop being tied to the federal definition of a credit hour or stop being tied to seat time and get more into assessing what students know and how they know it and what they can do and looking at that as our chief barometer of success then we will be far better off.

MR. KEISER: Okay we have Ralph and we have Kathleen and then we have Frank and then I want to try to wrap it up unless anybody has a real powerful question.

MR. WOLFF: Thank you. Thanks for the presentations. As you all know I have been a real fan and advocate
for transparency and would urge more. I want to make comment about that but then I have another question.

You know we -- accreditation has largely been for the academic community and has not really produced information or really transparency for the public. I would urge whether C-RAC or all of you would try to find some common framework for public information that could be useful for the public.

I was at the meeting on Friday too. The lack of understanding about what accreditation is and does is so remarkable even by those who claim to be writing about it in depth. And it does seem to me that we are -- those in the accrediting community -- are accountable to provide information that is useable not just for the academic community or those who are accredited and arguably even those who are inside academic institutions don’t understand it well either.

But going on I’ll just say regional accreditor websites, if a member of the public would have a very hard time navigating it so I think it could be another area that could be really helpful. My question is really one as I have been on NACIQI I have been trying to understand the relationship between triggers and the two year rule.

When actions are taken and when adverse actions
are triggered and Mike when you were up before NACIQI the last
time I got a little more understanding that if you didn’t meet a
to trigger in terms of the -- either retention or placement that then you
would be given notice you would need to follow up.

And knowing that both in the public and in NACIQI
there are two different viewpoints but in the public there is when
did you stop accrediting an institution, when did you put an
institution on sanction?

And I’ve been trying to understand at what point
does the two year rule come into play if an institution doesn’t meet
a standard? So I know in your case you have quantitative
measures, you have regression analysis and the like and it is a
question for all of you.

Laura you talked about that there are triggers as
well. At what point does the notice or the follow-up of the
institution lead to either a sanction and then what I wonder for the
regionals is they are just starting into the question -- there is a real
challenge for a low-performing institution either on retention or
student learning outcomes, very hard to move the needle over a
period of two years.

How do we deal with the issue of what is an
appropriate amount of time before public action is taken? And as
more clear triggers or quantitative measures are used and so it’s
one of the ones I’m really interested in is all the Agencies come up
and I wonder if you could explain a little bit about how your
particular groups are trying to address the issue?

When a trigger is not met a quantitative measure is
not met or progress is not achieved -- at what point does a sanction
come into play? At what point does the -- if you will, the one year
or two year rule depending on how long the program comes in to
play. I hope that’s clear.

MS. BRITTINGHAM: I’m going to answer while I
think I understand it. So, you know, I’ll just speak for New
England here. In New England the trigger is a quantitative
measure that results in further review.

But the two year rule goes into effect -- the
Commission has 8 standards and each one of them has some -- two
or three sentences at the top in bold face and we call that the
statement of the standards.

So when our Commission is trying to decide if an
institution doesn’t meet one of the standards it looks at that bold
face title at the top of the standard and makes a judgment and there
are no bright lines in those. It’s a matter of judgment on the part of
the peers around the table and the public members and we also
have trustee members.

So it is a collective judgment. Do they or do they not? If the Commission has reason to believe that they do not meet one or more of those they ask the institution to show cause why they shouldn’t be placed on probation or have their accreditation withdrawn.

If, after hearing from the institution in writing and in person, the Commission says, “We think they don’t meet one or both of these,” then they ask themselves is this something they can fix within two years likely, possibly. There’s no bright line on the probability of that either but if they decide that it is something that they could likely fix they will place them on probation for a two year period.

If they said this is not something that they can or are willing to fix then they would withdraw the accreditation. After 18 months if they are on probation we have them do a report, we send out a team and six months later the Commission meets with the institution again and hears from them in writing ahead of time and asks whether they have gotten themselves across the line.

So that’s how we implement the two year rule. I will say going back several years, New England was -- before the Department really enforced this New England was willing to let an
institution stay on probation longer than that.

This goes back to the early ‘90’s and there are three institutions in New England, none of which is under any kind of financial review that were on probation for financial reasons, longer than two years. They recovered and none of them are a wealthy institution but they are all doing okay now.

So I think that the two year rule can be a very hard rule.

MR. MCCOMIS: So much of the same except to say that in using, because we have the benchmarks for all programs, that the distinction really is -- as I said before there are institutional actions and then there are programmatic actions.

And so often times we have created a framework around a program that might be in the monitoring mechanism or one that is going through reporting for outcomes and that may be one program amongst 15 or 20 programs, or 10 programs or even 5.

And so the question becomes at what point do you transition from looking at a program to being concerned about the institution as a whole meaning that it is not one program where they are suffering outcomes but it is more systemic. That’s where you will get into an institutional action that talks about now your
institution has been deemed to be out of compliance with student
achievement requirements.

But often times we are taking programmatic actions, you know, within that two year timeframe before it even gets to an institutional level -- trying to again modulate, work with institutions and if they are unable to bring those to benchmark or above then taking those kinds of cease enrollment actions or program approval revocation such that those students get taught out successfully before, you know, they continue to enroll any other ones.

So there is a balance between when you are taking programmatic actions and the two year rule typically for us attaches when there is an institutional determination that the school or the institution is not meeting that in a systemic kind of way.

MR. KEISER: Kathleen?

MR. WOLFF: I just would say as more quantitative data becomes available it is going to be inevitable that holistic decisions are going to give way to well why didn’t you put an institution on probation or whatever if it failed to shift the graduation rates?

It’s hard as the public to understand well we take that into account but there are all these other factors. It’s the flip
side of transparency and quantitative data and I just think that
that’s where it is going to be really important to qualify what the
progress is going to be and for C-RAC it is going to be as looking
at those categories of institutions how to make public information
available that explains that holistic judgment that’s made.

But we all know a bright line can mean you should
take action right away, thanks.

MR. KEISER: Kathleen?

MS. SULLIVAN ALIOTO: I would like to join
with Jill in thanking you for indicating through your testimony
your consideration of the nobility of what educators do. And I
have to back to King’s list of how you assessed institutions with
employees, with -- that wonderful list. Do you have that list on
your website? I tried to find it, I couldn’t find it but I think that
that could be a checklist for accreditors to try to help institutions as
you said we don’t want to deny accreditation.

But the things that you have specified I have found
very helpful in this testimony.

MS. KING: Thank you. I can’t take credit for that.

So in terms of a checklist just beware of that. What I presented
was a list compiled from responses from all of us, from about 60 of
us. So not every accreditsor necessarily does each of those things
but those are just kind of indicators that they are all -- that among
us all we have used.

So but I am sure that certainly the PowerPoint is
available. Yeah right $35.99 yes and absolutely you can have that
list of types of indicators that we use.

MR. KEISER: Frank?

MR. WU: Like Jill I think it’s great that we do this
and the Agencies that come before us don’t usually have an
opportunity to tell us, NACIQI, how to do our business. But you
do, so I wonder do you have any advice and counsel, any
suggestions on how we conduct our proceedings and how we do
what we do that would improve everything for the students? Or it
may be from your silence that I infer accreditors regarded as
perfect.

MS. KING: Yeah I was going to say, you know I
was dumbfounded because you are doing such a great job. No I
think honestly I think from my perspective sometimes it feels very
adversarial between what NACIQI does and what accreditors are
trying to do.

And I don’t know that it has to be because I think
everybody whether around your table, or around this table or all of
the folks that are here today, everybody is just trying to do the best
that they can and trying to do the best thing for students.

Students are 100% at the heart of what we do and you know, to Ralph’s question, kind of, about the trigger point.

When we take a probation action the fundamental question that we ask ourselves on my counsel is does this program still have integrity?

You know, is this program able to still do its functions with integrity for the well-being of students, for the education of students, that’s 100% of what our focus is. And so I think my advice would just be to try to really listen to accreditors. Talk to them about why what they are doing makes sense, not that what they are doing is perfect either but it doesn’t have to be an adversarial relationship or feel that way.

MS. BRITTINGHAM: I think your earlier question about the data was also relevant here Frank and I guess the one thing I would think of is that the -- on your website it has the kind of little score card for every accreditor and that’s based on, you know, some data that also have severe limitations.

Like the employment data is only for students who have financial aid. Each of those data points is from -- or many of them are from different groups of students. And part of the challenge here is that this country doesn’t have a unit record
In New England, you know, if you look at that map and somebody once said you have all of those funny little states up there so state-wide data really isn’t all that useful in New England from our point of view. It is useful for the state but it is not useful from our point of view.

So unless we really get to a system where you can follow a student from high school through employment we really are looking at very different things and it is just hard to hold in your mind what the limitations of them all are. And I don’t think any one of them is robust enough to lead to strong action. They can inform how we think about it but something about putting all of that on a piece of paper makes it look more real than it really is, I think sometimes.

MR. MCCOMIS: Yeah I have appreciated the policy work that NACIQI has engaged in over the years to try to answer for itself -- some questions that it may have or that some issues that it comes across and it is ability to process accreditors.

The challenge that that presents for accreditors however is that sometimes the wants of either NACIQI collectively or individual members fall outside of the current requirements of the federal regulations and so accreditors are asked certain
questions about things that aren’t necessarily codified within the
regulations as they exist today.

So that poses a challenge to try to answer questions
that they weren’t anticipating or expecting as they go through this
process because they were looking to talk about their compliance
with current regulations.

But participating as Dr. King said in the process
with accreditors to identify a path forward that takes into account
where we want to go and agreed upon expectations and agreed
upon solutions to the extent that you will continue to invite us to
have that conversation I think will be very useful.

MS. BRITTINGHAM: I just want to thank
NACIQI for giving us this opportunity to talk with you and listen
to your questions and try to respond to them.

MR. KEISER: Actually I want to thank you
because I think this is one of the best conversations we had. I
agree with Jill and all the rest. I think it’s a very important
discussion, one that we continue to have.

I really appreciate Michael’s comments about the
balance between access and having standards or bright lines and it
is something that we are going to have to eventually deal with
because the public is kind of pressuring us to do that.
Again thank you so much and what we are going to do before we go on break, we are going to take a 10 minute break in a couple of minutes hopefully we can get through the Consent Agenda before that, if that’s okay.

So let me go through the process in terms of the Consent Agenda. We have one institution on our Consent Agenda -- that’s the Missouri State Board of Nursing.

In the process we have a call -- we have made a call for third party oral commenters. I’m not aware of any third party oral commenters on this particular Agency. There’s a call for removal of any items from the Consent Agenda that has not been done on this particular Agency. We will entertain a Motion and a second to the Consent Agenda and we will call for the vote and then just to let you know that renewals of recognition are not part of the Consent Agenda for this meeting.

So is there a Motion? Motion by Ralph Wolff, second by George any further discussion? Sensing none all in favor of the Motion signify by raising your hand. All of those opposed. Motion carries.

NACIQI RECOMMENDATION: Motion carries.

We go for a break for 10 minutes and then come
back and work with ABHES the accrediting Bureau for Health Education Schools.

(BREAK 10:45 - 10:58 a.m.)
Accrediting Bureau of Health Education Schools (ABHES)

MR. KEISER: The Agency representatives will then be able to provide comments regarding the Staff Report. We will open the floor for third party comments which we do have one. Then the Agency will be allowed to respond to the third party comments.

The Department Staff will then respond to the Agency’s comments and the third party comments and then we as a group will have a discussion and vote. The Department Staff for this particular meeting is Valerie Lefor. If you would please actually -- who Steve or Frank oh are there any recusals for the ABHES -- you are -- no, you are not a recusal. I don’t think there are any recusals.

Steve who is doing the initial report, Frank? Thank you.

MR. WU: Okay so let me pull up my notes.

ABHES accredits primarily in allied health fields such as medical assistant programs, surgical tech programs. It is a Title IV gatekeeper. It currently is authorized at the Associate and Bachelor’s level. It wants to expand to Graduate Degrees specifically to Master’s Degrees.

It was initially recognized by the Department in
1969 has had a number of changes over the years for example in
1974 to expand scope to accredit medical assistant programs in the
private sector.

In 2011 added -- expanded scope to include
Bachelor’s Degrees. In 2016 it was re-recognized for a period of
five years. Has a pilot and one pending application to accredit at
the Master’s Degree level and so that’s what this concerns,
expansion of scope to move beyond Associate and Bachelor’s
Degrees to the Master’s Degree, so that’s just a very brief
overview and I will defer to the other Primary Reader.

MR. VAN AUSDLE: Well thank you Frank. I am
the new kid on the block here so I am learning a lot going through
this process today so I’m a student as well. But I want to say I was
impressed by the process and how our staff worked with the
institution as we evaluated where we were with this request
compared to the various standards.

And evidence was submitted in all of these areas
that the standards were at least minimally met. Candidly I had two
concerns and we could have some discussion later about this. One
concern -- I still have a lingering concern about the quality of staff
to deliver this program through the Agency at this time.

I have another concern of how close it is following
the approval of the Baccalaureate Program. When I started
digging into the data I noticed in the report by the Federal Post-
Secondary Education and Student Aid data it showed no
Baccalaureates, it showed all less than four year and that kind of
raised my concern about these two areas.

When you get into data and I know we have got to
be careful of how we interpret some of this data, but I think we
need to start looking at it and talking about it and clarifying it.
Some issues kind of surfaced in terms of salary levels, return on
investment to the student and the amount of federal money that
was being invested through this accrediting Agency and some of
these institutions.

Those were some of the points that came to my
mind in this review.

MR. KEISER: We’ll get to those in the discussion
that would be great. If we can have the Staff Report?

MS. LEFOR: Good morning Mr. Chair and
members of the Committee. For the record my name is Valerie
Lefor and I will be presenting a summary of the Petition for an
Expansion of Scope submitted by the Accrediting Bureau of
Health Education Schools referred to as ABHES or the Agency.
The staff recommendation to the Senior Department
Official or SDO for the Agency is to approve the Agency’s request for an expansion of scope to include Master’s Degrees. Based on review of the information in the Agency’s Petition and observation of a site visit in November, 2016 Department staff found that ABHES is in compliance with the Secretary’s criteria for recognition with no issues or concerns and meets standards for the creation of degrees at the Master’s Level.

The Agency’s last full review occurred at the June 2016 NACIQI meeting. Both Department staff and NACIQI recommended continued recognition of the Agency and that was confirmed by the SDO in September, 2016.

Department staff has also found that the Agency has demonstrated that they have a systematic review of programs at the Master’s Degree level that meet or exceed the recommendations and requirements of comparison accrediting agencies specific to the Master’s Degree.

The Department did not receive any third party written comments. Therefore in conclusion the staff recommendation again to the SDO is for the Agency to approve the Agency’s request for an expansion of scope to include Master’s Degrees.

Representatives are here from the Agency and I am
happy to answer any questions that you may have. That concludes
my report, thank you.

MR. KEISER: Are there questions for the
Committee? To the staff -- Susan?

MS. PHILLIPS: Thank you. Valerie I wanted to
just ask a little bit about how the Department staff evaluates
appropriateness for different degree levels and I could focus on any
of the dimensions, faculty qualifications comes to mind but also
rigor of program and so forth.

So -- between the difference between Associate and
Bachelor’s and then between Bachelor’s and Master’s.

MS. LEFOR: Thank you for that question I think
that’s a great question. So when we conduct a review for an
expansion of scope depending upon what level it is at -- rigor is,
you know, certainly a factor that we take into consideration.

We ask the agencies to respond to us in terms of
several sections of the federal criteria that we feel are pertinent.

Those areas include staffing and financial resources, competency
of representatives, academic administrator representatives,
especially if it is at a higher level we want to insure that there is an
academic involved in the process, educator practitioner
representatives, involvement with the public, information in
regards to conflict of interest as well as some of our sort of standard processes that we would ask about such as student achievement, curriculum, faculty, facilities equipment and supplies, fiscal and administrative capacity to take on this new role, student support services, recruitment and other practices, program length, how they will handle student complaints.

Title IV responsibilities, if applicable and the approval of the substantive change process -- so depending on if it is, you know, Associate’s or Bachelor’s or Bachelor’s to Master’s Program there is going to be a variance in that depending upon what you are going to have.

For example higher qualified faculty to teach out at the Master’s level than you are going to have at the Associate’s level and so we look at all of those sections of the criteria and we make a determination if we think that it is appropriate.

However, it is also important to note what I alluded to in my comments is that we don’t want to look at something independently. We also look at what is the best practice going on in the accrediting agency world.

And so one of the things that I did specifically for this -- and this is available to you guys in the Petition -- I uploaded it. There’s an analysis that looks at two regional accrediting
agencies as well as two other national accrediting agencies that
have Master’s Degree level programs that they already approved.
And I looked at their standards to say, you know, is
this Agency looking at a standard that is either at the same level or
higher. In this instance I believe that it was.
MS. PHILLIPS: Let me drill down a little bit
further I did take a look at that thank you. That was a really nice
analysis. On the issue of faculty qualifications I noticed that this
Agency has a requirement for 50% of its members to have a
terminal degree, earned Doctorate.
I didn’t notice that kind of cut-off in the comparison
agencies. Is it your experience that it is common among agencies
that accredit at the Master’s or Doctorate level to not have fully
Doctoral qualified faculty?
MS. LEFOR: In my observations of other agencies
I haven’t seen like a specific threshold. It’s been more about the
sufficiency and appropriateness of qualifications. So in my past
experience when I have been on other site visits or reviewing other
agencies it has usually been there’s some sort of review but it is
not necessarily specific 50% number as it is specified in their
standards.
It’s more about insuring that, you know, they are
sufficiently and appropriately qualified so that they can, you know,
carry out the operations in the classroom and usually it is the site
team that is there that has the conversation.

They will meet directly with the faculty to
understand, you know, how are they qualified, what are their
credentials, what is their professional development experience
been, they have reviewed the CV’s. A lot of the operations of that
occurs -- actually on site during the visit and then sort of the
confirmation of that.

But I personally have not seen the, you know,
specific threshold it has been more on a case by case basis and in
our review that happens by the SEG team.

MS. PHILLIPS: I noticed for those of you who
haven’t looked at this in detail that some of the comparison, the
HCL for instance, asks for academic degrees relevant to what they
are teaching and at least one level before the level -- above the
level which they teach which would presume above a Master’s
Degree for -- and the same for DAC and for SEG’s.

MR. KEISER: Herman?

MR. BOUNDS: Yes I just wanted to say that
amongst occupational accreditors and amongst some professional
accreditors the Master’s Degree level is pretty much acceptable in
those arenas so when you look at state licensure requirements,
especially for nursing, they set some of those academic
requirements for professions and for some of those professional
programs.

So we kind of looked at the whole spectrum of
what’s going on versus in pure academics and then when you go
back and you look at some of the occupational career fields also.

MR. KEISER: Seeing no more questions I would
like to invite the staff from ABHES to come forward and that will
be Richard Winn, I’m sorry I have the wrong one. Florence Tate --
I know Florence and it looks like Elise Scanlon, if you folks would
introduce yourselves.

MS. TATE: Florence Tate, yes I am Florence Tate
the Executive Director of the Accrediting Bureau of Health
Education Schools.

MS. LANG: And I’m Joyce Lang, the Director of
Programs and Curricula and Financial Assessment.

MS. SCANLON: And I’m Elise Scanlon, I’m
outside counsel to ABHES.

MS. TATE: First of all I would like to thank the
NACIQI Committee for allowing us the opportunity to sit in front
of you. I would also like to congratulate Dr. Keiser and Dr. Wu
for taking on a conundrum of accreditation and it is my pleasure to
speak in front of NACIQI again, having been here last year -- less
than a year ago that we were approved.

Our expansion from Master’s was a part of our
strategic planning and it was requested by one of our members
who is the individual institution that was the pilot -- the Baptist
Health Systems School of Health Professions.

As I said the last time the job of ABHES is to make
sure that our institutions and programs have all of their students
meet the my loved ones test. So that if you have a dentist or a surg
tech or a medical assistant working with you -- one of your loved
ones, you want to make sure that student is credentialed
appropriately and prepared to take care of your loved ones.

I will let my Director of Programs and Curricula
and Financial Assessment talk to you about our process to become
looking for approval for the Master’s.

MS. LANG: So when we decided and the
Commission directed us to provide them a section of the manual
for a Master’s Degree standards, we developed a task force of old
PhD candidates that were member peer reviews, as well as two of
our own Commissioners who hold PhD’s and we with Christy
Bailey Buyers who is the other staff member -- we both have
Master’s Degrees, we sat down and reviewed many of the different bodies of work that were related to regional requirements for the Master’s as well as national requirements.

And as a group the Task Force was able to put together what we felt was a strong set of standards and we found out later it did in fact meet many of the requirements and exceeded in some aspects.

Once we got those standards in place we were able to bring them to the Commission who voted on giving us permission to go forward with the pilot. The school had approached us in November of 2015 and said they would really be interested in a Master’s Program where they would have to serve somewhere else would we kindly take them on?

And we worked with them and Elise told them here were the parameters, here’s the application it’s a substantive change. We received their application, went to the Substantive Change Committee, it was approved, a visit was directed.

The visit occurred in November of 2016. Val LeFor came with us as part of the pilot and they did an excellent job. The institution did an excellent job and you can see that in what we found which was a zero violations visit and the rest is we are here today looking for approval.
MR. KEISER: Frank Wu has the first question.

MR. WU: I was wondering for the programs that are part of you what other agencies could they go to? Who are your competitors or peers in the field and how would you say you compare to them just in terms of standards?

MS. TATE: We are a specialized accreditor, members of ASPA which means that any institution or program looking for accreditation by ABHES has to be 70% in health so we are a little unique -- so we differ that way.

We are recognized by the credentials, the AAMA and that means that for medical assisting for example, in order for the students to sit for the exams they have to pass the competency exams in order to the licensing for nursing, they have to pass the different state’s licensing exams.

So I think because we are a specialized accreditor I would like to think that we have no competitors.

MR. WU: Just so I am clear on this. So a med tech program could not turn to another agency -- would that be correct? That you are the exclusive agency for most of these programs?

MS. TATE: No, they can because not every state for example requires that a student pass a CMA. Now for a surg tech you have other agencies that offer programs in surgical
technology and they can look to those programmatic accreditors
but we look at both the institutional and the programmatic.

MR. WU: Just one last follow-up. So with surgical
tech for example, a surgical tech program, what are the other
agencies that they could go to just so I have a sense?

MS. LANG: That would be KHAB. We are
recognized as well as KHAB for administering the surg tech
credential and so our students are eligible for the NBSTSA
credential at the end.

MR. WU: So to sum up what I have heard you say
in some jurisdictions you are the exclusive agency because the
state references your tests but for other jurisdictions and other
fields of study a program could turn to multiple different agencies,
would that be accurate?

MS. TATE: That is correct.

MR. KEISER: Primary Reader Steve?

MR. VAN AUSDLE: I would like to go to the
question that I raised earlier, the institution that you are in the
process of accrediting at the Master’s level they have a
Baccalaureate Program is that accredited by your Agency?

MS. LANG: Yes. The institution -- the institution
is institutionally accredited with ABHES so all of their programs
are accredited by us that they are offering currently.

MR. VAN AUSDLE: And going through the
process that you -- of the exam and progress of students going
through that Baccalaureate Program --

MS. LANG: Yes.

MR. VAN AUSDLE: The data doesn’t show any,
can you enlighten us a little bit?

MS. LANG: Yes, actually let me put my glasses on
for this one. They offer two Bachelor’s Programs. One was the
healthcare management and the other one is the RN to BSN and
both of those programs have retention rates currently reporting at
96 and 85% and their placement rates are 84 and 94%.

Okay their rates of retention for the health care
management for the 2015-16 annual report period was 96%. And
the RN to BSN was at 85% and during the period of time when
they made application in the 2014-15 period their rates were at
94% retention and 70% for the Bachelor of Science in the RN to
BSN. And their placement rates were 91 and 87% respectively.

So they met their eligibility requirements that we
built into the standards that you must have shown and
demonstrated successful outcomes at the Bachelor’s level before
meeting a Master’s Degree level.
MS. TATE: I’d also like to report that their default rate is 2.4%.

MR. KEISER: Any other questions for the Primary Readers -- if not questions from the Committee, Paul?

MR. LEBLANC: A couple of questions. Herman a question for you -- do I have some vague memory of when ACICS requested an expansion of scope for Masters, I think they came forward with four under their belt and we did not approve but can you confirm that, do you remember?

MR. BOUNDS: No.

MR. LEBLANC: I’m trying to get a sense of how much track record is enough track record so?

MR. BOUNDS: You mean for programs.

MR. LEBLANC: We have one Master’s Program that ABHES has reviewed right so they have one example of the work.

MR. BOUNDS: So theoretically the regulations speak about this. It’s still more than a single answer, the regulation speaks about this in two places under 602.12 and then I think under 602.32 let me double-check and there’s really no requirement for multiple approvals by regulation.

MR. LEBLANC: Thank you.
MR. BOUNDS: I think my conversations with ACICS were about some doctoral programs which we didn’t recommend that they do at that time. I don’t think I was here for the discussions about the Master’s Degree Programs.

MR. LEBLANC: Okay thank you. The stats are really impressive on the Bachelor’s Degree. What’s the sample size? How many students have gone through the pipeline?

MS. LANG: Um, let me see if I could find that for you. That was for the health care management and this is the 2014-15 annual report period their ending enrollment was 84 students with 23 grads with a 94% retention rate.

And their RN to BSN was 86 enrollment with a 79% retention rate.

MR. LEBLANC: Thank you. I’m sort of -- by the question that was raised about expertise and now that we assume a program or an institution brings to the administration of a program -- believes that sort of same principle recognizing that sort of professional prep programs we may be a little bit broader in terms of what qualifies PhD’s and Master’s and practitioners.

I was trying to sort of discern from the materials but I think that on your Commission you have 13 members, 3 with Doctorates?
MS. TATE: That’s correct.

MR. LEBLANC: And how many Doctorates represented in the staff itself? Staff has obviously a large influence on the work with institutions?

MS. TATE: We have no Doctoral staff members.

MR. LEBLANC: And then on the -- so I have some concern about when I think about the question of capacity because this is a capacity of the Agency -- to do the work that is required to ensure quality around Master’s level programs when we don’t -- so I understand there is a balance here but I am not sure -- I would like some reassurance to feel more comfortable that we have enough representation both on the Commission or decision-makers and on the staff who work for the institutions to feel like we have the capacity.

Staying with the sort of theme of track record I am also a little bit concerned about they are under your watch, we have had a couple of institutions lose their access to Title IV. We have had at least one settlement with a State Attorney General. I think your institution that represents something like 20 or 25% of the students that are served by the Agency has a median salary of $25,000 for the graduates and a 20% repayment rate, according to the data sheet.
This is not -- it doesn’t feel like a comforting sort of track record to me.

MS. LANG: Are you speaking about this institution that you are referring to?

MR. LEBLANC: I’m looking at the data sheet. In this case it is the Ultimate Medical Academy which has median earnings of $25,000, a repayment rate of 20%.

MS. SCANLON: So just so I’m clear you are speaking about the statistics from one of ABHES’s accredited institutions?

MR. LEBLANC: They represent about 20% of all students covered by the Agency so one in five if I am reading it correctly.

MS. SCANLON: I’m sorry I’m not familiar with this.

MR. LEBLANC: 12,848 undergraduates enrolled in UMA?

MS. LANG: I don’t have any data with us about UMA.

MR. LEBLANC: Okay.

MS. LANG: I know that they had come back to ABHES for re-accreditation and that they meet the criteria to be re-
accredited but I have no specific information on them today.

MR. LEBLANC: A number of our other agencies have ethics requirements. Do you have ethics requirements for senior administrators and leadership in the institutions you accredit? Is there an ethic’s standard?

MS. LANG: It’s the administrative capability standard in Chapter 4 and the teams will evaluate all of the criteria, the other standards in the manual and as a group you get a sense of the administrative capability of the institution when you are there if that’s what you are referring to.

MR. LEBLANC: Yes. So an institution in question here we have leadership that was associated with an institution prior to their coming to the UMA that has been largely discredited. Did this factor? This is your largest single institution. Did these guys pass the ethics standard?

MS. SCANLON: I’m sorry I’m a little bit confused about why we are being asked questions about UMA?

MR. LEBLANC: Because it demonstrates the ability to -- for my mind it’s your track record of ensuring quality and adhering to a high level of standards around the student outcomes and performance and also around the ethic’s expectations for leadership and institutions you accredit.
MS. SCANLON:  So I’ll just say two things.

Number one UMA has been accredited by ABHES for quite some
time and when ABHES went through the complete renewal of
recognition process back in June of last year we had a very
comprehensive review of all of the outcomes, measures and the
process that ABHES uses to measure administrative capability for
all of its institutions not just UMA.

And there were no concerns cited at that time of
ABHES’ track record evaluation of its institutions and if you
would like we can go through those specific things that ABHES
does to measure track record and to ensure that its institutions are
in compliance with our administrative capability standards. It is
done universally it is done for every institution and it is also done
for every program that ABHES accredits programmatically.

MR. LEBLANC:  So could we hone in on one.  We
just had a really I think conversation about outcomes and certainly
earnings is one of the sort of critical outcomes I think we are
supposed to look at post-recession as we look at debt.

And this institution which pulls down about 200
million dollars of federal financial aid, 61% of the students earn no
more than a high school graduate.  How do you think about that
outcome?  Where does this weigh into your thinking about
institutional efficacy or effectiveness?

MS. LANG: Well I will say this. I don’t think we can be inconsistent, that’s one thing that we all do as accrediting agencies. We are not going to put the spotlight on just one accrediting body without a basis for it. So your point is well taken.

At every cycle we look annually at every single institution’s finances on the Financial Review Committee as they come up. UMA will be treated like everyone else and their balance sheets, their financial statements, any of the concerns we have are discussed at the Financial Review Committee and those are made up of Commissioners and that’s taken back to the full Commission.

MR. LEBLANC: But just to be clear I suspect UMA is probably doing very well financially. I’m actually more worried about the outcomes for their graduates and what their median earnings are and that’s really I think an increasingly important outcome.

I would just like to -- and this is an example and it happens to be a useful one just because it is such a big player within your universe of schools. Our institutions, but you could talk about this in any case for any institution, how do you think about earnings as an outcome?
MS. LANG: Yes, we actually have now on every application for programs a place where you are to fill out what is the tuition rate for that program and what do you expect as an earning so that we can start tracking it ourselves because this is a new regulation and a new idea.

One of the -- something that we are considering doing at the May policy meeting is talking about, you know, tracking that at every site that we visit and somehow looking for documentation to make sure that there is with the enrollment agreement that the new regulation requires that they report to the students who are signing up that this is under gainful employment.

MR. LEBLANC: Have you and the Commission had conversation about that calculus of average debt to earnings and I don’t know that anyone has come up with a bright line or a comfortable sort of formula for this but with an average completer debt of 13,000 and a median salary of 25,000 how do you think about that calculus? And you don’t have to answer that specific example but have you had that conversation about earnings to debt in completion rates?

MS. SCANLON: Yeah I think it’s an excellent question actually. I think it is something that particularly our Secretary of Education has been thinking about very seriously for a
very long time. The institutions are very aware that they need to meet gainful employment statistics going forward.

The Accrediting Commission monitors that. It also monitors default rates and repayment rates as part of that overall calculus -- the word you like to use, the overall calculus of administrative capability.

They are also one of the agencies that has set a 70% placement rate so they are looking to make sure that students are getting placed in jobs at the end of their program and as a follow on to that getting more information about earnings to make sure that students are able to repay loans that they are obligated to is something that I think everybody needs to be caring about.

As accreditors get better and more data on this and particularly ABHES does, I’m guessing that it will become a more meaningful part of what they do in assessing the effectiveness of programs going forward and that will be true of the Master’s Degree as well.

MR. LEBLANC: Especially given that Master’s often require more borrowing and at a higher cost. Thank you very much.

MR. KEISER: Did anyone else have any questions?
MR. BOUNDS: I did. I just wanted -- the policy of
the 60232 and 60231, 60231 and then 60212 being to talk about
the requirements for what an agency has to demonstrate for an
expansion of scope.

And again there’s no number of programs. We
have to be able to demonstrate to us that they can accredit a
Master’s Degree program that they have the expertise and they can
do that with one visit or one program.

MR. LEBANC: Just a follow-up, so Herman can
you give me a sense of what our practice has been in the past?
Have we been comfortable as a body with one program as the track
record?

MR. BOUNDS: Yeah we have --
MR. LEBANC: They said it was about 4 programs
and they weren’t.
MR. BOUNDS: Well it’s about the context and the
breadth of what we see and it’s about our evaluation of the
standards more so than the number. And when we recommend that
an accreditor step back and take another look at that process it is
not based on the quantity, it is based on the quality of what we see
-- of what they have presented.

So again based on our review of this particular
agency and based on Valerie’s visit and the things that we saw, we
think that they have a good systematic process to approve these
programs based on our review of their standards, requirements and
what we saw at the site visit and that’s what we use.

When programs -- excuse me, when accreditors
come in for expansions of scope we have a big staff discussion and
we talk about what areas they need to demonstrate compliance
with and it is usually -- it’s normally all of the standards -- criteria -
- 60216 all the way through again as Valerie said staff
administrative capacity, experience and then we look at the type of
programs that that particular accreditor accredits.

And we look at all that in comparison.

MR. KEISER: Frank then Susan and then Ralph.

MR. WU: I have a question for Herman as well and
then a follow-up about student learning outcomes. The question
for Herman is I was struck by something and Paul’s question really
highlighted this -- this Agency has one institution that has an
enormous number of the total number of students at all the schools
within it.

How common is that? I think Paul said 20% of all
the students at the institution accredited by this Agency are at one
school. It just strikes me as high. It’s just a question -- do you see
that with other agencies?

MR. BOUNDS: Yeah, I really can’t answer that.

It’s not something that we, you know, routinely look at I guess that
may be a little unique in this particular situation. There’s usually a
spread of institutions or a spread of students across several
institutions so I’m just not -- I couldn’t answer that.

MR. WU: Okay so then two questions for the
Agency. One to follow-up on the question I just asked. Do I have
that right that this one school has an enormous proportion of all the
students at any program that falls within your purview and should
we be concerned about that at all?

Sometimes there’s a concern about capture, you
know, one entity is so dominant that maybe it has undue influence
-- just a question.

The other question is I wanted to give you an
opportunity to answer more generally the line of questions that my
colleague Paul put to you about student learning outcomes. Just
what is your general view of student learning outcomes maybe you
can share that with us.

Not about any specific institution or any specific
measure but what do your standards say and what’s your
philosophy that you are using as applied to schools and programs?
MS. LANG: Well when you look at our standards they are very much consistent and parallel each other through each of the degree chapters, through each of the levels of where there is a certificate or a diploma, or an Associate’s Degree, a Bachelor’s Degree or a Master’s Degree.

You need to have a curriculum that is going to insure that there is academic rigor, the curriculum we require credit if it is a credit school you have got to have outside hours. If you have got -- you need to have student services. Student services is important to ABHES, it’s important to schools, it is important to retention.

That means that someone that is there to help the student but at the Master’s Degree level it is more about writing -- scholarly research. So it takes on a different, you know, a different light as you move up. The other requirement is that you are consistent in what you say in the catalogue and what you are doing and what you have applied for.

We have spent a lot of time looking at everything that comes across the desk in that application to make sure that it lines up and that there is not, you know, a mistake.

The other thing I would say that has changed a lot, even in the last year is the need for a strong market survey. The
philosophy of ABHES is that you have got to have good program outcomes -- retention, placement. You have got to be able to show the student that there is a pathway to the end.

So in saying that the market survey drives the need whether or not this application is going to be acceptable or if you need to go back and re-work it. We looked at what have you done in terms of your Program Advisory Committee? Who is on your Program Advisory Committee? If you have a distance program or you are using blended in any way you have got to have a distance education person on that committee.

For the Master’s Degree you have to have someone with a Doctoral level on that Program Advisory Committee leading a way. So we take a lot of pride in the fact that we want to see what you are bringing in so we can look to see if there is enough clinical agreements. Do you have enough clinical employer involvement in the beginning because we know at the end that’s when you get tripped up.

MS. SCANLON: So I think Joyce has talked a lot about the inputs but I think your question was really more related to the outcomes process that they use and it is very similar to the one that ACCSC described to you earlier. They have established benchmarks for retention and placement and licensure of their
They review those benchmarks at least annually and sometimes more often if a program or an institution is required to report those outcomes or they show that they are slipping below benchmark. They use those quantitative outcomes in two ways -- first as an accountability measure to make sure that institutions deserve to continue an accreditation status but also as a quality assessment measure.

They have standards that require the institution to use their own assessments in order to improve programs in a feedback loop which is quite similar to what other accrediting organizations use.

The other sort of indicia of quality that they use are a lot of the measures that the Department of Education also uses, default rates, repayment rates, other information that comes to the attention of the Agency through third party’s complaints -- those kinds of things.

And there have been as we mentioned earlier, discussions about looking at earnings, looking at placement further out from graduation and those kinds of things. They all fold into a tapestry of what an institution looks like and what those numbers tell you about the effectiveness of the institution and those
MR. WU: And then on the first question is it correct that about 1 out of 5 students and programs that fall within your purview are one institution? I just want to make sure that I have that right?

MS. SCANLON: I’m sorry could you repeat that question again -- I’m not understanding.

MR. WU: So I understand from the record and from the questions that Paul just asked that if you look at the total number of students enrolled in programs that fall within your purview, 1 out of 5 are one institution.

And I just want to make sure that that is correct?

MR. SCANLON: You really don’t know where these numbers are coming from. We haven’t seen them, we haven’t been able to look at them, we haven’t been able to compare them to our own records. So if we could know that we might be able to do that research and come back to you with it.

It sounds unusual to me just hearing it but we really would like to know what you are looking at.

MR. KEISER: Okay we have Susan, Ralph and then Steve.

MS. PHILLIPS: The data by the way are on the
NACIQI website. It is program outcomes -- the data sheets, Excel spreadsheets that are posted there.

MS. SCANLON: Thank you.

MS. PHILLIPS: But for me I wanted to just focus a little bit on the Master’s/Bachelor’s level issue and my first question in this particular instance that the institution has asked you to go with them into this new territory. Part of the BSN that they are now looking to expand into an MSN is that right?

MS. TATE: Yes.

MS. PHILLIPS: So could you speak a little bit about how your Agency thinks about student learning outcomes for those two different programs?

MS. LANG: Well I think a lot of -- I am speaking for the Commission now because in this process of substantive change the staff prepares the documents that are necessary and works with the institution but it is really the Substantive Change Committee that is going to be the reviewers.

So you have Doctoral candidates on that as well as Master’s. I think the way that they would look at this is how we looked at this. Was how is the program designed? Does it have a capstone? It has to have a project at the end of that 30 credit minimum -- semester credit minimum calculation.
Is it meaningful? Is the work meaningful? And that’s a subjective call and many peers when you do peer review it is going to be subjective. But when we went and Valerie Lefor was with us, our evaluator had a wonderful conversation. She’s a Doctorate as an MSN -- she had a wonderful conversation on why did you incorporate this course rather than this course or this course.

So there’s a lot of conversation even at the Bachelor’s level when we look at those programs that might be RN to BSN. We look at the courses themselves and we do have sometimes conversations with the school as to do you think this is enough clinical, do you think this is too much, where’s the preceptor?

My companion Christy is in charge of the distance education review and sometimes we will collaborate and be together on the phone before we would ever think of submitting this application to the Commission.

So I’m not sure I answered your questions exactly but we do -- it’s hard to without something in front of us looking at a specific course make a decision, you know, how would we think about that course.

Both Christy and I have taught at the community
college level. We feel pretty good that we have a sense, a center of what’s expected in a course, how much work should be included in outside hours. What types of homework seems to make sense for projects. So I want to mention that -- that the staff, we don’t have Doctoral level degrees but we have a sense of experience that we bring to the table with that.

MS. PHILLIPS: So what might you expect a graduate of the MSN program to be able to do differently than somebody who has a BSN?

MS. LANG: That’s a really good question. I think there is a lot of managerial work that comes as you progress at that level -- how to be a leader, how to run perhaps a unit, also definitely research and as part of the research in their capstone they are doing live projects generally.

When you do have a capstone you are actually living it, breathing it, bringing something maybe to the work force so I think that’s what we expected and we looked at the application and we did see that.

MS. PHILLIPS: Just two more quick components. One is what other Master’s do you envision including in the folio if your scope was expanded?

MS. LANG: I think coming down the road there
might be health care management -- some type of a health care
management Master’s that seems popular. Again I’m not sure, you
know, it has to meet the criteria and the Commission would have
to approve it but we know that the Masters of Science and Nursing
is popular and even on your website you saw the trend is in that
arena.

There seems to be a need for that for a lot of the
nurses need that today. But I think health care management would
be my guess and it’s just a guess based on research.

MS. PHILLIPS: Okay and the other accrediting
agencies that would deal with MS in nursing and MS in health care
management -- are there other options besides AVIS?

MS. SCANLON: The other options would be --
 there’s one national accreditor that currently accredits at the
 Master’s Degree level and that’s KCCSC, Michael McComis’
agency. The rest would be regional accreditors.

MS. PHILLIPS: What about the nursing?

MS. SCANLON: Those and there are of course
programmatic accreditations, ASON and CCNE and but that would
be an additional programmatic accreditation that they could still
have even if they had ABHES institutional accreditation.

MS. LANG: And that’s a good point because this
institution does have that already and so they have programmatic accreditation with KFJR CERT and ASON already and they still would want to do the institutional with us.

MS. PHILLIPS: Why do you think that they would want to do that, that expansion?

MS. SCANLON: Well the institutional accreditation is important for reasons other than programmatic. And programmatic doesn’t necessarily give access to handle student aid programs but programmatic adds some stature and reputation but it also adds access to the licensure and certifications that we talked about earlier.

And so even with ABHES institutional accreditation many institutions will go for programmatic in addition to ABHES accreditation.

MS. PHILLIPS: Thank you.

MR. KEISER: Okay Ralph then Steven and then Simon.

MR. WOLFF: Thank you. Actually I have a number of questions but Herman let me begin if I may ask you if the Agency is approved for expansion of scope at the Master’s level does that include any possible degree or only the area in which it is currently approved?
MR. BOUNDS: Yes they would be approved for the Master’s Degree level for the scope of institutional programs that is noted in their scope of recognition. So what we say in their scope of recognition they would be able to accredit at that Master’s Degree level.

So that would cover all of the, you know, all of the healthcare professions.

MR. WOLFF: So if it were to move into the areas you just described this action would allow the expansion into other healthcare related Master’s and even nursing and other fields?

MR. BOUNDS: Right because that’s what is in their stated scope yes.

MR. WOLFF: Okay thank you. If I may turn to you, just some questions I’m trying to understand the context so let’s -- can we begin with the Bachelor’s.

How many institutions have or programs are offering the Bachelor’s Degree?

MS. LANG: We have I think the latest number was 52%.

MR. WOLFF: 52%.

MS. LANG: 52% of our institutions have a Bachelor’s Degree program.
MR. WOLFF:  And right now you have done a pilot with one for the Master’s.  Would you anticipate -- I’m trying to understand in this area, not even expanding would you anticipate that it would grow to a substantial number of institutions offering the Master’s or do you see this as being primarily an exception for only a small number of programs?

MS. LANG:  I believe it will be a small number. The reason being that you have to proof that you are able to do well at the Bachelor Degree level before we will -- before the Commission will move that and that’s part of the eligibility requirement.

I don’t -- I personally don’t think a lot of institutions will go with a Master’s Degree because it depends on what the area of study is too. And remember we are specialized Agency and it is helpful to the student who has a Bachelor’s now in nursing if they need it for advancement to go further on their jobs they have the Master’s or for enrichment to have that opportunity.

But I’m not so sure you will see it, you know, an inundated number of applications in this because there’s a lot -- you have to have the staff. This particular school has 19 faculty and administrators with Doctoral Degrees already and all have a
Master’s of Science in Nursing so they were the perfect fit and
that’s why they came to us.

And I want to mention the Commission chose not to
have more than one in the pilot because they said exactly what Mr.
Bounds said -- they wanted this to be done well. It wasn’t about
quantity it was about quality.

MR. WOLFF: Thank you. I have a question and it
is largely around the Staff Report and I didn’t understand the
article -- and when they talked about, the analyst talked about --
there are a couple of questions I have but one was the analyst
remarks and this is on page 8 if I can find it.

The onsite evaluation team Exhibit 5 included a site
team member that has relevant experience and qualifications for a
Master’s Degree program. And it was the Article A. How large
was the team and how many people had the qualifications to
evaluate a Master’s? I’m just trying to --

MS. LANG: Okay that’s an excellent question. So
the way the team was set up in ABHES you bring a program
specialist on a degree verification visit. Pat Albert was our degree
verification specialist for nursing.

And you bring a staff member who happened to be
me. So both of us went -- it was a degree verification visit and the
distinction is that we are verifying that what the institution said
they would be doing in their application they are doing and it
meets that standard in this peer review process.

And that’s why it was only one person because it
was one subject matter and one degree. If we had multiple subject
areas, we have multiple staff program specialists and a team leader
so the approval of the program was the Substantive Change
Committee which is the Commission.

MR. WOLFF: And did they review it before or
after the site visit or both?

MS. LANG: Yes right so the application comes in,
the staff me in this case reviewed it, put all the information
together gathered additional information if I saw there was a need
and then presented it to the Substantive Change Committee
members and they read on their own and vote whether or not they
are going to approve it and then they come back with perhaps
questions we had for the school and we have additional
information provided and then they decide.

MR. WOLFF: And my other question is that if
there is expansion of the Master’s would you just add team
members or your current body of evaluators and current staff in the
Agency are capable -- I mean are you prepared to expand the staff
with that larger capacity?

MS. LANG: I mean that’s an executive decision

but --

UNIDENTIFIED SPEAKER: The executive says yes.

MS. LANG: If I mean if there was an inundated

number -- I mean if we were inundated with an enormous number

of applications I am sure that there would be yes.

MR. WOLFF: But you are saying that you

currently have the capacity to review a small number as they come

in and then determine how you would grow?

MS. LANG: Yes, absolutely, yes.

MR. WOLFF: Thank you.

MS. TATE: May I just add that we even set up an

appeal panel with all Doctoral Degrees in case someone is denied.

MR. WOLFF: Is the appeal panel only for the

Master’s program or for any program?

MS. TATE: No we have several appeal panels but I

want you to know that we have Doctoral people who would be on

that appeal panel to review a Commission’s decision should that

program be denied.

MR. KEISER: Steve?
MR. VAN AUSDLE: Thank you Frank did a good job of answering a couple of mine so I can be brief here I think. A Master’s Degree you are getting approved to offer a Master’s Degree and I think Herman you said it would be constrained to the health occupations but is there a title for that first one or is it just Master’s Degree in what?

MS. LANG: It’s an MSN. It’s a Master’s of Science in nursing.

MR. VAN AUSDLE: Masters of Science in nursing.

MS. LANG: Masters of Science in nursing yes.

MR. VAN AUSDLE: There are a lot of organizations out there with that. The other question I have and I think it is because of our role and the length of the federal dollar it seems that most of your programs are pretty dependent upon federal money to support your students and the nature of your student body.

And that’s what that is intended for. Have you had financial support from private sector, the health community to help with this obligation as you expand your reach and get into a much more expensive program than maybe some others or is this coming back to reliance upon the federal investor -- PELL loan investor?
MS. LANG: I’m not sure quite how to answer this but I would say that, you know, I am going to stress that at ABHES we spend a lot of time on just reviewing the financial obligations of all the schools and we assess whether or not they need financial capability.

MR. VAN AUSDLE: Financial adequacy?

MS. LANG: Correct.

MR. VAN AUSDLE: So you do have other resources to assist other than what the student brings to the table?

MS. LANG: In this particular case I know that they have scholarships that are available through the community. I can’t speak to every school because it is -- I don’t know. But there are schools that do have that.

MR. KEISER: Herman has a comment.

MR. BOUNDS: Yes I just wanted to reiterate again that the Agency will be able to accredit Master’s Degree programs if they fall within their scope of recognition. So it’s not just one, you know, one program it is programs that fall within their scope.

And currently their scope reads the accreditation of private, post-secondary institutions in the United States offering predominantly allied health education programs and the programmatic accreditation of medical assisting, medical
laboratory technician and surgical technology programs.

So programs within that scope they will be allowed to accredit at the Master’s Degree level.

MR. KEISER: Simon?

MR. BOEHME: Great. Thank you so much for joining us. Accreditation has a great obligation to students first and foremost the public to taxpayer dollars and to the institutions that they serve.

Your request of expansion of scope adds an additional burden to already your responsibilities. And to me I think it is important in this request that we see how you manage your current institutions.

There are according to the last Hyde & Cash monitoring report released by the Department of Education on December 1st of 2016 500 and about 38 institutions were on this list.

You accredit about 102 institutions. And of your 102 institutions 16 of them were on this report. 11 of them received a Hyde & Cash monitoring level 1 and I understand that there can be different variations of this. There can be audit, there can be a late missing thing, there can be -- but of those 11 institutions they were all put on Hyde & Cash monitoring one --
because of financial responsibilities.

As we know that means they received a score lower than 1. Then were was one of your institutions that received a Hyde & Cash monitoring two, the institution -- American Institute of Medical Technology excuse me, which was listed as having an accreditation problem.

To me I am worried a little. I’m worried but I would like to hear your response to what you are doing with those institutions because while I am a strong supporter of accreditation, is this my mic? I don’t know -- while accreditation has many important functions the financial integrity of an institution is paramount, it’s foundational.

And to me 16 of your 102 institutions, you know this is problematic so I would just like to hear what you all are doing in terms of those institutions and how this would play within your expansion of scope?

MS. TATE: I hope that you and I are looking at the same numbers because I monitor the numbers myself. And January 17th from the DOE there were 538 institutions on HCM, 473 of those institutions were on HCM 1 and 65 on HCM 2. All of those institutions three of ABHES’s schools were on HCM 2 or 4.6% of the HCM 1 we had 14 which was 2.9%.
We as a body monitor all aspects of financial capability including HCM 1. We work very, very closely with the Department of Financial Aid, SFA and we respond to SFA’s questions in regards to any institution that looks like it may not be meeting criteria for ABHES.

So every single year, every single institution is looked at as it relates to the financial capabilities.

MS. LANG: Can I also add that on the HCM 2, the 3 -- okay one of the three relinquished their right to Title IV funding in a December 27th notification to the Department because we received that.

So they are no longer receiving Title IV funding.

One of the other two is on show cause with us because we track them regularly, every cycle. The other one is on financial monitoring for financial reporting and so the others that are on HCM 1 I would say I can’t speak to everyone.

Some of them are on reporting that I can identify here and there is another one on this sheet that has withdrawn, we withdraw accreditation.

MR. BOEHME: So what was the accreditation problem with the American Institute of Medical Technology because I visited your website and it indicates that it is still
accredited by you?

MS. LANG: Yes it’s following its due process that we have so they have until we have a maximum timeframe in their show cause letter for when they have to come into compliance and again it is through mitigating circumstances and goodwill but they are on our tracker because we track everybody.

MR. BOEHME: So the American Institute of Medical Technology just to clarify is on show cause?


MR. BOEHME: It’s on show cause?

MS. LANG: Yes.

MR. BOEHME: Yes.

MR. KEISER: Seeing no more questions I want to thank the panel for their presentation. Please don’t go away we are going -- before we go to lunch we are going to have the public speaker, the public commenters speak. Antoinette Flores if you would come to the front.

If you would state your name and who you represent and then let me explain to you that you have three minutes and at the end of two minutes I will put my finger up because we don’t have our timer today and then we will ask you to conclude your remarks.
MS. FLORES: My name is Antoinette Flores and I am a Senior Policy Analyst at the Center for American Progress. I think the NACIQI members did a great job of asking questions and covered a lot of what I wanted to so I will be quick.

Because of the nature of graduate student loans in particular which significantly raise the indebtedness of students the decision to approve Master’s Degrees is an important one and one that should not be rushed.

I want to raise three concerns and walk you through them now. First the Agency expanded its scope to include Bachelor’s Degrees in 2011. 6 years or 5 really is not enough time to judge its success awarding this level of degree.

At most for some of its institutions the Agency has outcomes for one cohort of Bachelor Degree students. But for the other institutions depending on when their programs got off the ground they might not even have graduated one cohort yet let alone seen outcomes on load repayment, earnings and defaults.

The first question NACIQI should ask is how students fair across their newly created BA programs and whether one graduating cohort is enough to judge success which I think for the most part you have done. But the institution or the Agency has mentioned one of its colleges but the decision to approve Master’s
Degrees would give it authority to offer Master’s Degrees at 52% of its colleges.

Second, the Agency student outcome measures include measuring retention exam participation and exam pass rates. These are standard metrics for Certificate programs but they are not adequate for measuring Bachelor’s or Master’s Degree programs.

You heard from ACCSC earlier and they mentioned that they use a graduation rate. DEAC also uses a graduation rate. I think you need to ask how is the Agency planning on measuring success for these new degrees?

Third the Agency has only conducted one pilot to approve a Master’s Degree program which is not enough experience to prove its ability.

I also want to mention the 2011 ACICS decision. ACICS had conducted three pilots over a period of 6 years. It is my understanding that ABHES has conducted one pilot and they were approached to conduct this pilot in 2015 so that seems like less than a year at this point.

To me this expansion of scope is too much, too fast. Again Master’s Degrees significantly raise the indebtedness of students. It’s not a decision that should be taken lightly or rushed
especially without an absolute guarantee that the Agency can be
successful in doing so, thank you.

MR. KEISER: Other questions for the commenter,
Simon?

MR. BOEHME: According to the Department of
Education dashboard where there is information about accreditors
it indicates that AVIS’s percentage of student repaying loans is at
30%. Do you know of how other accreditors may be similarly
situation or different regional or programmatic factor in this within
their evaluations or maybe they don’t?

MS. FLORES: It is my understanding that they
don’t, that they don’t consider the loan repayment. One of the
things I would note about that data though is that that includes all
of its programs including certificates.

I haven’t seen any data specifically on its
Bachelor’s Degrees and you might want to check that it is doing so
successfully before expanding to Master’s Degrees.

MR. KEISER: Frank?

MR. WU: Could you tell us just very briefly a little
bit about your own work and the group you are a part of just so we
have some context for testimony?

MS. FLORES: Sure again I work for the Center for
American Progress on the post-secondary education policy team.

My work in particular has spent a large focus on accreditation. I have looked at everything from history, the performance and I have spent a lot of time recently looking at standards across agencies.

MR. WU: So you are with a think tank and you’re a policy walk?

MS. FLORES: I guess you can call it that yes.

MR. KEISER: Thank you very much for your presentation.

MS. FLORES: Thank you.

MR. KEISER: I’ll call the -- actually should we do lunch? And when you come back you will be able to respond to the commenter. We will have how long for lunch -- one hour. So please come back and then we can finish the conversation on ABHES.

(BREAK 12:07 - 1:09)

MR. KEISER: Would you come to the table? Your time to respond to the public comment.

MS. SCANLON: I’ve been asked to do that Dr. Keiser. First of all let me say thank you to the Committee for all of your thoughtful questions and comments. We appreciated hearing
the conversation this morning about outcomes but also the follow-
on questions that you asked I think were really important
questions.
And I think my closing remarks will incorporate
some of that discussion. As I see it there are really two issues here.
You do, as Simon said earlier, have an important responsibility as
the Advisory Committee in making recognition decisions.
We understand that responsibility to ensure that the
Accrediting Commissions that you recognize are reliable
authorities as to the quality of the programs and institutions that
they accredit.
With that in mind ABHES submitted an Expansion
of Scope Petition to you for -- to be able to accredit programs of
the Master’s level. It was not something that they did lightly by
any means. It was something that they did quite deliberately and
only after several years of careful consideration by their leadership
about whether this was the right thing to do for them.
As they did embark on a pilot program to Master’s
Degrees they did engage in conversations with the Department
about what a pilot might look like and the experience of other
accreditors that have been before this body and the Department of
Education for expansions of scope. And the decision was made to
be very discriminating and deliberate about creating the pilot,

involving experts in the pilot and creating eligibility criteria that

would make sense for an institution to have some success in

actually being able to achieve the standards that were set for the

Master’s.

And so that process took a number of years. I think

had ABHES had different information or a different understanding

that demonstrating experience might require additional pilots,

certainly they would have considered undertaking those that just

wasn’t our understanding.

And what was more important to us than the

number of applications that were received and the number of

institutions that were in the program was the quality of the pilot

itself, the quality of the interaction with the institution and the final

analysis of what standards were the right standards for the

Commission to adopt to make sure that those standards would

accurately -- would give us accurate and good information about

the quality of Master’s Degree program.

So having said all of that, you know, I want to

acknowledge our understanding of Ms. Flores comments and the

concerns that were expressed earlier today and to make one point

about ABHES’s mission as an accrediting organization that
accredits, really programs that have a career orientation. There we try to strike a balance, particularly in faculty among those that have the proper credentials to be able to teach at the appropriate level but also have the real life career experience that they bring to their teaching so that their students can benefit from that experience.

And so the standards that ABHES adopted for faculty, the standards that they adopted for the Master’s Degree reflect that mission of and the types of programs that will be applying to them that will combine that heightened expectation for research and work at the Master’s Degree level but also the real world experience that we expect our teachers to be able to convey to their students.

The concern about the number of programs that may be applying and the scope certainly that number will be limited because of the subject matte scope limitations for ABHES. ABHES intends to be as deliberate in growing the Master’s Degree programs as they were in pulling together the pilot program. They do not see a great -- a large number of applications being processed at any given time and they are committed to adding resources as necessary including additional credentialed staff and volunteers to be able to do an effective job of evaluating these programs as new applications present themselves.
They also intend to continue to keep the eligibility requirements for these programs high. So that is the -- I hope that that addresses the many questions that you addressed earlier.

There was also some discussion though and I think it is a relevant discussion about how ABHES does its work overall as an accrediting organization.

And how it monitors its institutions as they change and grow -- we had a conversation this morning about risk based accreditation and what does that look like and should certain types of institutions have different pathways for receiving accreditation.

I think that was a very rich discussion.

Because ABHES accredits in the space where students tend to enroll in programs and progress through them very rapidly because those institutions tend to be dynamic and changing, it is very important that ABHES use its outcomes assessment model to monitor the effectiveness of those institutions -- changes in enrollment, changes in outcomes on a continual basis and to take appropriate action when they see change indicia of quality that suggests there may be a problem with a particular institution or program.

They have done that. You had asked specifically about UMA this morning which I have no reason to doubt the
Department of Education’s statistics about the number of students enrolled in UMA but we do have some additional information for you.

UMA does have a very large online component to it. It has two residential campuses but most of the students are enrolled online. ABHES has monitored its enrollment, but it has also monitored its outcomes. And outcomes tell the story about whether an institution -- no matter how large it is, is really serving the interests of its students.

And according to the most recent annual report for ABHES UMA reported and this is an average for all of their campuses, a 74% retention rate. And this is verified information. A 70% placement rate and a 73% licensure and certification rate for their students.

And so a couple of other facts about UMA is that they are getting ready to enter the re-accreditation process so they will be submitting a self-study accreditation application. They will be undergoing site visits beginning this year -- their re-accreditation is due up in 2018.

And ABHES will continue to ask those important questions about enrollment growth, about whether they are able to maintain high quality outcomes for their students even as they
grow and all of that will be a part of their comprehensive re-evaluation process.

I hope that I have addressed all of your questions but we are here to answer if you have more of them. I will tell you that we discussed during the break that ABHES, you know, is very committed to moving forward with the Master’s expansion and hopes that the Committee will see fit to approve it.

They also are willing to accept a small number of applications at least in the first year and to report to the Department on the success of those applications going forward if the Department thinks that would be an appropriate step, thank you.

MR. KEISER: Any further questions of the Agency? Sensing none our staff would you like to return to answer any further questions or any comments, oh Ralph sorry?

MR. WOLFF: Thank you for that, that’s very helpful. I’m curious to know in relation to that and in particular in relation to the public comment do you have a plan for evaluation of both your Bachelor’s and the Masters of seeing how it is going?

As I understand it from the statement made was you have only had one cohort that has gone all the way through. You have 52% that are in the Bachelor’s so I am just wondering given
that was since 2011 is there a -- that was a claim that was made
and so is there a plan or process to look at as part of your own
review, the Bachelor’s moving to the Bachelor’s?
And similarly as you go forward were you to be
approved for the Master’s after a certain period of time to do an
external review or some kind of evaluation of how it’s working,
that’s what I am really kind of interested in for major changes to
the Bachelor’s and the Master’s?

MS. SCANLON: Um, we were a little confused by
the numbers that we heard because the Bachelor’s Degrees -- there
have actually been hundreds of graduates in the Bachelor’s Degree
programs and so we do have data that will show us the
effectiveness of those programs right now, we don’t have to wait.

MR. WOLFF: And so is -- but is there a formal
plan or are you already evaluating that you are saying and will do
the same for the Master’s, that’s what I am really trying to get at?

MS. SCANLON: Yes.

MR. KEISER: Simon?

MR. BOEHME: Do you use graduation rates in
your metrics?

MS. TATE: Our formula is complicated so that we
look at ending enrollment and beginning enrollment and return of
students and divide those elements out so that we end up looking at
retention which looks -- we get the number of graduates and use
the number of graduates for considering placement and
credentialing but we don’t say graduation, we look at retention.

So as example for the 2015-2016 reporting year we
had 241 Bachelor graduates and the average retention rate for them
was around 90%.

MR. KEISER: Okay thank you. Will the staff
please join us at the table? The floor is yours.

MS. LEFOR: Thank you. All of the comments that
I had planned to discuss have already been mentioned so I have
nothing additional.

MR. KEISER: Any questions for the staff? Thank
you very much. I would like to do it a little differently that we
have. I would like to put a Motion on the floor and then discuss it,
we can always vote it down but it seems to me when I have done
that it makes the conversations a little more precise and focused.

So I would entertain a Motion from either Frank or
Steven the readers, Frank?

MR. WU: So I’ll make a Motion and as a preface I
was thinking about what are the possible Motions. There are four
that I can see. One is to say yes, the second is to say no, the third
is to say not right now come back in a year and the fourth is to say
yes with some limits.

So for the purposes of advancing discussion I am
going to go with that last option that we recommend approval of
the expansion of scope but with a limit and that limit be that it is
with respect to the single pending pilot.

I make this for purpose of discussion. I would not
be adverse should someone wish to make a friendly amendment. I
will note, because I am always concerned about procedure and
fairness that we did recommend reauthorization of this Agency just
a year and a half ago so I would note for the benefit of all of us
regardless of our substantive view that we already just very
recently recommended and the Department -- re-authorized.

So we are not talking about whether or not they
should be recognized. We are just talking about expansion so I
hereby move that we recommend approval of the expansion of
scope subject to a limit -- subject to the proviso that it be for the
single pending case, that’s my Motion.

MR. KEISER: That was a long Motion but is there
a second? Is there a second?

MR. JONES: Could I just ask Frank to clarify --

MR. KEISER: Before we discuss it I would just
like to -- there was a second by Arthur so now you can go.

MR. JONES: Got it, I just wanted to ask Frank to clarify the limitation on your --

MR. WU: Sure so let me try to put it in exact words so it can go on the screen. The Motion is that NACIQI recommend approval of the expansion of scope, subject to the limitation that it apply only to the single pending case.

Actually there is a little more to this; And the Agency is free to return at a later time to seek further expansion of scope. So that’s the whole thing for the record. And I make this Motion to advance the conversation. If someone were to make a friendly amendment and it passed to strike the limit I would bear you no grudge.

MR. JONES: And just to be clear the single case is the pilot?

MR. WU: Yes, yes. And what I am trying to do here to explain this -- I am trying to be fair because questions have been raised about the Agency’s practices but I will be honest my own view is since we just considered them a year and a half ago, that’s really not on the table.

They had no notice that we would delve into this, it really wouldn’t be right to do that. So I am just trying to signal a
little something because members of this body have frequently
expressed -- it’s distressing to all of us no matter what we think the
outcome is that we usually just have a yes or a no.

That’s really not very nuance. There should be
some ability to signal a little more.

MR. KEISER: Further discussion? I’d like to
discuss -- I think I have a right as a Chair to say, I think I’m a
member so.

I’m not sure that makes a whole lot of sense
because they have already gone through the process. The school
has already had its Master’s I assume -- it certainly won’t provide
as some of the members have discussed that they would be able to
get greater experience in doing this.

I think if anything we could talk about is having
them come back and provide us an updated report on the success
and the evaluations -- their evaluation process in terms of the
current program as well as future programs but that is my
discussion and I saw Ralph?

MR. WOLFF: I have the same issue and I guess my
question is what would be the rationale? I’m not quite clear why
you are proposing that narrow of a limitation?

MR. WU: Actually I like what the Chair has
suggested and I would be happy to amend it such that we
recommend expansion of scope, and we hereby is the very order
appropriate -- we hereby order the Agency to return to report on
how it went?

I think that accomplishes the same purpose but it is
not just a farewell we’ll see you in 5 years. So I am trying to
signal just a little -- I’m trying to capture what I sensed from the
discussion. Some concern about the way this Agency has done
business.

MR. WOLFF: I guess I’m trying to clarify.

There’s a difference between allowing the change of scope,
allowing more Master’s programs to go through their substantive
change process and having them come back with an evaluation or
limiting it to only one.

And I’m trying to clarify -- where are you ending?

MR. WU: Right, so I am saying I’m persuaded by
what the Chair has said. I’m willing to change this so it’s not -- it
doesn’t have that limit.

MR. KEISER: Why don’t you withdraw the
Motion?

MR. WU: Yes I will withdraw and restate, may I
try to restate yours?
MR. KEISER: Sure.

MR. WU: Alright in a more formal way. The Motion is that NACIQI recommend approval of the expansion of scope, subject to the request that the Agency reappear within the next 18 months to report on progress under that expanded scope.

MR. KEISER: May I suggest 24 months which is usually the normal scope of a Master’s Degree?

MR. WU: Sure although should it be 30 months because some people need to get through.

MR. KEISER: Whichever, 18 months is a little short.

MR. WOLFF: Well I was going to second it, if I understand it to be 24 months I mean I would like to see what it says.

MR. WU: 24 months. Do you want me to try it again for the screen oh you got it okay.

MR. KEISER: Bobbie?

MS. DERLIN: I don’t know of the exact dates but I think given when they appeared before us for recognition and now it is now and we are talking the Master’s -- I think it is a fairly limited amount of time before they come back to us because they had 5 years and I think they have used up a year and a half and
now here we are and we are talking 18 months. So from my
standpoint it would be more appropriate for the Motion to be
approve the expansion and request that the Agency present a report
of progress related to Master’s Degrees at its next re-recognition
hearing or whatever.

UNIDENTIFIED SPEAKER: Would that kind of
assume they wouldn’t go forward with additional Master’s
Program until we had an opportunity to review that or is the door
wide open?

MR. KEISER: I think it’s the other way because in
order to assess one of the things I think you said that was pretty
hard for them to do an assessment on only one program, so if we
limit them they will again -- the results may not be significant so I
think it pre-supposes that if they have applicants that they could go
ahead and process them.

MR. WU: This is just a note. I don’t object to this
but that does push it out to 2020 or 2021 and I’m just noting that is
some distance out and they probably would report on Master’s
Degrees even if we didn’t have a proviso.

That is if we just said we approve. Now maybe that
we think we sent enough of a signal about our misgivings that we
just say yes we suggest approval.
MR. KEISER: I do if I am not mistaken, the Motion is 24 months? Correct okay -- any other comments, Susan?

MS. PHILLIPS: Just to clarify this Motion indeed allows the Agency to accredit not only the Master’s Program in nursing from the particular institution that they are considering now but also any other Master’s within the scope and any other institution.

There is no constraint on it regardless of what they say in 24 months.

MR. KEISER: Kathleen?

MS. SULLIVAN ALIOTO: I’m just concerned when I was reading the documents that were included in the discussion about the faculty. The Department agreed to and I wondered if you had any misgivings yourselves about the faculty that is going to be involved in this or is involved in this? Because I felt a little uneasy when I looked at it and the documents there was a certain sloppiness coming back and forth.

MR. BOUNDS: I think there were two issues and Valerie can help me out. I think the first overall question from some Committee members was about their overall policy where
they stated that 50% of the faculty had to have Doctoral Degrees --
that encompasses everything that they do not just one specific
institution.

I think the Agency has made it clear though for this
Master’s Degree program they are going to require the faculty to
have the Doctoral Degrees and would you please tell me if I am
misinterpreted it.

I look at all the staff reports and I do confuse
information so the point that I was trying to make earlier with the
Agency’s total policy was that for all of their programs since they
are specialized as an occupational accreditor that we didn’t see any
issue with their requirement for 50% of the faculty having Doctoral
and the other at that Master’s Degree level.

We are glad that they are going to have Doctoral
faculty teaching the Master’s Degree program. What we saw -- we
were pretty happy with.

MR. KEISER: Simon?

MR. BOEHME: I cannot support the Motion. I
would encourage respectfully that we come back in 12 months. I was not convinced by their
presentation. I think a well-accepted indicator of graduation rates
was not included. There was some other way of looking at this
metric. I was not convinced about their student outcome standards.

It was in 2011 that we granted their Bachelor’s and I still think that
this is -- I’m worried about the capacity for this accreditor to
handle the Master’s program and they have only done one site visit
and that’s not enough in my mind.

And I think it would be not responsible of this
Committee to allow for them to have an expansion of scope.

MR. KEISER: Paul? Kathleen turn yours off.

MS. SULLIVAN ALIOTO: Sorry I just like to talk.

MR. LEBLANC: Having served as a
Commissioner on a regional Agency very often observing
institutions come forward with their first Master’s program and
there is often a sense of not knowing what they didn’t know.

The Master’s Degree program is both different in
kind and culture and often times when that same institution would
have 4, 5 or 6 Master’s because they inevitably expand -- you
could sort of see the evolution and there was a sort of “aha”
moment they would get it.

It required a different way of doing business than
they have prior. My sense of this, my reluctance to support the
Motion is that I don’t -- I’m not persuaded of the capacity within
the Agency both on its Commission and the sort of experience of it
and I think there are some questions about track record to make me feel comfortable going forward with this. I am going to vote actually in opposition to the Motion.

MR. KEISER: Is that you looking, I can’t tell -- yes Jill?

MS. DERBY: Yeah and I align with Simon and Paul in that I rather liked Frank’s first Motion because it sort of expressed an acceptance but a limitation on it that might give some of us greater comfort going forward so I will not be supporting the Motion either.

MR. KEISER: Steven?

MR. VAN AUSDLE: Mr. Chairman does this Motion assume that based on the evidence that we receive at the end of the 24 months we could withdraw that scope?

MR. KEISER: Yes. Frank?

MR. WU: This is just a comment. I’m in the awkward position of having made two Motions, each of them supported by some segment of my colleagues so I am just going to note something that we have all pointed out before which is it is desirable that we have options other than just yes or no.

Because yes or no are really just not very good. We usually want something else. So I am just noting it is positive to
have this conversation.

MR. KEISER: Seeing no more discussion I would
like to call a question. All in favor of the Motion signify by raising
your hand please. All of those opposed the life sign. So the
Motion fails as I can see.

MR. WU: I'll remake my original Motion which is
that NACIQI recommend approval of the expansion of scope
subject to the proviso that it be limited -- subject to the limitation
that it apply to only the pilot case that's pending and the request
that the Agency return in 1 year to report.

MR. KEISER: Is there a second? Second by
George, any further discussion -- Susan?

MS. PHILLIPS: Just a question to Frank. When
you enumerated the four possibilities, yes, no, maybe and not yet is
this not yet? If not, what would not yet be?

MR. WU: So not yet would be -- I don’t want to
make a third Motion but not yet would be denied but invite the
Agency to return within 1 year.

MR. KEISER: Ralph?

MR. WOLFF: I know that whatever NACIQI does
is going to go to somebody in the Department, whoever the senior
Department official is at this point. I guess I am -- if I were sitting
in the shoes of either the senior Department official or of the
Agency I would want to know what it is that the report would need
to address that would make a difference.

I’m just saying that I think we need a better record
to say that we want to limit it to the pilot. The pilot has already
been run and so I think it would be helpful to say what is it that we
would expect should the senior Department official accept the
Resolution that would be passed?

MR. WU: May I answer that? My suggestion
would be if the Agency read the transcript when it becomes
available and look at the questions asked by the members here
which the Agency was not fully prepared to answer -- and I am not
impugning the Agency.

Having the extra time would help them look at the
numerous questions that were asked about student learning
outcomes and standards, ethics rules and some specific cases. So
they could just flush out their answers.

It doesn’t surprise me that agencies appearing
before us peppered with questions have only very cursory answers
so that’s what they would be invited to come back in a year to do is
answer -- there must have been a dozen fairly probing questions,
maybe two dozen.
MR. KEISER: Bobbie?

MS. DERLIN: I guess my thinking is and this maybe aligns with comments Sue was making -- is if we deny this request the Agency has an appropriate amount of time to return and respond to all of these questions.

So I’m just telling you I am leaning toward saying no and leaving it up to the Agency to return and address the questions they received today.

MR. KEISER: If I may just enter the discussion. I think Frank also made the point that this Agency addressed all of those questions a year ago and the focus of this report was strictly limited to an expansion of scope and it appeared that the staff had reviewed it and did not find any of the issues.

Because many of the issues that we had or at least some of the members had delve back to the original recognition which is fair but again this particular application is strictly for expansion of scope.

And my concern is if you limit it to one pilot they are not going to learn much more from the one pilot if you don’t allow them to do two, three or four to get to a point where they become proficient at managing this process. So I would -- I’m not sure what I would do but that’s okay, I’d have my two cents -- any
further discussion?

We have a Motion on the floor. The Motion on the floor is as Frank stated. All in favor of the Motion signify by saying aye? I should say raise your hand please. Those opposed to the Motion -- 8 the Motion is defeated. We are having fun here folks. This is a good time to be the first time Chair.

Okay do we have a new Motion? Bobbie?

MS. DERLIN: I’d like to make a Motion that we deny the request?

MR. BOEHME: I second, Simon.

MR. WU: May I ask a question? This is a question to staff. When we deny is there anything in the statute or the reg’s that says people have to go away and can’t come back or are they allowed to come back and should we say -- Bobbie would you be amenable to the explicit proviso the Agency is invited to come back at a suitable opportunity should it wish to renew its request?

MS. DERLIN: I’d view that as friendly.

MR. JONES: And is the effect of the denial then to terminate the existing pilot? Should they collect no more information?

MR. KEISER: It would mean that the current pilot program would not become eligible for Title IV funds so the
students who would be in that program would be impacted. The question Bobbie I’d have is what is the basis of the denial when the staff has found them to be in compliance?

MS. DERLIN: Well I think we have heard a lot of questions related to things that do come back to a broader consideration of the Agency. I agree with you on that point Arthur.

At the same time when we approve the Agency to be recognized the last time around we were not examining that Agency from the standpoint of graduate education. So I believe that my argument to deny approval at this time is based on things related to questions that have been raised about faculty.

Questions that have been raised about perspectives on student learning outcomes specific to graduate education as well as some of the other points that members have raised, but those would be my two main ones.

MR. KEISER: Ralph?

MR. WOLFF: Thank you Bobbie, that’s really helpful to me. Am I correct in understanding that the Agency could continue to have additional pilots, it’s just that they would not be eligible for Title IV, is that correct -- so that more information could be collected even though there’s a short
timeframe?

MS. HONG: They can proceed with their pilot and everything it just won’t be included in their scope of recognition.

And also there’s nothing prohibiting them from returning should they decide to do so a year from now, two years from now, so I don’t know that that language is necessary in the Motion.

If you deny the request there is nothing prohibiting them from returning again to seek an expansion.

MS. PHILLIPS: Just a further clarification if I might. The expansion of scope would extend the Title IV institutional accreditation to Master’s programs is that correct?

MS. HONG: That’s correct.

MS. PHILLIPS: So the students who are in the current Master’s program being considered are not funded by Title IV?

MS. HONG: Correct.

MS. PHILLIPS: And would continue to not be funded by Title IV?

MS. HONG: That’s right.

MS. PHILLIPS: Thank you.

MR. KEISER: Bobbie?

MS. DERLIN: And I would just mention to that
point about Title IV eligibility that this essentially places some
incentive for the Agency to pursue this further.

MR. KEISER: Any further discussion -- yes Anne?

MS. NEAL: I guess I just have to express my
reservations here. I mean first it was on the consent agenda then it
came off. In June of 2016 we renewed it for 5 years. Then there
has been significant conversation about student learning outcomes
which were presumably adjudicated when they were given a 5 year
extension.

There has been a lot of data thrown around which I
think is great but it has not been shared amongst all parties and my
guess is it could be potentially disputed, some of the data that we
have been thinking about and concerned about and there has been a
considerable discussion of heightened cost management -- again
quite important and interesting but what that has to do with the
expansion of the scope I’m not exactly sure.

So I am concerned that the very pointed thoughtful
conversation that we have heard here is not equally applied to all
entities and it disturbs me that there is -- it is hard to say that we
are consistent in our scrutiny and application as I look at the way
we have treated this particular accreditor.

MR. WU: Just to follow that up with one last
comment prompted by the morning panel. On the one hand we
don’t want to be adversarial or hostile or rude. I don’t want
agencies coming before us to think that we are going to go out of
our way to abuse them.

But on the other hand it is also I think important
that we make clear we are not all pals having a conversation here
about philosophy. That we are in a decision-making role to
recommend to a responsible Department official on the basis of
facts, questions, staff reports and our conversation and we are not
here just to rubber stamp either.

So it’s just a note that I think by and large we have
struck just the right tone. We are not confrontational or adversarial
but we make clear to agencies that we actually are a watchdog -- a
gatekeeper that we are performing a task and that under the Higher
Ed Act billions of dollars of federal student aid money, taxpayer
money actually turns on these decisions because of Title IV.

And so it is good that we have this robust
conversation that’s all.

MR. KEISER: Simon?

MR. BOEHME: I’ll be supporting the Motion just
quickly because I think it is important that we get more
information and nothing precludes this Agency from coming back
and I believe we need more information, thank you.

MR. KEISER: Any further discussion, Ralph?

MR. WOLFF: Yeah I think I will support it too and

I appreciate the distinction between graduate and the Bachelor’s

that I think is really important. But I also want to acknowledge

that the staff did -- it appears what they were supposed to do in

terms of reviewing under the criteria and so I would just say should

the senior Department official accept this recommendation I would

hope that the future staff review would take in these larger

considerations and use them for interpretation about capacity and

the shift to graduate level because I think this is what we would

really be wanting.

MR. KEISER: Yes?

MR. FRENCH: I have a very simple question. So

for clarity we are saying of course we know what the staff

recommendation would be but our consideration and questions that

were unresolved in our minds are inconsistent with what the staff

is recommending.

But are these the same questions? Is this the same

scope of questioning or did the staff come here with a

recommendation and did the body go in a slightly different

direction to not agree with staff?
MR. BOUNDS: I mean all I can say is that from the staff’s standpoint we reviewed the Agency under the current regulatory criteria. Again, and you know it is the Committee’s purview to ask questions as they see fit. But for the staff our limit is the regulations. As I said earlier there is no discussion in the regulations about how many programs that you have to review to be approved. It’s the quality of the program. So you know, no matter how these discussions go with the Committee we have to review under the current regulations until those regulations are changed.

So there will probably continue to be differences in, you know, recommendation and discussions depending on, you know the questions that are asked. But our limitation again is the current regulatory framework that we are in under at this time so that’s what our review is based in and that’s the documentation that we are required and that’s what we look at.

MR. KEISER: Any other comments?

MR. ZARAGOZA: I just want to verify the basis for the Motion that 60215 A1 and was there the 60216 A1.. -- what is the basis for the Motion?

MR. KEISER: Bobbie?

MS. DERLIN: Well I can’t necessarily cite the
numbers Federico. But the basis for the Motion is predicated on two things. The recent review of this Agency that was conducted within the confines of Baccalaureate and lower degree levels.

So I do not believe that our recent recognition constrains us at this time so that’s one point. The second thing is there are concerns and I certainly do not want this Motion to be interpreted as the repudiation of the Staff Report because it is not. The Staff Report did allude to some of the challenges of faculty credentialing, capacity at the Agency level in terms of the degree level of existing staff and so on. And I think those concerns in consideration of a Master’s Degree program which is primarily academic in its orientation is sufficiently different. So those are my two bases Federico.

MR. ZARAGOZA: So my question is -- is the transcript and the rationale provided -- provide enough direction for staff to be able to follow-up with the applicant?

MS. HONG: Sorry could you repeat that Federico?

MR. ZARAGOZA: Will the transcript -- the discussions and the clarification that Bobbie provided -- is that enough guidance for staff also to work with the organization if they do come back?

MS. HONG: I think so. I mean I think a lot of the
discussion here comes down to some of the things Herman
mentioned in terms of, you know what we have in the regulation
and it is fairly broad. So this is a judgment call. You know you
are getting into whether, you know, whether the judgment in terms
of allowing the expansion of the scope the staff -- was the staff’s
judgment based on the pilot program that, you know, this was
sufficient for approval.

There has been some additional discussion at the
table today that suggests, you know, folks have suggested
otherwise. So with a lack of specificity in our regs it could
certainly go either way but as I mentioned earlier there’s -- to the
extent that you can support it -- support the Motion and point to the
testimony that has been provided here, the more likely the senior
Department official will accept that.

MR. KEISER: Any further discussion, George?

MR. FRENCH: Yes thank you. So thank you Dr. Hong. So what Mr. Bounds was just saying was that basically the
regs don’t emphasize that you have to have more than one
Master’s program to be revered. It doesn’t specify that there has to
be more than one but this body is saying that we would like to see
more than one, that’s what we are saying essentially is that correct?

Could you give me the interpretation then?
MS. DERLIN: I don’t think the issue is the number of degree programs that have participated in the pilot. I think the issues are more related to faculty qualifications, capacity at the level of the Agency to work with academic graduate degree programs.

So I think those are the specific number -- I don’t think is an issue at this time.

MR. FRENCH: And I appreciate that, it just helps with clarify because I think Mr. Bounds explanation was good but you are talking about something different. You are talking about faculty qualifications and capacity within the pilot.

MR. KEISER: Bobbie what would you recommend to the Commission or the Agency because our rules are not specific and that creates this gray area that we are talking about. How would they go about -- would they, you know, copy at regional, would they copy other nationals or other programmatics?

Because from what I understood is that they were using the standards of the other programmatics as a basis for that so how -- what would you tell them to do?

MS. DERLIN: I have to tell them specifically what to do. I mean I think the issue relates to the degree of oversight that they have demonstrated for the faculty and just what
qualifications were. I mean I don’t know how to be specific in my
recommendation.

MR. KEISER: The reason I ask is we have rules.

They followed the rules. The rules are not specific. They used I
think the way the discussion was they tried to use what others --
comparable types of institutions have used. The staff agreed to
that yet we are saying no.

So if I was an Agency person how would I respond
to that?

MS. DERLIN: Well perhaps others can help.

MR. KEISER: Susan?

MS. PHILLIPS: Yes if I could speak to that also. I
think I would focus on the word judgment and I think Dr. Hong
spoke about that. The set of facts that we have in common are
judgment about the implications of those facts given the common
rules that we have I think is the point of disagreement.

So I don’t think its applying different rules. I think
it is just a different interpretation of the information that we have
available including the presentation today which was new
information for everybody, including the staff.

I wouldn’t -- I don’t think I would want to offer
advice to an Agency about how to proceed but I do know that there
are lots of ways of thinking about the differences in levels of
education and that many of those might be brought to bear in a
further analysis of this.

MR. KEISER: Frank?

MR. WU: I hear two themes that I just want to
highlight since we are creating a record and someone else will
come back and look at this and everyone seated here will too.

The first is even when we disagree with staff we are
fully respectful of the staff’s work and what they did. It’s fine
work. We are working with the same statute, the same regs but we
get new information here and we apply our judgments -- this body
so there is no disrespect to staff.

Second and as important Bobbie said something
that I think it’s worth highlighting. In no way are we going back
on the recommendation we made a year ago. What we are saying
is that was fine, that this Agency met the standard for an accreditor
of Associate’s Degree programs and Bachelor’s programs but not
for Master’s Degree programs because those are more academic,
they are a higher degree and so on.

So nothing here re-opens what we did in the past. It
is procedurally appropriate and fair. We are leaving that be but
because they want to move up to sort of a higher level
academically they are held to a higher standard -- same standards
but just more rigor all around, that’s what I hear Bobbie saying if I
may put it that way.

MS. DERLIN: Thank you Frank and Susan.

MR. KEISER: Sensing none we will move to the
Motion, all in favor of the Motion please signify by saying, “Aye”
raise your hand sorry. All those opposed, Motion carries.

NACIQI RECOMMENDATION: The Motion
carried in favor of denying the applicant’s request to expand
their scope.

MR. KEISER: Okay Frank suggests we take just a
two minute break because we have folks who are going to be
recused from this next one and the next one is going to require a lot
of discussion, okay but if the staff would be up at the table and
ready to go.

(BREAK 2:02 - 2:08)
MR. KEISER: Again this is a review process. A Compliance Report with the Western Association of Schools and Colleges, Accrediting Commission for Community and Junior Colleges (ACCJC); The Primary Readers are Roberta Derlin and myself, Department Staff is Elizabeth Daggett.

We will do the same process as before the Primary Readers will introduce the Agency’s application. The Department staff will provide a briefing. The Agency representatives will then have the opportunity to provide comments.

There will be third party comments and we will be with 29 commenters as far as I have on my list. The Agency will then have the opportunity to respond to the third party comments then the Department staff will respond to both the Agency and the third party comments. We will then go on with the discussion and have a vote at which time I will introduce Roberta Derlin, Bobbie in my case to introduce this Agency.

MS. DERLIN: Thank you Art.

MR. KEISER: Bobbie excuse me one second. We have had some recusals on this particular case. The first is Ralph Wolff, the second is Frank Wu and the third we do have a question about and Kathleen would you like to present that.

MS. SULLIVAN ALIOTO: Yes when I looked at
the ethics primer that we were given when we accepted this position it says that there are three problems. One if you have financial interest and two let’s see -- before any court or agency in connection with any particular matter involving specific bodies in which the United States is a party and has a direct and substantial interest.

So of course you do through Title IV funding. But in that -- each one of us is a political appointee whether we are appointed by the Department of Education or by Congress. Why do those particular ethics rules apply?

MS. HONG: I think there’s a third day mention here and our ethic’s attorney is not here right now. We could certainly call upon him. But there’s also appearance issues and in general again it’s a judgment call but we have taken a conservative approach in terms of insuring that even -- we are careful about appearances of conflict of interest as well.

So aside from the criminal statute -- there’s also appearances issues that we are concerned about.

MS. SULLIVAN ALIOTO: So that might be biased? I mean isn’t everyone here biased realistically. I mean when I discussed it with Art what did you say to me Art? What was your comment when I asked you?
MR. KEISER: I don’t know enough of the facts of what your involvement was to be able to actually render the opinion. I assume it is something that the General Counsel’s Office has expressed an opinion to you, Kathleen. I think it’s an individual judgment but you have to weigh that against what General Council and the Ethic’s Office, any opinion they have expressed so I don’t know whether Kathy I’m throwing it over to you but I don’t have a particular judgment on it.

I think it is up to each of us to decide whether we should be recused or not using our judgment and looking at the statute.

MS. HONG: Again our ethic’s attorney is not present but I know that we, you know, discussed this previously so it is a judgment call and you are right I mean to some extent there are going to be appearance issues but I think the judgment was made to protect the recommendation of the Committee. In this situation it would be best to recuse yourself, thank you.

MR. KEISER: Thank you Kathleen. Have a good afternoon. Bobbie?

MS. DERLIN: Okay thanks Art. I’m here to introduce the Accrediting Commission for Community and Junior Colleges. This is an institutional accreditor and a Title IV
gatekeeper agency. It accredits 130 member institutions and these
institutions offer two year educational programs and award
Associate Degrees and the majority of the Agency’s member
institutions offer some distance education.

The Agency was first recognized within the
Western Association of Schools and Colleges in 1952. It was
separately recognized by the Commissioner in 1962 and it has been
periodically reviewed and granted continued recognition.

Since the Spring of 2013 when there was a
complaint from the California Federation of Teachers and a review
of that complaint by the Department, the Agency has been in a
three and a half year process to comply with various provisions of
Department of Education federal regulation.

And I think this history is a complicated one and I
would like to turn it over to our able staff and I want to thank
Elizabeth for her work on this for further presentation. And I will
offer you an opportunity Art to contribute if I’ve messed this up in
any way.

MR. KEISER: You did a beautiful job.

MS. DURLIN: Thank you.

MR. KEISER: Elizabeth?

MS. DAGGETT: Thank you. I will not go into the
history right now but if need be I’m happy to discuss that at a later
time. Good afternoon Mr. Chair and members of the Committee.

For the record my name is Elizabeth Daggett and I am providing a
summary of the review of the compliance report for the Agency.

The staff recommendation to the senior Department
official for this Agency is to renew the Agency’s recognition for a
period of one and a half years and lift the scope limitation imposed
in the April 5, 2016 decision letter related to Baccalaureate
Degrees.

This recommendation is based on our review of the
Agency’s compliance report, its supporting documentation and the
observation of an on-site evaluation and Substantive Change
Committee meeting in October 2016.

The Department also received and reviewed over
120 third party written comments in response to the Agency’s
compliance report. Our review of the Agency’s compliance report
found that the Agency is in compliance with the Secretary’s
criteria for recognition for the sections under review.

With regard to the limitation the Agency provided
information and documentation to demonstrate that it has a
consistent, regular and thorough process for the review and
approval of Baccalaureate Degree programs via its revised
substantive change protocol.

The Agency also provided its new and revised policies and procedures related to the review and evaluation of the Baccalaureate Degree programs outside of that initial substantive change review.

In addition the Agency provided documentation of implementation of those policies and procedures. As stated earlier Department staff observed an on-site evaluation and a Substantive Change Committee meeting which demonstrated that the policies and practices are effective and comprehensive.

Two sections under review related to the good cause extension -- Section 602-18E and 602-25 A to E were specifically regarding the lack of written specification of deficiencies in the Agency’s Commission action letters.

The Agency has revised its Commission action letters to reflect a clear delineation between areas of non-compliance and areas for improvement. And the Agency has removed the reporting requirement for improvement recommendations.

The Agency also provided documentation of implementation of the use of these new letters. The final section under review related to the good cause extension Section 602.20B
was regarding the Agency’s use of good cause extensions. The
Agency revised its protocol for developing Commission action
letters which include good cause extensions or language related to
such extensions and provided documentation to demonstrate
implementation of its revised protocol.

With regard to one of the two sections affirmed
after appeal -- Section 602-13 the Agency provided information
and documentation concerning the wide acceptance of its
standards, policies, procedures and decisions to grant or deny
accreditation by educators.

Specifically, the Agency provided a significant
number of letters from educators and educational administrators
from across its region who endorsed ACCJC and its standards,
policies, procedures and decisions.

The Agency also provided its review in response to
the concerns sited in reports and resolutions from various entities
within California regarding ACCJC. During its observation of an
on-site evaluation and Committee meeting Department staff noted
both included individuals from ACCJC accredited institutions and
outside that community.

With regard to the other section affirmed after
appeal, Section 602-15A3 the Agency provided additional
information and documentation concerning representation of
academic personnel on its evaluation teams. Specifically the
Agency revised its definition of an academic representative and
protocol for the evaluation team selection.

The Agency provided documentation in the form of
evaluation team rosters for all on-site evaluations conducted in the
first six months of 2016 to demonstrate implementation of the
revised definition and protocol.

Department staff observed an on-site evaluation
which included both academic and administrative representation.
Since the Agency’s last review in December 2015, the Department
has reviewed three complaints which were all related to sections of
the Secretary’s criteria for recognition that were appealed by
ACCJC.

After the appeal was decided the Department
reviewed one of the complaints and closed it without findings of
non-compliance. The review of the remaining two complaints has
been included in the relevant sections of this analysis of the
compliance report.

The Department also received a fourth complaint
that was submitted simultaneously to the Department and the
Agency in August of 2016. At the time of this review the Agency
had not yet completed its analysis of that complaint and as a result
the current analysis does not address the fourth complaint.

Finally, in response to the Federal Register Notice
announcing this meeting two written comments were received and
are not included within this analysis as they were requested and
submitted to NACIQI directly.

Therefore, as I stated earlier the staff is
recommending to the senior Department official to renew the
Agency’s recognition for a period of one and half years and lift the
scope limitation imposed in the April 5th, 2016 decision letter,

thank you.

MR. KEISER: Questions for the staff?

MS. DERLIN: I would just like to clarify for
myself Elizabeth and again thank you for your work, prodigious
task -- about the lifting of the limitation. Now ACCJC originally
was recognized for its two year degrees and had in its scope
authority to approve an institution’s first Baccalaureate Degree.

MS. DAGGETT: That’s correct.

MS. DERLIN: And we as a group and with the
Secretary’s concurrence limited that so that they could no longer
approve first Baccalaureate Degrees?

MS. DAGGETT: That’s correct. They came
originally with their renewal petition in December of 2013 requesting an expansion of scope to include all Baccalaureate Degrees. We did not feel at that time that they had demonstrated that they could undertake that higher level of degree and limited them to the first Baccalaureate Degree only using their substantive change protocol.

They came back with their compliance report again requesting an expansion and at that time we found that not only had they not demonstrated that they had a comprehensive protocol or the experience to go further with their Baccalaureate Degrees but in fact we questioned their ability to use the protocol that they had.

So the decision was made that the suggestion that was accepted was to limit them to the current to not hurt the students that are currently enrolled in accessing Title IV funds. To limit their Baccalaureate Degrees to the ones that have already been approved and so they could no longer add to those Baccalaureate Degrees.

So at this time we are recommending to limit -- to lift that limitation so they could go back to allowing the first Baccalaureate Degree via that substantive change protocol. I’m sorry if that was not clear.
MS. DERLIN: It’s complicated and so the bottom line is that lifting the limitation does not expand the scope of the ACCJC to approve multiple Baccalaureate Degrees.

MS. DAGGETT: Correct. It is only to the first one via that.

MS. DERLIN: Thank you.

MS. NEAL: Thank you. Could you just explain the one complaint that you all resolved on your own and then it indicates here that there is another complaint pending that you are going to wait and decide whether or not if it is something that we should be concerned about while we are never the less being asked to renew this accrediting agency.

And I wonder given the fact that 34-CFR-602 allows staff to be reviewing the capacity of an accrediting body based on any information that it receives why you would not go ahead and complete the assessment of that complaint in time for us to address it when the accrediting body is before us?

MS. DAGGETT: For the first one the complaint was reviewed and closed. I don’t have that complaint with me and I did that one over a year ago so I couldn’t tell you exactly why other than it didn’t have any basis in the criteria that we felt needed to be followed up with regard to what they provided.
The reason that we had held those complaints is that we just didn’t even look at them until the appeal had been decided which was a year ago January because they did reference to the two sections that were under appeal so I can’t answer the question regarding that first complaint other than it didn’t end up having anything that was manifest in any of these areas and that we felt like it was not necessary, unlike the other two complaints which we felt did bear on those specific areas.

And then we did include so it would be under the review by NACIQI. For the other complaint our protocol is that we don’t look at a complaint until it were to be reviewed and a decision made by the Agency itself and so until the Agency were to have completed their own review, we usually don’t look at it in that if we -- it is the protocol for them to exhaust that complaint process before they come to us.

We actually got the resolution of that complaint on Friday so there was no way for me to provide you any additional information. I haven’t even opened it at this point so there is nothing else for me to be able to provide. If I could have I would have.

MS. NEAL: So I know this Committee has had a conversation regularly about receiving information about
complaints. It is my understanding that that is something that is to
be forthcoming to us when we evaluate accreditors. So I would
ask that we receive more full information on complaints based on
our past discussion.

And I guess again I just raise the question that if in
fact the regs allow the staff to review an accrediting body based on
any information that it deems credible, why would one necessarily
then exhaust the complaint process of the accrediting body if in
fact it may relate to their compliance with the criteria?

MS. DAGGETT: Because if we didn’t have them
exhaust the complaint policy we would not be following that
process and allow them to possibly resolve it before it were to
come to us.

And I will say for that particular complaint -- the
fourth one, most of the information they included in a comment
that was included within the comments. So the information that
they have provided within the complaint much of it was included
within their comment.

MR. KEISER: Simon?

MR. BOEHME: Thank you for your work in this.

My first NACIQI meeting was in December of 2013 so I fondly
remember the third party commenters for ACCJC and I was
reviewing the transcript from that last December, 2013 meeting and from your reading of the written comments and your analysis in what we will anticipate today could you just provide a quick overview of maybe the particular regulations that they may or may not be grounded in?

MS. DAGGETT: For the third party comments? I think most of them are going to be in relation to 602-13 which is the wide acceptance of the Agency.

MR. BOEHME: And anything else?

MS. DAGGETT: And the other one that they are most related to is 602-15A-A3 which is the academic representation on evaluation teams and the Commission itself.

MR. BOEHME: Great thank you.

MS. DAGGETT: No problem.

MR. KEISER: Further questions? Thank you. We will now have the Agency representatives come forward please. They are Dr. Richard Winn, Dr. Stephanie Droker, Dr. Norv Wellsfry, Raul Rodriguez and Steve Winnick and Dr. Rodriguez excuse me.

MR. RODRIGUEZ: My name is Raul Rodriguez I’m the Chancellor of the Rancho Santiago Community College District in Orange County, California. I have a long history with
ACCJC. I served on my first accreditation team in 1989, was
elected to the Commission in 2011 and became Chair in
November, 2016.

I would like my colleagues to please introduce
themselves.

MR. WINN: I’m Richard Winn, Interim President.

MS. DROKER: I’m Stephanie Droker, Vice
President of Policy and Research.

MR. WELLSFRY: I’m Norv Wellsfry, I’m the
Vice President of the other stuff.

MR. WINNICK: I’m Steve Winnick, I’m from
Education Council which is a former Secretary of Education Dick
Reilly’s law firm and policy shop, I was in the Department for
many years in the General Counsel’s Office.

MR. RODRIGUEZ: Just as a footnote Richard said
he was Interim President. I want you to know that we have a
search going for a permanent President that is underway right now
a national search.

So I want to thank you for the privilege of
appearing here today before you. The Commission joins me in
expressing appreciation for the Department staff’s very thorough
review of our extensive submissions for their positive
recommendation to NACIQI.

We agree fully with the staff’s conclusions that there are no remaining issues under the Secretary’s criteria. Our Agency took very seriously that required clarification and refinement of our practices and worked hard to demonstrate the full compliance.

These last three years have been very challenging -- both in responding to concerns about our meeting the recognition criteria and also in dealing with attacks on our Agency. We think we have turned the corner and are moving forward in a positive direction.

San Francisco City College had their accreditation reaffirmed for 7 years. We have a supportive and growing relationship with the new state Chancellor and his team. We have been working collaboratively with the work group of community college CEO’s toward improving both of our operations and our relationships with our members and key stakeholders.

And as suggested by a large number of registrants and presenters at our first ever annual conference there is solid and growing support for our accreditation activities in our region.

Members of our senior office team are being welcomed as participants and professional groups, associations of
the community college sector. We hope that you will agree with
the staff’s finding that ACCJC is on a clear and effective path
forward.

MR. WINN: Good afternoon. Please accept my
apologies for my annual case of laryngitis. My name is Richard
Winn and the Commission Chair has pointed out I am serving as
interim President of ACCJC.

I joined the staff as Vice President of Operations in
June of last year. I previously served for 12 years as a senior
officer at the WASC Senior College and University Commission.
I concluded my service there as a Senior Vice President.

And perhaps because of that extensive experience
within a regional accrediting agency the Commission asked me to
step in and provide leadership at this time of significant change.
As Dr. Rodriguez as noted this has been a time of transition, a
recalibration of relationships and of openness to broad and deep
changes at ACCJC.

The Commission is excited to be devoting major
time at its spring retreat to creating a clarified sense of vision and
to enter into strategic thinking. Much of the agenda is being set by
the extensive input from a CEO work group that is committed to
our improvement.
My executive team and I have been enjoying positive outcomes as we meet with our colleagues from member colleges and key organizations within the region. At its January meeting the Commission was able to validate the findings of the review team that conducted a rigorous evaluation of City College of San Francisco.

In voting to reaffirm the college’s accreditation for the maximum of 7 years the Commission expressed deep admiration for all that the college faculty classified staff and administration had done to both embrace and demonstrate best practices across the institution.

Both the interim Chancellor and the accreditation officer will be presenting at our annual conference on the colleges outstanding work and disaggregating student learning outcomes. We sense in these moments a readiness for key stakeholders to move beyond the former tensions and engage in a new level of partnership toward institutional excellence. Speaking of productive relationships we deeply appreciate the constructive engagement of our team with the Department’s accreditation group headed by Herman Bounds, supported by Elizabeth Daggett.

The staff has provided excellent guidance as we sought to solve instances of non-compliance to the Secretary’s
criteria. And now I would like to ask Vice Presidents Norv Wellsfry and Stephanie Droker to briefly summarize what we have done in those specific areas.

MS. DROKER: So in regards to 601-15A Academics on Teams and Academics on the Appeal’s Board, ACCJC revised its by-laws and adopted new protocol in 2014 that defines academics and administrators for the purposes of serve on teams and the appeals for the decision-making bodies consistent with the Department’s position.

ACCJC stopped considering student service administrators to the academics and now classifies them as administrators. The new protocol also provides for comprehensive evaluation teams to be comprised of 8 to 12 members which must include 2 to 3 faculty members for those comprehensive teams.

ACCJC also enhanced its evaluation team rosters by placing all individuals who are delineated as academics under a header titles, “Academic Members” and those who are delineated as administrators be placed under the heading, “Administrative Members” for clarity.

ACCJC also documented that these changes were implemented for its Appeals Board and for its sub-change teams and follow-up teams.
In regards to 602-13 Wide Support -- to
demonstrate compliance with this recognition criteria ACCJC
provided over 110 letters of support from a wide range of
educators. A significant portion of these letters were from
academics.
Additionally the California State Auditor validated
this support through a state audit survey which showed that
ACCJC has overwhelming support by its member institutions and
educators.
For example, 88% of our California institutions that
responded to the survey indicated that ACCJC recommendations in
reviews of their institution between 2009 and 2013 were
reasonable.
By contrast about 80% of the negative third party
comments submitted to NACIQI were provided by AFTCFT
and/or other organizations and individuals affiliated with the
Teacher’s Union or related to the withdrawal of accreditation from
a single institution CCSF City College of San Francisco.
And we note that federal recognition criteria do not
require the unanimous acceptance of an accrediting Agency’s
standards, policies and processes. While the California
Community College former Chancellor and Board of Governors
adopted a Resolution that raised questions about ACCJC’s future status as the accreditor for California Community Colleges. Those questions represented the views of state agencies and not educators.

In any event we now have the support of the new state Chancellor and will continue to enrich the relationship with that office as well as our stakeholders, member institutions, faculty students, staff.

MR. WELLSFRY: I would like to address two of the criteria 602.12 and 602.20. 602.12 relates to the Baccalaureate Degree. In order to strengthen its oversight of Baccalaureate Degrees at its member institutions ACCJC has developed a more comprehensive and specific policies and criteria and a protocol for the review of Baccalaureate programs.

It has also trained members of its evaluation teams and its’ Substantive Change Committee on the policies, criteria and protocol. The policies and criteria reflect ACCJC’s expectations of increased depth and higher levels of rare common higher education and consistent with the policies of other accrediting agencies.

The protocol is used to approve and evaluate all Baccalaureate Degrees. In this past year we have done two comprehensive institutional evaluations and 7 substantive change
visits to review Baccalaureate Programs. These evaluations have
been conducted by experienced evaluators with Baccalaureate
experience.

The accreditation group in October attended a
Substantive Change Committee meeting where we reviewed an
application for a Baccalaureate Degree. The group also attended a
site review of a Baccalaureate program and in both instances found
the reviews to be entirely appropriate.

In regard to 602.20 which relates to Deficiencies
and Good Cause Extensions -- to resolve Department concerns
regarding the need to more clearly identify deficiencies ACCJC
has modified its action letters and reports to clearly identify
deficiencies and areas for improvement in separate sections.

It has also deleted a requirement for follow-up
reports for recommendations for improvement which the
Department believed should be used only for deficiencies.

Deficiencies in meeting standards must be resolved in two years in
order to meet the requirements of the 2 year rule as provided for in
the Department’s recognition criteria.

The Commission also revised its protocol for action
letters that provide for good cause extensions. Under the protocol
the action letter would include detailed information to clearly
identify the use of good cause extension, identify one of 5 specific
reasons for a good cause extension and the period of the extension
that is being granted to the institution.

The 5 reasons for good cause extension have been
informally pre-approved by the Department, thank you.

MR. WINNICK: Good afternoon Mr. Chair and
members of NACIQI. I just wanted to quickly note a few points
for emphasis.

First, and this somewhat repeats what Beth Daggett
had said and what others on this panel have said but I think there
needs to be an understanding that the question before NACIQI
today at this hearing is not whether ACCJC comprehensively
meets all compliance requirements but rather whether it meets the
compliance requirements addressed in the compliance report.

So there are a limited number of issues before
NACIQI today and before the Department.

Secondly, ACCJC is not asking for an expansion of
scope. Previously the Department with NACIQI’s blessing
expanded its scope to cover a single Baccalaureate program that
could be approved at a previously accredited institution.

That expansion of scope was subsequently limited
in 2016 by the Department so that ACCJC could not approve even
a single Baccalaureate program at another institution because of problems that were noted in the comprehensiveness of materials of policies and criteria for Baccalaureate programs and because of a meeting that was observed where the reviewers were confused about which criteria, which standards applied and which did not. ACCJC has significantly tightened those policies and its implementation and so the issue before NACIQI today is whether to lift that limitation which would allow the approval only of single Baccalaureate programs, thank you.

MR. WINN: I wanted to say a few words about what you may hear from the third party comments. Much of the testimony will come from students, faculty and union representatives related to City College, from AFT, CFT or their affiliates.

These persons were understandably very protective of the college they love and upset when we withdrew accreditation from CCSF. Exacerbated by legal actions, press coverage and other initiatives to forestall the accreditation action our two sides have been polarized and overshadowed by mutual feelings of blame and distrust.

Even though the Commission has now acted to re-affirm CCFS for a full 7 years with deep appreciation for how
diligently the college has demonstrated compliance, we suspect it will take time for trust to rebuild and the potential for collaboration to become actual.

While we understand the intensity of the feelings and are familiar with what they allege to have been previous missteps by the Commission we hope that NACIQI will hear these comments as having been generated by previous actions and join with us in appreciating potential for renewal that is now in full advance across the region and within the Agency.

Past reports and issues are being rapidly overtaken by new developments and we are ready to embrace their energies with ours toward our mutual goal of institutional quality. We would be glad to receive any questions you may have.

MR. KEISER: Bobbie would you like to start?

MS. DERLIN: Thank you all very much for your remarks. Mr. Winnick thanks for speaking so clearly to the lifting of the limitation question. That clarification was very useful. The first question I would like to ask about has to do with the representation of faculty members on teams.

So I think this would be a question for Stephanie.

It’s clear from your materials, and it is clear from your statements that improvements have been made. I’m wondering if you could
tell me a little bit about whether there have been related efforts to expand the roster of faculty members who are eligible to participate and some of the initiatives you may have already done or contemplate in terms of bringing those folks onboard with the related improvements you have made in various standards and so on.

MS. DROKER: Yes thank you. One of the areas that we realized as we have been going through our own review is that we have a database of evaluators that is very limited and so we end up using members -- faculty members, particularly and I would like to note as a previous faculty member their time constraints are something that we really need to take into consideration.

Faculty cannot just get up and walk out of class for a site visit and so the initiatives we are starting to take on to address -- to not only bring new faculty in, especially with a bunch of retirees going but also to make sure that our peer review process really has diverse perspectives and the peer review process is enhanced when more people are involved and more dialogue is going on for the improvement all institutions.

So with that effect one of the issues we are trying to do is develop a 2 year calendar so that all the comp reviews and
our follow-up visits where faculty will be -- including trainings,
will be scheduled way out ahead of time so that when we invite our
faculty to come they can work with their administration and their
class scheduling so that it is appropriate to be inclusive of them.

We are also re-designing our training programs
where we are bringing in our intro new evaluator into a separate
training and we are focusing it so we are bringing in for faculty
only -- scheduling it for faculty at a time where it is appropriate for
them to come in and easy for them to get to so that we get our
faculty trained to be evaluators prior to just calling them up and
saying, “Please, please come on to a team.”

And then regarding the database I mentioned
earlier. We do have a database of people involved, of evaluators
that has been very limited and we realize that infrastructure is
important to growth in order to help our peer review process.

And what I mean by that is the database we are
using is rather old and it also links to our website and I do believe
someone mentioned reviewing of websites and making it easier for
peer reviewers to come on and get information but also for
students and families.

And so we are looking at infrastructure re-design in
order to include more voices and get information out to people
including trainings and dates and resources that is easily articulated
to those people who are not inherently into accreditation.

MS. DERLIN: Thank you. I also have another
question this is perhaps for Dr. Rodriguez or Dr. Winn. This
relates to the status you’ve made of presentation in terms of the
need to for lack of a better term, mend fences as you go forward.

It was not clear for me -- to me in reviewing all of
the materials just where the state of California has ended up in
terms of its support for ACCJC. My understanding was at one
time you had sole access in terms of accrediting California
community colleges and I’m wondering if that has been retained or
if that has changed.

MR. RODRIGUEZ: Sure so we still do but the
Board of Governors changed the regulations so now it has our
name taken out of it. We are still the single accreditor right now.
That could change in the future but right now we are still in that
position.

MS. DERLIN: Thank you.

MR. WINN: And as you may know there are
discussions going on about moving to a single accreditor model but
those discussions are far from conclusive. There are hundreds of
decision-making elements that have to be addressed and change
protocols should the region choose to go that direction. But this is
something that is being driven within the conversations within the
colleges within the region and there is a shared plan that over the
next several years the issues should become very clear so that an
informed decision can be made.

Mr. RODRIGUEZ: And we are participating in
that, we are part of those work groups that are going on.

MS. DERLIN: So this is -- I just want to be sure
that I am understanding what you are saying -- so this is a matter
that your Agency is open-minded about in terms of its renewal
process -- that’s the word you used. Am I hearing you correctly?

MR. WINN: There are so many things happening
that don’t directly address the Secretary’s criteria. I mean there are
the informal meetings that are going on with my staff and the CEO
forum with my staff and the group that’s called the RP Group
which has been very active in professional development.

We -- Norv and I co-presented at the Academic
Senate’s Accreditation Institute this last weekend so there are lots
of relationships at the personal level that are being established and
being met with very positive receptivity. Glad to see us engaged,
glad to see us open to be partnering with them.

MS. DERLIN: I’m ready for others.
MR. KEISER: Others, Susan?

MS. PHILLIPS: Thank you. I question for you about the Baccalaureate Degree granting activity. You have a standard 382 -- the Faculty Qualifications you heard me speak about that before.

And I noticed that you said the qualifications for faculty teaching upper division courses in the Baccalaureate Degree include the requirement for as Master’s Degree or academic credentials at least one level higher than the Baccalaureate Degree or Doctoral Degree as appropriate in the discipline.

And you have a couple of caveats in case that’s not possible. Could you say a little bit about your thinking and arriving at that determination?

MR. WELLSFRY: The basic background was as we looked at the other regions we saw pretty consistently that the requirement for faculty teaching at a particular degree level was one level above.

And so that was why we established the Master’s Degree as the base for anybody who was teaching in a Baccalaureate program. The Baccalaureate programs that are being offered at the California community colleges can be in
applied science areas and so that’s why you saw the requirement
that’s a little looser but we wanted to establish that the faculty
would have the academic background that is required in the
achievement of a Master’s Degree as well as the technical
expertise where the content knowledge if you will, which could be
acquired in a different manner.

MS. PHILLIPS: And I saw the exception was about
still having the academic preparation but also having the
experience?

MR. WELLSFRY: Absolutely.

MS. PHILLIPS: Thank you.

MR. KEISER: Anne?

MS. NEAL: Welcome back. As you all I know
know -- back when you were before us before I had considerable
concerns and questions about your ability to be a reliable guarantor
of educational quality and I opposed your re-certification.

One of the things that concerned me then and
continues to concern me today is what has been raised -- and I
suspect we will hear a little bit from third party commenters is an
inability to observe and respect boundaries established by state
law.

And I would like to pursue that in the context of
your request to grant BA’s and to have that limitation raised because as best I can tell the California Constitution sets out that there are three parts of higher education in California -- community colleges, the state comprehensive colleges and the research institutions.

And in effect what you will be doing with the ability to approve BA programs is essentially expanding the community college system beyond being a community college system. So my question and my concern here in a different context but never the less the same problem is -- is not this accrediting body through its granting of BA’s in effect changing the California Constitution in a way that more properly should be the role of the legislature in California?

MR. RODRIGUEZ: Absolutely not. It’s the legislature that determined this program. The 15 pilot BA programs in California and so they have been approved by the Board of Governors, by the legislature and have been allowed to move forward so we are simply -- we are their accreditor. We simply want to serve them and accredit their Baccalaureate Degree programs. We are not changing anything. It is the state that is changing it.

MS. NEAL: But as I understand it these are distinct
bills with tiny programs in them as opposed to looking comprehensively at the whole system structure?

MR. RODRIGUEZ: Well I think there is a push right now to change that. There are some bills that are being considered that would allow other Baccalaureate Degrees across our member institutions. So we want to be prepared for that when that happens not be limited to just these 15 pilot programs that we are now working with.

MS. NEAL: But my question remains. Is that not a decision for the legislature to define rather than for you to inch in through your granting of the BA’s?

MR. WINNICK: I think an answer to that question the legislature has authorized that, the Chancellor’s Office has really pushed that program. We are not just initiating the idea of approving Baccalaureate programs -- it’s our member institutions that under state law have started these programs and seek to have them accredited.

MR. WELLSFRY: I think it is important to recognize that when the Baccalaureate is proposed we are the reacting Agency. When the government -- the National Government of American Samoa decided that it needed to enhance the training and education of its teachers in that island nation they
decided to create a Baccalaureate at American Samoa Community College which we then did our examination of.

The same thing is happening in California. The legislature made that decision -- they enabled it and then we reacted to it because we had the scope at that time to do it. We are not initiating and pushing this but rather we are reacting to the legislatures that are encouraging this.

The nature of what is happening in education, especially in technology education today is rapidly evolving and you heard earlier, that especially in the health area, the criteria for health workers is changing quickly.

Most health workers in this country are trained at community colleges.

MR. KEISER: Further questions, Simon?

MR. BOEHME: Thank you for being with us again. In terms of 602.13 Acceptance of the Agency by Others -- could you just outline -- and I know Dr. Winn you mentioned these personal relationships and this building of a community, but how has it specifically been related to students and acceptance of students?

Walk me through maybe some things you have done or some things you would like to do in regard to students.
MR. WINN: Well Simon that’s a puzzling question because often the issues of accreditation do not filter down to the level of the student’s actual engagement in the issue. I’m not certain I know where your question is going or if you have got --

MR. WELLSFRY: Just if I might contribute. We have been as I mentioned earlier that we have been conducting reviews of Baccalaureate programs and every single one of those reviews has included extensive interviews with students.

I did it just a couple of weeks ago I talked to probably 30 students enrolled in Baccalaureate programs at community colleges and we talked to them about the quality of the program, the quality of the services being offered by the institution and whether those programs were meeting their expectations and we had very positive responses.

MR. BOEHME: I think what was so stark to me last time when ACCJC came up and what made it so memorable and what made me particularly vulnerable as a new NACIQI member was an overwhelming amount of students who came and were upset -- whether or not they were talking about things that were relevant to NACIQI’s decision-making ability.

I thought the prior leadership did a poor job of including students in explaining their decisions. There could have
been more outreach to students and so that’s where my question is.

Educators are vitally important to the vibrancy of accreditation and our higher education system but so are students.

And so I am asking specifically, explicitly and maybe you haven’t done as much but maybe moving forward you have plans to reach out to explaining how ACCJC and these new reforms will reach out to students.

MR. WINN: And perhaps what you saw in 2013 was an outpouring of protective devotion to the college that they loved which will often bring an outpouring of student involvement.

We probably don’t see that happen as often as we should but I think the approach that we have of working with faculty and leaders that will filter down to the students in terms of understanding the actions that we are taking.

MR. RODRIGUEZ: I think you are looking for concrete ideas really and so one of the things we have been looking at is when we go to a college and visit and we do for example the exit -- we call it the exit visit or interview, we used to call it report or whatever.

And so while the groups come together and you tell them what you found at the college and so on and that’s where students typically come in and I think communications where we
need to work a lot harder at and communicate with students as well as other constitution groups. So you are on to something that is very important. It is just very difficult and I think all the Commissions have struggled with this, how to incorporate students into this process and I don’t think we have yet hit the nail on the head but we need to keep trying I agree with you.

MR. WINN: We’re rolling out a brand new website in April and it will have portals for different interest areas for faculty, for students, et cetera. So I think at this point I can just say stay tuned. It’s a major commitment.

Our current website is creaking and groaning and we know that that gets in the way of good communication with our whole spectrum of constitutions.

MR. KEISER: Steven?

MR. VAN AUSDLE: Thank you Mr. Chairman. I want to come back to a point that Anne brought up because I think it is important context. I come from a state that has a critical shortage of Baccalaureates graduating. I mean stifling productivity -- we are not able to keep up with the technological changes taking place. So in this case the legislature actually asks the community colleges to implement the applied Baccalaureate programs and putting
pressure on to do so to resolve this skills gap. But there is a
difference.

In the Northwest commissioning colleges -- 2 of the
4 year schools are one crediting association so my question is is
there any disharmony between the 4 year accrediting process in
Baccalaureates and your accrediting process in Baccalaureates in
California?

Is there any turf war there or is -- and is the
legislature giving you the same kind of encouragement that we are
seeing in some other areas to expand participation rates in
Baccalaureate education?

MR. WINN: Having worked with both agencies I
may be in a position to add a perspective on that. And that is that
they have a long history of working together very collaboratively.
The boundaries of domain are quite unique. We know that it is
often cited that in other regions both agencies -- I mean both
levels, both sectors are combined in a single agency.

And sometimes the assumption is that is the
preferred way. We think there is at least something to be said in
favor of having an accrediting body that focuses singularly on the
unique character mission and issues around community colleges.

MR. VAN AUSDLE: Are the standards
comparable?

MR. WINN: In most respects they are. They have some nuance that’s different. You know some of the aspects of governance is different.

MR. VAN AUSDLE: Thank you.

MR. JONES: And another brief follow-up to Anne’s point. Is it the case -- my understanding was and I might be incorrect that the law in California that authorizes a 2 year institutions to grant Baccalaureate Degrees that that law essentially says that you can offer degree programs that aren’t provided by the state college system or the UC system is that correct?

MR. WELLSFRY: Yes that’s the specific provision in the law and when the programs are proposed the CSU system actually looks and has an opportunity to say no that program overlaps with ours.

I think the only problematic area that we have right now is in nursing. Nursing is excluded from our Baccalaureate programs. There are no community colleges in California offering a Baccalaureate in nursing however in reaction to that CSU’s in the community college are developing cooperative programs where a student at Sierra College which happens to be the college that’s close to where I live has developed a cooperative program with
CSU Sacramento where a student can enroll in the Associate Degree program at Sierra and then spend I believe 18 months after they finish their Associate’s Degree and they will be granted a Baccalaureate Degree from CSU.

I think that I heard comments earlier about innovative approaches and I think that’s partially what you are seeing and it is partially why we want the expansion of scope because in many of the areas where the Baccalaureates exist they are in areas that are underserved by the traditional Baccalaureate institutions.

I visited an industrial automation program in Bakersfield, health information management at Shasta College which is way up in the north part of the state. So you are seeing the kinds of technology-based programs that are going to contribute to economic growth but they are in those unique niches that the community colleges have historically served.

MR. KEISER: I have a question. We had a very long discussion this morning on outcomes and C-RAC made a proposal that’s going to be looking at certain outcomes. Where does your Commission fit into that?

MR. WELLSFRY: We deal with outcomes in two ways. We have two specific standards that emphasize outcomes
and we look at both student learning outcomes and institution-set standards. So we are looking at both achievement and student learning outcomes.

We review those, especially the institutions set standards as part of our comprehensive review process. We do it by the Commission, the Commission reviews, the institution set standards of the institutions that are under review, looking at both what they actually are and the appropriateness of those standards.

We have also expanded our mid-term reporting process that includes an extensive data analysis so that we can look longitudinally at what is happening to the institution set standards.

This is in addition an extension of our monitoring process.

MR. KEISER: Looking at the student aid data sheets that were provided, you have 37% of your institutions with what they would call bad outcomes, a graduation rate of less than 20% which is 37 out of 130 institutions which is well over a third.

How -- in the C-RAC they would have taken a stand against that because over 20%. What have you done to those 37 institutions?

MR. WELLSFRY: Well one of the things that we have been doing for the past year for the last two cycles is that we
have specifically shared the scorecard data with the institutions and
asked them -- asked the visiting teams to look at those and look at
the institution and find out whether they were sufficient or not or
they were adequate or did they describe sufficiently the character
of what was happening at the college.

I think as Dr. Brittingham noted this morning when
you have an open access institution the first-time full-time student
which is the basis of IPEDS doesn’t work very well. That is the
quandary that we face -- that first-time full-time students represent
a relatively small minority of the students that we serve.

So when you look at that data you are missing an
enormous portion of our institutions. So when we look at student
achievement we go back to the institution set standards. We have
included student completions as one of those institution set
standards. Our annual reporting process includes looking at
default rates and student repayment rates.

So we are looking at that data and we are including
it in our analysis but we do have the challenge that those numbers
don’t happen to fit the kinds of institutions that we have very well.

MR. KEISER: But if a third of your institutions
have graduations less than what C-RAC has declared to be the
baseline isn’t that an issue? And let’s look at default rates -- 42 of
your institutions have default rates over 20% according to our data.

MR. WELLSFRY: Well I look at that data every year and I do have some concerns with the data, especially since I look at it and find out that a number of our more extraordinary institutions are identified in the data as certificate institutions, not Associate Degree institutions.

Again I go back when you look at that graduation rate it deals with IPEDS data which is first-time full-time students. That is not the student that is served by the California community colleges, by the Hawaii community colleges and the colleges in the Pacific Nations.

MR. KEISER: I’m not looking at IPEDS, I’m looking at the Department data which we were given for all of the accrediting agencies and to go with Paul’s comment on the last Agency 13 of your institutions have average salary ranges for their graduates of under 25,000 and 49 additional institutions are under 30,000 and salaries for students graduating from your schools which as Paul said at the prior school -- prior agency that’s below what a high school graduate would get without going to college.

MR. WELLSFRY: Again I will go back to the data if you look at community college graduates, what do community college graduates do? Well many of them continue on into
operative division institutions. They don’t make a lot of money when they are going to school. That is going to depress the salaries.

Graduates of our vocational programs do extremely well. But if you compare our students to a Baccalaureate graduate of an engineering school at a research university we are not going to compare very well. That is the nature of the community colleges.

But certainly our career students do extremely well within a short period after graduation and those that transfer are then going to show up in the statistics of the transfer institutions.

MR. KEISER: Well again according to this data only 3 of your schools of 130 have average salaries above $40,000 the rest are between 35 and $40,000 and all the rest are below $35,000.

I don’t know if that is considered great. I know California is more expensive than Florida, not great there. The question is are you really approaching the outcomes issue or I mean as you said you leave it to the institution to determine what their outcome should be, is that the appropriate way for us to be looking at you?

MR. RODRIGUEZ: I think we are but the data is
complex and let me give you an example. So Santa Ana College is one of my colleges in my district. 38% of their students do not have social security numbers so they are not included in the databases that you are looking at. They are not included in IPEDS they are not included in our state database because they do not have SSN’s -- that’s 38% of the students at one of our colleges, a 20,000 student college -- 38% of those students don’t have SSN’s so their outcome data is not included in there. And they are motivated students because they are immigrants they want to succeed and they are not counted in those numbers. So there are lots of anomalies like that so it is not as simple as it seems, but yeah we need to do a better job, I agree with your main premise but it is more complicated than what you think.

MR. WINN: I should -- I mean part of your question is what do we do and it is now part of our normal review process that growing out of the institutions self-study they identify what we call a QFE -- a quality focused essay which identifies specific long-term initiatives which the institution will now undertake that will specifically address student achievement including completion rates and student learning. And this quality focused essay becomes a major
part of their self-study. It is critiqued and reviewed by the team
and also by the Commission at the time of the review. And the
idea is to set up measurable goals where they will honestly take
seriously their own performance data and make specific plans to
improve it.

MR. KEISER: Just a final question or comment.

Assuming this data is accurate and I would agree with you it is
probably not, but it is what the feds have compiled. If 37 schools
of your 130 are below the C-RAC benchmark can you -- because
the San Francisco city college examples it is clearly in front of me
-- can you pull an accreditation from an institution because they
just don’t perform and would you? Again?

MR. RODRIGUEZ: I think we would try to work
very closely with that institution but in the end I think we would do
what we need to do.

MR. WINN: We are reluctant to see accreditation
doing its best work when it pulls accreditation as I am sure you can
appreciate because there are thousands of student’s lives, faculty
lives, investments involved and it is a matter of understanding the
very unique character and mission of the California community
colleges which have an open access mission that is more inclusive
than you experience in most places.
And you help kids that are immigrants that are first-time language learners. There is a whole spectrum, very few -- I shouldn’t say very few but certainly not the majority of which are calculated as degree-seeking first-time full-time Freshmen.

MR. KEISER: Thank you any other questions Bobbie?

MS. DERLIN: Dr. Droker I want to return to the issue of student involvement in accreditation and I think I heard so far that students are involved in some way in opportunities during the visit and that as leaders at institutions are preparing for the visits, students get engaged.

But are there specific activities that occur during comprehensive visits for example, or focus visits that compel if you will student participation?

MS. DROKER: So institutions through our standards are required to have -- there are stakeholders involved in the accreditation process and students are a large part of the stakeholders.

And so institutions do have students on their standards teams. When site visits go out we interview students. Students are invited to open forums to provide comments to the evaluation team. This also happens during other types of site visits
like the Baccalaureate substantive change follow-up visits.

And then through those open forums that information is brought to the evaluation team for inclusion into the team report if necessary or if required if it aligns to the standards.

MS. DERLIN: Thank you.

MR. KEISER: Simon?

MR. BOEHME: I just wanted to -- it is -- I really hear Anne Neal when she says I think, you know, there has to be a fair application of NACIQI and the types of questions we ask and so I appreciate the Chair asking those questions because while the data is flawed the data is what we have.

And 37 institutions with extremely low graduation rates -- and I know there are different factors involved, I understand that and different populations are being targeted and I am eager to see how these quality essays work out and I would be interested and appreciate, you know, depending on how all of this goes if you come back and tell us the success or maybe the failures or what you have learned.

MR. WINN: I think we see ourselves doing two things concurrently. One is continue to encourage the institution to own the issue and its outcomes. But secondly we have got to find a better way for institutions to tell their stories other than some
single metric because that can be so damning when it simply is not even close. 

I mean our team Chairs when they took that data to the campuses during the last comprehensive visits. When they looked at the on-campus stuff they found out that in most cases the colleges were graduating twice what the data showed on the federal sites.

MS. DROKER: May I add to that as well. We are working with the colleges who use their own data. For example the California community colleges has a system wide score card that not only measures completion as far as graduation rates but they have other metrics like including part-time students, having -- breaking down populations as far as English language learners, CTE programs, specific mile marks where we see research supports completion like a student who has 30 units. And so we use the data that the colleges are using in an effort to also ask further questions because that is what data does right? If we are doing our job right data leads to more questions. So the California colleges have a way -- a systematic way of looking at that. They also break up their colleges and cohorts so when they do comparisons they are doing
peer groups of like colleges. With 113 colleges in the California community college system they are very different.

The Hawaii colleges use the student achievement measure which also has similar data definitions to tell their story and also breaks up into peer groups. So we are working with the college’s own systems to see how they are using what they -- because using the data to improve their programs and services and improve student achievement.

MR. RODRIGUEZ: Could I add that the California data base is very important for another reason. It separates students into those prepared for college and those who are not prepared for college and outcomes are vastly different for those two populations.

So to start with a person who is at the arithmetic level and to try to get them to graduate from college is a tough task. So I think you need to look at the data in that lens as well and that you get different outcomes.

MS. DROKER: And he just reminded me also students transfer among community colleges and having one data point does not look at a student who transfers among different colleges but the student achievement measure does measure that for transferring to multiple colleges.
MR. KEISER: Jill?

MS. DERBY: Well this is more of a comment but I don’t want to lose it until we get to the later section and that is that it really strikes me over and over that using the IPEDS data and how much the profile of the typical community college student doesn’t fit into that kind of skews the impression that we get about the outcomes.

And California of course which has such a big community college system has developed its own way that more accurately reflects what’s really going on in the community colleges and you know, I don’t know in terms of our analysis that we do whether or not we have access to that kind of information as well as just the IPEDS which I think seriously skew in terms of the community college profile the outcome.

So I find it refreshing to hear about what California has in place and wondering why that can’t be used really more broadly when we are talking about community colleges in other places.

MR. KEISER: Paul?

MR. LEBLAC: I’d like to go a step further because I think if we were to unpack as you did to some extent what is going on beyond the data the Agency that was before us earlier
today would probably say a lot of the same things, open admissions, underserved populations, language challenges, et cetera and it points as Jill just did a moment ago and Simon that this data that we are dealing with seems to get in the way more than it illuminates.

And so we are stuck with that reality. It is not the staff’s fault it is what we have. But I don’t know if there is a way in the future to urge agencies to look at that data before they appear before us and come with their own better narrative, with their own better data.

We may not be able to verify it but I would rather sort of trust any of the agencies if they can give us a persuasive analysis than we are dealing with now. This is really getting more in the way and I think it is making it very difficult for anybody before us to tell their story accurately, so it’s your point Jill.

MR. KEISER: Steve did you have something?

MR. VAN AUSDLE: Well I was sitting here thinking but I will think out loud for a second. You know and it’s kind of what you are saying here -- part of the standard needs to be that all of us need to develop these systems that forms important decisions and we have to have evidence.

And we don’t just want hearsay we want the best
evidence you can bring to the table. So how do we incent the
nation? You know to move in this direction of developing these
kinds of systems that will enable us to communicate very frankly?

Looking at this I have got to think some of this is
suspect. And I have dealt with IPEDS data a long time but do we
require assessment centers in our institution so they are becoming
data driven -- do our state systems have these things, do our
accrediting agencies collaborate with state Boards and
Commissions that have these systems so we can strengthen the
data system in the United States. That would be a great plus for all
of education -- that was what I was thinking.

MR. KEISER: Thank you. I appreciate your
comments it just concerns me that the prior group we basically
hung out to dry because of the exact same data I cited which was
significantly worse and I am told that the data that we are being
provided is not just IPEDS but it is a mixture of SFA data and
others information.

So I think we have to be careful in terms of using
this data as much as anything. Because we set up the last time a
whole series of questions about the other Agency’s abilities and
performance based on the exact data which is worse for this
Agency than it was for the one before -- Susan?
MS. PHILLIPS: Just a question -- I had mentioned to the prior Agency under discussion that the data that Paul was talking about was on the NACIQI website and I’m hearing that maybe agencies don’t know that that data is out there. Is it just recently posted or is it -- Jenn perhaps you could speak to that.

MS. HONG: Right so the updated dashboards were posted recently after they were updated. I have said this in previous meetings everything as a result of the deliberations of this meeting are posted on the website. So I urge you, I encourage you to please check the website.

I still get inquiries when is the meeting? Go to the website. You know we recently revamped it. If it is current it is up there so I have tried to make it as user friendly for folks as possible. It is on the home page. We have been discussing that this pilot program has been enacted a few meetings ago.

The pilot project agenda, protocol is all up there so you know this is the public space and the announcement that we make that this is what’s happening at the meeting, forthcoming meetings.

Later when we have our policy discussion we need to make decisions as to whether to continue the pilot project, what do we want to pull from it, how do we want to proceed going
forward with the consent agenda, so I mean the space to do that is here and then a report of the meeting is generated 90 days after the meeting.

That is posted on the website so the information is there and it is available to the public.

MR. KEISER: Bobbie?

MS. DERBY: This is really an important conversation. It isn’t the first time that we have had this conversation. I’m hopefully counting on Friday as being another time we will have further conversation about these issues.

But I would like to ask given that we have many commenters that we wrap up our questioning with final questions and move on to third party commenters.

MR. KEISER: Any further questions?

MR. WINNICK: Excuse me can I just add one comment. Please don’t misunderstand me. I think this has been an important discussion and I think you are hearing a lot of agreement from ACCJC to the concerns about measuring student achievement.

But a reminder that that is not an issue before NACIQI in terms of what to do about this compliance report from ACCJC. It’s not just before NACIQI at this point.
MR. KEISER: I understand and we had that conversation earlier. If that’s let’s see -- I think we can take a 10 minute break. We will take a 10 minute break and then we will come back with the third party presenters. Please make it exactly 10 minutes. I have exactly 3:30.

(BREAK 3:30 - 3:45)

MR. KEISER: What we are going to do is ask the presenter who will be speaking to come up front I will announce their name and then we will have a person on deck who will move up to the front row and be prepared to make a presentation immediately thereafter.

You will have 3 minutes to make your presentation. I will show you a finger with 1 minute to go and then I am going to ask you to conclude your remarks -- did I say that wrong? By the way you could fire me this is my first meeting I’m not doing a good job.

I will put up one finger is that better okay. You embarrassed me this is terrible. So you will have 3 minutes, please try to finish as quickly as you can. If you feel you are being repetitive and you do not want to make the presentation that’s fine with us but we want everybody to have a chance to make their
speech. We will start -- it’s on your Agenda, we will start with let
me get my gasses out, Jonathan Lightman, Executive Director of
the Faculty Association of California Community Colleges and on
deck will be Martin Hittelman, Mathematics Professor Emeritus at
Los Angeles Valley College.

MR. LIGHTMAN: Thank you Mr. Chair and
members. My name is Jonathan Lightman, Executive Director of
FACCC the Faculty Association of California Community
Colleges. We are a 64 year old state-wide professional
membership association for the faculty throughout the California
community colleges.

In November we filed a third party written comment
and I would refer you to that document for a more thorough
understanding or our concerns. FACCC is also the organization
that devised and advocated California Assembly Bill 404 requiring
a survey of the constituency groups in the California community
colleges on how our regional accreditor has complied with federal
law prior to a hearing of NACIQI such as this.

AB404 is pertinent to this hearing because it was
triggered for the first time this fall. While I am prepared to discuss
with you a few sections of federal law whose compliance by
ACCJC was in question it simply is impossible to overlook how
the faculty comments we received on our AB404 fact member
survey differed from the Department’s preliminary staff analysis
on CFR Section 602.13 which claimed that ACCJC met the legal
threshold for wide acceptance by faculty on their standards,
practices, policies, procedures and decisions.
We have 11,000 faculty members in our
Association. Only a handful of which are in San Francisco and
I’m here to challenge the presumption of compliance with that law.
In many ways I believe our position on ACCJC has
mirrored that faculty as a whole and of other non-faculty system
partners. What began as a mildly critical but overall even-handed
posture has deteriorated to a state of extreme distress exacerbated
by the number of institutions recently placed on a limited 18 month
accreditation renewal.
Last fall when the Department of Education
announced the call for third party written comments on ACCJC
several FACCC Board members described facing local pressure to
send positive statements about the accreditor that ran counter to
their own experiences and opinions.
Not surprisingly they feared retaliation against their
colleges in the next accrediting cycle if they did not comply.
While we acknowledge that ACCJC has recently changed its
leaderships, FACCC’s overwhelming sense is that the Agency has failed to live up to the letter of the law and even more importantly to the spirit of those sections of the U.S. Code and Code of Federal Regulations governing accreditation.

FACCC joins the many voices who believe it is in the best interest of our colleges and students to align with an accreditor that already serves four year colleges and universities and this is preferable over lifting the limitation on ACCJC’s authority to accredit Baccalaureate Degree programs.

In closing I want to emphasize that my comments are not meant to challenge the need for accreditation. This process provides a critical safeguard for students and taxpayers to ensure that colleges employ sound educational and fiscal standards.

Your recommendation of the disposition of ACCJC is less about that than whether they have contravened federal law in a way that has been harmful to our colleges and students. Thank you for your consideration.

MR. KEISER: Thank you Mr. Lightman. Dr. Hittelman and on deck --

MR. HITTELMAN: My name is Martin Hittelman. I’m a Mathematics Professor Emeritus of Los Angeles Valley College. The ACCJC continues to violate all of the issues
mentioned in the January 4, 2016 decision of the Secretary of
Education and in the March 10, 2016 decision on renewal of
recognition.

The ability of ACCJC to accredit should be withdrawn immediately. With regard to Section 602.13 the fact that the ACCJC is not widely accepted by California community college educators and educational institutions is clear.

This lack of support is overwhelming. The organizations representing 100% of the faculty in the California community colleges have clearly stated that they have no confidence in the ACCJC.

The positions of these organizations were determined by the votes of hundreds of faculty members representing every college in the system. In addition the administrator organizations and the California Community College Board of Governors have also made known their lack of confidence in the ACCJC.

A number of reports have enumerated the violation of federal regulations committed by ACCJC. In short, the California community college system, its faculty and its member institutions excuse me -- have lost confidence in the ACCJC.

The ACCJC has attempted to negate these
rejections by appearing to make concessions although none to date
have resulted in changes from the behaviors that have brought us
to this meeting.

The almost universal lack of confidence in ACCJC continues to this day. Relative to 602.15 the ACCJC continues to identify administrators as academics. For example, the external team that will visit San Diego Miramar College in Spring 2017 in a few weeks and have visited Los Angeles Harbor College and West Los Angeles College in Spring 2016 all had non-teaching Deans identified as academic representatives.

In Spring of 2014 the external evaluation team for 5 colleges had no faculty members. In Spring 2015 the external evaluation team for the Peralta District Office had no faculty representatives.

Relative to 602.18 ACCJC continues in its letters to colleges to fairly clearly delineate between areas of non-compliance and areas for improvement. The ACCJC continues to fail to meet 602.18 and 602.25 by not providing detailed, written reports that clearly identify any deficiencies in the institution’s compliance with the Agency standards.

In addition the ACCJC continues to fail in its action letters to clearly provide written specification of any deficiencies
identified at the institutions examined.

The ACCJC only lists the sections that it claims are violated and then a statement on what the visiting team recommends. The letters do not make clear what changes the Commission itself believe must be performed to satisfy standards.

This practice continues in the February 2017 letters to colleges.

MR. KEISER: Thank you very much we are already over 3 minutes.

MR. HITTLEMAN: Just one last sentence. The ACCJC continues to lack consistencies and sanctions that has been shown by lots of groups including the recent Chief Executive Officers work group one report.

MR. KEISER: Thank you very much would Dr. Mike Solow and on deck is Alisa Messer.

MR. SOLOW: Thank you esteemed Chair for the opportunity to speak to the Committee. My name is Mike Solow I serve as City College of San Francisco Chemistry Department Chairperson.

The ACCJC does not meet the criteria for recognition of accrediting agencies 602.18E which requires the Agency to provide the institution with a detailed written report that
clearly identifies any deficiencies in the institution’s compliance
with Agency standards.

In his decision against the ACCJC on January 16, 2015 in the case of the People of San Francisco vs. ACCJC
California Superior Court Judge Curtis Carnell found that “ACCJC
did not provide a detailed written report that clearly identified all
of the deficiencies in City College’s compliance with accreditation
standards.”

Additionally Judge Carnell found “ACCJC is liable
for violations of the Unfair Competition Law, specifically the
law’s ban on unfair business practices. ACCJC’s material
violation made it impossible for City College to have a fair hearing
prior to the 2013 termination decision.”

The ACCJC claims that it afford the colleges it
accredits due process but it isn’t a form of due process that is
recognized by a judge. The ACCJC is non-compliant with Code of
Federal Regulations Title 34 602.13 Acceptance of the Agency by
Others because of its standards, policies, procedures and decisions
to grant or deny accreditation are clearly flawed.

Basically the ACCJC invents its process of
accreditation as it goes flying by the seat of its pants primarily
concerned with covering its backside.
Last month after it lost in court the ACCJC gave CCSF a clean bill of health and reaffirmed the college’s accreditation at the highest level for 7 years. City College of San Francisco went from having the highest level of accreditation a college could have to having no accreditation back to having the highest level of accreditation a college can have in the span of 5 years.

This strains credibility and it points to a simple truth: ACCJC’s accreditation process is a laughing stock. The California Community College’s State Chancellor’s Office which represents the majority of the colleges ACCJC accredits has called for the replacement of the ACCJC with “A credible system of accreditation.”

Accreditation is supposedly in the service of students, a stamp of educational authenticity beyond the influence of politics but the ACCJC’s version is a sham. CCSF’s accreditation was terminated by the ACCJC under the fallacy that it holds colleges accountable for performance. Will this body hold ACCJC accountable for its unlawful actions and revoke its federal recognition? Thank you esteemed Chair, may I answer any of the Committee’s questions?

MR. KEISER: Thank you very much. Miss Messer
-- Timothy Killikelly is on deck, correct me with your name please.

MS. MESSER: Thank you. My name is Alisa Messer I am an English teacher at City College of San Francisco. I teach basic skills and transfer level composition courses and I am past President of AFT2121.

This is in fact the third time that I have joined others in DC to tell NACIQI that ACCJC’s actions have been “irregular, inappropriate, high-handed and vindictive and they have resulted in a culture of fear and coercion in our colleges.”

ACCJC’s numerous violations have never been just a San Francisco issue. The Agency is far from widely accepted and I again request that the ACCJC be delisted. Well before the Agency’s complex entanglement with and treatment of CCSF there was concern in our California colleges about ACCJC and there was fear about saying so.

Now with clear evidence going back more than 10 years from a variety of relevant sources including the California State Chancellor’s Office and its Board of Governors, a California legislative audit, the RP Group, a Superior Court Judge, massive stacks of third party comments and yes research and comments from City College of San Francisco advocates and our related
unions. It is time for the Department to act.

Unfortunately the Department’s over-long process and bureaucratic tangle means that much of the mountain of evidence about ACCJC’s misdeeds, particularly related to 602.13A and also 602.15 has been at times un-vetted and at other times it appears simply ignored or dismissed.

14 months ago dozens of oral commenters were told here we could not address the over-arching issues before the Department because they were stalled under an appeal that had by then stretched to approximately 2 years.

Then -- 13 months ago the Department firmly rejected ACCJC’s appeal stating that the Agency “notably lacks affirmative expressions of support from educators.”

ACCJC was not widely accepted then and it is not widely accepted now. The wrongful 5 year trauma that City College of San Francisco has endured at the hands of this Agency should not lead you to dismiss comments from San Francisco. Instead, I encourage you to view CCSF as an extreme example -- one that comes as part of a continuum of Agency missteps. What happened at CCSF was not an exception but an outer edge.

Colleges cannot be confident in this accredits.
Unlike the 7 years full accreditation our college was recently granted, the vast majority of California’s community colleges now receive only 18 months-time before their next review. CCSF’s relative safety does not and should not translate into confidence in an accreditor that has long since lost its credibility. The current staff report appears to dismiss so much evidence, even allowing the ACCJC to ignore its own and federal guidelines regarding a timely response to our extensive 2016 third party complaint.

We believe in a robust thorough and transparent accrediting process conducted by legitimate educators with the interests of students and the public in mind but that is not a description of the ACCJC and it has not been for many years, thank you.

MR. KEISER: On deck Wendy Kaufmyn.

MR. KILLIKELLY: Yes my name is Tim Killikelly. I teach Political Science in City College in San Francisco and I am the current President of AFT2121, the faculty union at City College of San Francisco.

The issues before you today are not about City College of San Francisco. We now recently received a 7 year accreditation and a crisis that we should have never gone through.
The issue before you is the ACCJC. They have still continued to have illegal practices and they continue to create fear in the system.

I wanted to read you a text of somebody who sent this to me who I thought was going to be sending a comment but this is what they wrote to me after they read the staff report. They said, “Hi Tim, I met again with the Faculty Accreditation Offices this morning and we have all reviewed the report you sent.

The ALO has recognized that the report is misleading -- but still believes it is not in the best interest of the college to step up on this. I’m not sure I concur but I have been overruled.”

This is the comments that you get from people who are in fear. They don’t want to talk. They want to lay low. This is the reality of what goes on. That’s a comment from yesterday.

The ACCJC also continues to use illegal underground standards when it comes to finances.

They sent letters to colleges using a composite financial index. This letter and the use of the index is not part of their standards yet one of the criteria in the CFI that colleges can get dinged on is how much money over the cost of living adjustment that faculty staff received in the contract. This is an
illegal interference and collective bargaining agreement.

It is not an issue for the ACCJC but for the parties at the collective bargaining table. The report of the Department of Education is both incomplete and flawed. The report that was given -- the response they got it in August so let’s do the math here -- end of September they should have had it, October, November, December, January, half of February -- so they were 4 and ½ months late in their report and yet that doesn’t seem to be much of a concern to the staff report.

I’m actually really surprised. The staff report also states that many of the areas why people don’t widely accept them seem to be outside of the review. The areas that are mentioned are the high rates of sanction, the transparency of Commission meetings, the evaluation of individual institutions’ decisions on accreditation and the evidence of the appeals process, yet the language clearly states that the Agency must demonstrate that standards, policies, procedures and decisions to grant or deny accreditation are widely accepted.

How transparent they decide to make their meetings is a policy. It is right there. Patterns of high rates of sanctions are decisions that they make. These things need to be included and the report is deeply flawed and incomplete, thank you very much.
OFF RECORD QUESTION:

MR. KILLIKELLY: Sure. If you get what you want the state of California’s community college system will lose 2.6 billion dollars. They will have 18 months in order to find another accreditor which a regional accreditor will be very hard to get in 18 months and it would impact, I think, thousands of faculty members and students in a very negative way.

MR. KEISER: Why would you advocate for us to not recognize --

MR. KILLIKELLY: Well I really don’t accept some of the premises of your question but those are things that I really want -- the colleges to lose money or that there will be some sort of disaster for this system.

So what we really want is to continue a process in an expedited fashion to find a new accreditor for California community colleges, that is what we have been advocating all along and that’s what we are for. So I think your characterization of what my position is is incorrect and we don’t think there is any reason why we cannot move to a new accreditor.

The process has already gone on long enough. We don’t understand some of the timelines that ACCJC in general uses. It seems to shift and change and I’ll give you an example.
Well you asked me a question and I want to try to answer it in a thorough way so that people can understand the context.

So the Board of Governors of the ACCJC back in September when they went to the California Board of Governors had a report that said that they were going to give Compton Community College 3 to 5 years where they could then apply for candidacy.

And then only last week they just changed it and they gave them the Board is coming back -- which I think is a great thing and they are now saying that they could get full accreditation in 3 years. So all of a sudden the timelines and the processes have really changed.

And we think that there’s a lot -- there could be a shift over in a very, very short period of time so it’s the best answer I can give.

MR. KEISER: Thank you.

MR. KILLIKELLY: Thank you very much.

MR. KEISER: Yes on deck Muriel Parenteau.

MS. KAUFMYN: I am Wendy Kaufmyn. I have taught Engineering for 34 years at City College of San Francisco. I do not accept the policies or decisions of the ACCJC. The Academic Senate for California Community Colleges that
represents me and my 56,000 colleagues across the state does not accept them either. This lack of acceptance by educators has persisted for almost a decade.

The evidence is overwhelming that despite cosmetic changes to the Agency they remain unacceptable to educators across our state, not just San Francisco. The can has been kicked down the road long enough and it is time to act upon the non-compliance of ACCJC with 602.13.

On reason for educator’s non-acceptance of the ACCJC -- one reason for educator’s non-acceptance is the ACCJC’s continued non-compliance with 602.18 which requires clarify about deficiencies.

The ACCJC’s use of the word deficiency continues to be unclear. Their current definition is “An institutional policy procedure or practice or absence thereof which results in an institution not meeting one or more standards.”

So deficiency is regarded as something separate from and pre-dating non-compliance. This issue was central in the lawsuit of the San Francisco city attorney and the judge ruled that the ACCJC’s definition violated 602.18, yet they persist.

The February letters from ACCJC to colleges that were given 18 months state, “Deficiencies in institutional policies,
practices, procedures and outcomes which lead to non-compliance with any standard will impact institutional quality. The evaluation team has provided recommendations that give guidance for how the institution may come into compliance with standards.”

This conflates deficiencies in an institution’s policies with deficiencies in an institution’s compliance with standards. This conflation is subtle but significant. It leaves colleges susceptible to the debacle that occurred at my college.

The claim by ACCJC that a past communication provided notification of a deficiency because it described college practice that eventually led to non-compliance.

The college is accused of ignoring a Notification of Deficiency when in fact they were just given a recommendation for improvement. The ACCJC remains out of compliance with 602.13 and 602.18 -- you need to recommend that they be de-listed.

I would like to take this opportunity to appreciate Dr. Winn’s desire for all of us to go forward collegially toward mutually accepted goals. I don’t know --

MR. KEISER: Stop. I’m trying hard up here, thank you very much. On deck Everardo Gonzalez.

MS. PARENTEAU: Hello my name is Muriel Parenteau. I’m the Department Chair of Disabled Student’s
Programs and Services at City College of San Francisco. DSPS
serves over 2,000 students with disabilities and assists them in
participating in an accessible, affordable quality education.

City College had its accreditation reaffirmed in
January. This issue is not about City College. This is bigger than
City College and encompasses all the California community
colleges and all other colleges in the western region.

My colleagues and I are here for the third time to
urge you not to recertify the ACCJC as a regional accreditor. We
are not convinced that the ACCJC has changed. When I listened to
the report a little while ago I agreed on one thing -- mistrust.

Mistrust in 2013, mistrust now, mistrust ongoing. I
find it systemic across the state. Regarding 602.13 Wide
Acceptance -- the lack of support for the ACCJC is overwhelming.
There are a number of groups made up of educators who have
denounced the ACCJC including the Academic Senate of the
California Community Colleges, California Community College
Chief Executive Officers and the California Community College
Chancellor’s Office Task Force on Accreditation.

In fact the Task Force report was the product of a
wide range of educators and included administrators, faculty,
trustees and the Chancellor’s Office. It recommended a new
model for accreditation including getting rid of the ACCJC. The
DOE staff report discounts non-support letters from CCSF’s
stakeholders.

Why doesn’t it discount support letters submitting
by those who may have ties to the Commissioners and ex-
Commissioners of the ACCJC?

The ACCJC collected the support letters and the
ACCJC sent them to NACIQI. In fact all letters of support
obtained by the ACCJC are suspect because of a course of policy
that threatens institutions with loss of accreditation if they fail to
comply with the ACCJC’s request.

In 2013 the ACCJC added to their policy on
institutional integrity and ethics it states -- “The institution
complies with Commission requests, directives, decisions and
policies. If it fails to do so, the Commission may act to impose a
sanction or to deny or revoke candidacy or accreditation.”

The ACCJC sent out these so-called request letters
for its support including a template in August, 2016. Accreditation
is a necessary and important process and insures the educational
quality of an institution.

But the ACCJC has turned the process into a
punitive, confusing and demoralizing event. You can stop the
adverse impact on hundreds of thousands of students. Please tell
the DOE to get rid of the ACCJC. The ACCJC has misused its
authority to traumatize educational institutions in the name of
accreditation.

The public has lost faith in the ACCJC. The
ACCJC may have new faces but a house with a rotten foundation
cannot be fixed with a new coat of paint the structure and the
culture of the institution remains. I trust this Committee moves to
rid the west and region of the ACCJC. It is not flexible it’s time
for change now. Thank you.

MR. KEISER: If I may please -- please stay within
the 3 minute time limit. The next person on deck is Allen Deon
Saunders.

MR. GONZALEZ: Good afternoon my name is
Everardo Gonzalez I’m a recent graduation of City College of San
Francisco and I have successfully fulfilled pre-requisites for a
Master’s Program in Education that I will be attending this fall.
This is my third trip to this Board meeting. At the
previous meeting I spoke as to how ACCJC’s continued non-
compliance had up to that point resulted in the most heinous attack
on student access and education opportunity in the history of City
College.
I warned that anything short of de-listing ACCJC would be a costly mistake and it was. When the accreditation crisis began in 2012 students were routinely advised that the main purpose of the accreditation process was to ensure and improve the quality of education at City College and that the drastic policy changes being implemented to meet the ACCJC’s recommendations were in our best interest.

Instead we witnessed the gross dismantling of the core pillars of City College, diversity student access and educational opportunity. Since the fall of 2012 the CCSF Administration has implemented a series of policies and draconian cuts in an attempt to appease ACCJC’s recommendations.

The Commission cited a lack of financial accountability as well as institutional deficiencies in the area of leadership and governance as the main obstacles to the colleges’ turnaround and reaffirmed its decision to revoke accreditation from City College on June, 2013.

However, in the student success scorecard released by the State Chancellor’s Office in April, 2014 they found that 56% of students who entered City College in the 2007-2008 school year achieved their goal of transferring or earning an Associate Degree within 6 years. None of the 12 colleges led by the
members of the ACCJC or where Commissioner’s taught had been employed or graduated from did as well.

In fact City College students also completed academic goals at a higher rate than the state-wide average of all community colleges. None the less, ACCJC with their boots to our neck demanded a downsized college and a refined mission statement setting the precedent for massive cuts and divestment in programs and student resources for at risk student populations.

The results have been disheartening. 28% of the total courses were eliminated, 25% of funding was cut from resource centers, 35% of full-time faculty have lost their jobs, historic departments like the African American and Filipino, LGBTQ, women and labor studies have lost over 50% of their courses.

Since 2012 6,000 students per year have been pushed out for a total loss of over 24,500 students or 28% of enrollment. This includes 38% of all African American students, over a third of Native American Filipino and white-working class students and 1 in 5 Latino students.

Once again these cuts are a result of decisions based on recommendations that are supposed to improve the quality of education. City College, especially the faculty and staff have
moved mountains to meet the Commission’s recommendations and
finally after 4 long years after receiving bi-partisan criticism from
federal, state and local officials, after being sued by the City of San
Francisco, after receiving a scathing report from the State
Chancellor’s Office requesting a new accreditor and failing a state
audit has the ACCJC to save face given full accreditation to City
College of San Francisco.

The ACCJC has proven that it is neither wise nor
responsible but hubristic and over-reaching and apparently without
regard for the real world consequences of its actions. In March
2016 in a stunning show of no confidence the Presidents and
Chancellors of all California’s community colleges voted by more
than 90% to seek an alternative to the ACCJC.

It is overwhelmingly clear that the California
Community College System and its member institutions, along
with faculty staff and students have lost confidence in the ACCJC.
We request that you de-authorize the ACCJC and support the
process of finding an alternative accreditor.

MR. KEISER: Thank you.

MR. BOEHME: Can I just ask one quick question?

If you could advise ACCJC on how students could be engaged in
the accreditation process what would you tell them?
MR. GONZALEZ: I could give you plenty of examples.

MR. BOEHME: Just two.

MR. GONZALEZ: I was going to say on how the administration under the guidance of the ACCJC has actually excluded students purposefully. I can present to you specific --

MR. BOEHME: Just two examples of how you think moving forward or looking in the past, just two concrete examples of how you wish students would be engaged.

MR. GONZALEZ: Well first the liquidation of the Board of Trustees should never have happened which is one formal way where students can actually participate in providing comments.

The second one is also for the committees that are developed in order to figure out the changes toward the decisions being made to help students to be included as more student representation on those committees. My understanding is that is always limited to one or two, a very small number of students.

And there are plenty of examples and I am hoping that perhaps Tim Killikelly or Alisa Messer can speak to this I know of specific students that have actually be excluded by those committees as well in order to remove student representation from
those committees. So my understanding is that any opportunity
that there has been in order for students to participate that they
have actually been purposely removed.

MR. KEISER: Thank you. Are you -- you’re
Molly, after Molly is Kim Lee.

MS. CHLEBNIKOW: Good afternoon, I’m Molly
Chlebnikow, PhD Candidate in Urban Regional Planning and I
have been researching community college accreditation for my
dissertation. And in the 14 months since ACCJC last came before
NACIQI the Agency has conducted comprehensive evaluations of
36 institutions.

31 of these institutions received decision letters that
warned of unacceptable, non-compliance with standards. These
letters provided notice that all of these institutions have
deficiencies in institutional policies, practices, procedures and
outcomes.

All of these letters said in part, “Under U.S.
Department of Education enforcement regulations the Commission
is required to take immediate action to terminate the accreditation
of an institution which is out of compliance with any standards. Or
alternatively may provide an institution with additional notice and
a deadline for coming into compliance that is no later than 2 years
from when an institution was first informed of the non-compliance.

With this letter the college is being provided time to
meet the standards.”

So the ACCJC started the 2 year clock for 86% of
the 36 institutions that received comprehensive evaluations. The
Agency did not call most of these decisions sanctions. They have
invented a new category which they call reaffirmation of
accreditation for 18 months and three-quarters of the institutions
evaluated have been placed in this status.

It is beyond disingenuous to call this status
reaffirmation. Does the harshness which drives away students and
damages efforts to recruit outstanding employees improve
institutions? And is it really the case that 86% of the colleges that
come up for regular review in this region are terrible places that
deserve to be threatened with impending closure?

As example, just a few weeks ago Santa Monica
College was notified that the serious deficiencies that can result in
the loss of accreditation for all of its programs are four in number.
These accreditation threatening shortcomings are:

1 -- The college’s formal mission statement doesn’t
clearly describe the attendant student population.

2 -- The college doesn’t have an explicit schedule
for the regular view of Board policies.

3 -- The brand new Baccalaureate program is not fully compliant with the new Baccalaureate standards and finally the ACCJC says that the Board of Trustees is not fully delegating authority to the college President.

I’m not sure if these are what led to the conclusion of closure or high sanction. So I submit for your consideration that the ACCJC’s inability to properly identify and notify institutions about deficiencies has not changed.

Warnings are masqueraded as 18 month reaffirmations. The Agency has made superficial changes in its style by increasing the number of times it uses the word deficiency in its decision letters yet the underlying logic is the same.

Small problems are not differentiated from shortcomings and educational quality. The Commission continues to disempower trustees elected to provide oversight and ultimately the ACCJC continues to act as a bully to community colleges, thank you.

MR. BOEHME: I have one question. As someone who studies accreditation which I would love to read your thesis at some point -- an accreditor has very few mechanisms to encourage institutions to behave in certain ways. And one of the primary
mechanisms is by revoking accreditation as you know.

So I guess I’m kind of lost in your presentation among other people’s presentations as we have a system that unfortunately is fairly rigid in what an accreditor can do. And so what specific recommendations would you offer ACCJC to do rather than having these -- I forget the term that you are using but this is the system.

And I am asking you this question because you study it.

MS. CHLEBNIKOW: Sure, sure and the reason that I am studying accreditation and the reason I am studying this and why I am here is I think this situation is a call for reflection for all of accreditation.

That we do need to rethink using punitive measures to force compliance -- we are all doing this work, hard work together and that doesn’t really share the spirit of how community colleges are tied as an egalitarian institution.

So to have these higher level governing bodies which really shouldn’t be passing standards and making recommendations and then force colleges to comply in order to keep their accreditation, that really in essence I think diminishes a real reflective process for organizational change that can be -- can
actually be fruitful and good for the college and good for the
system and good for the community.

MR. BOEHME: So would you say the same thing
about ACICS?

MS. CHLEBNIKOW: I mean I haven’t studied -- I
don’t want to make any of those because I don’t know the
particulars of that. I know the particulars of this situation and I am
studying more broadly the history of accreditation and
understanding these systems like being in this room with you all
right now and I am not done so I am not going to claim any kind of
expertise right now.

But I see a lot of problems and I guess that’s what
has driven me to ask these questions and want to do this research.

MR. KEISER: Thank you. On deck is Vivek
Narayan.

MS. LEE: Good afternoon esteemed Committee
members. My name is Kim Lee and after 38 and ½ years of
teaching I retired. I retired -- I’m sorry -- though retired I could
not stand by as my former colleagues suffered at the hands of the
ACCJC’s actions.

In the appeal of 602.13 the ACCJC claimed “The
Department gave undue weight to a coordinate set of complaints
about CCSF’s accreditation. Rather, the Department heard the
chorus of voices from around California and that a critical mass
had been reached. Undue weight it was not.”

Furthermore the ACCJC stated the complaints were coordinated. They were only coordinated in the belief that the
ACCJC’s standards policies, procedures and decisions have serious problems as have been delineated today.

It is not hard to coordinate people who feel injustice. The appeal decision signed by the former Secretary of
Education John King, rejected “the ACCJC’s assertion that CCSF complaints should have been categorically ignored as an impermissible basis for recommendation.”

Simply stated Secretary King agreed with CCSF.

Sadly the 2017 final staff report runs counter to the opinion contained in the above decision. Staff analysis remarks were replaced with unsubstantiated acceptance of the ACCJC’s responses and then relegated to the “discussion section.”

Instead it appears to adhere to ACCJC’s position. It rejects the appeal decision and again rejects the complaints of CCSF supporters. These complaints about the ACCJC are widespread and not unique to CCSF.

You see ACCJC has a branding problem and though
a little bit trite I think we have all had the experience of going to a
restaurant, getting poor service or food and never going back right?
Regaining trust is difficult. Regaining trust is emotional.

What’s to assure us the obfuscating language
referenced here will not be repeated? Why fight that uphill battle?
You need to de-list the ACCJC, thank you.

MR. KEISER: Thank you, Jas Murray is on deck.
MR. NARAYAN: City College is the backbone of
San Francisco. Its 80 year old institution empowers marginalized
people every day to pursue a brighter future. Our city’s livelihood,
our hotels, restaurants, non-profits, tech companies, arts, culture --
these all are enabled by CCSF’s educational programs.

San Franciscans can attest that the idea of a San
Francisco without City College is inconceivable. Therefore, the
ACCJC’s attack on City College and the loss of students and
drastic budget cuts that ensued was a devastating blow to our entire
city.

Despite our recent re-affirmation the damage that
was done was to such a degree that while we continue to rebuild,
our city and school will never look quite the same again.

My name is Vivek. I’m a full-time student at City
College studying biology and chemistry. After moving out at age
I was struggling with working full-time and feeling hopeless. During this lowest point in my life I registered at City College on a whim and I was welcomed immediately with open arms. I enrolled in challenging classes with amazing teachers, utilized the counseling services to reorganize my life and plan my future and found salvation in the Queer Resource Center which supports LGBTQ students like myself. I will be transferring to the UC system this fall and plan to go to grad school and pursue a career in higher education. I can truly say that City College saved my life a statement which I have heard echoed by countless other students. Then the ACCJC attacked our school and student panicked worried that their credits wouldn’t transfer or that the school would close and our enrollment plummeted. The Queer Resource Center’s budget was slashed to the point where the Center could no longer function. It was devastating to our LGBTQ community and to the thousands of students relying on this resource to succeed. I watched as our community support systems became crumbling all around me. The Family Resource Center which enables our thousands of student parents to attend college lost funding and student parents dropped out.
The Hearts Program provides counseling and support to hundreds of homeless students seeking housing. Their budget was slashed too. This downsizing is violence against our communities. How many people are there who could have been saved by these programs but instead had their futures cancelled by the downsizing?

Since 2012 CCSF lost 28% of its students -- that’s 25,000 people but the numbers show that communities of color were most affected. We lost 31% of our Filipino students, 37% of our Native American students and 38% of our African American students.

I am not here today for City College. After all we have been reaffirmed although the damage continues. I’m here today because I do not want anyone else to have their communities be devastated, have their futures abruptly cancelled by this widely discredited rogue agency ever again.

The ACCJC has downsized public education over the years with negligence and obscure practices and will continue to do so on its current track. There is no reason to have even a shred of confidence that the ACCJC has any meaningful change in the last 1 and ½ years.

It will happen again and again uprooting
communities across the western U.S. unless the ACCJC is de-listed. Our state government educators state-wide no longer accept the ACCJC and the groundwork has already been laid to transition to a new accreditor and now it is time to follow through. Committee members I urge you today to make the right decision to save quality public education. De-list the ACCJC today, thank you. Do you have any questions for me?

MR. KEISER: Thank you. Jas Murray are you here, is that you? On deck will be Ann Killebrew.

MS. MURRAY: Hello my name is Jas. I recently graduated from City College of San Francisco studying early childhood education, English and writing. I come from a single parent home. We did not have funds to pay for a 4 year college and did not receive much financial help.

I moved from the Southeast coast of the U.S. to the City of San Francisco for access to better resources and better career opportunities. CCSF helped me discover the passions that drive me -- they’ve given me a welcoming community and unlocked numerous opportunities for me including jobs, internships, housing, scholarships and an ever-growing professional network.

Without CCFS I am not sure where I would be right
now. Like many community college students I fully supported myself while in school which meant working 2 to 3 jobs most semesters in addition to taking 9 or more units.

For several semesters I worked for Associated Student Queer Resource Center providing resources and a safe space for LGBTQ students which is a mostly disadvantaged group.

As a working student who did not live at home, I depended on each job and every paycheck to make sure I covered textbook costs, rent, groceries, transportation and many other things.

During the fall of 2014 the fear and instability caused by ACCJC’s attack drove away thousands of students. The budget cuts that followed were unprecedented and devastated student activities, mainly the resource centers which both employ students and provide a central resources -- from free computer and printing access, counselors, book loans, support groups and safe spaces for marginalized students -- things that community college students need just to survive.

Due to the instability caused by the ACCJC we were forced to cut budgets of resource centers and student activities, cut student workers hours and eliminate programs. ACCJC’s abusive authority resulted in chaos. It added additional
stress onto the backs of busy students who now had to worry about
our jobs being taken away, our programs ending and our classes
being cancelled.

It became our responsibility as students in between
working to survive, studying, commuting and supporting ourselves
to support our school and fight for the right to keep it open and
accredited.

Community college students already have more
hurdles than traditional students. Most of us will never fit into the
expected 2 year and transfer mold because we start out with other
challenges. A community college is designed to help a unique and
diverse community and account for our equally unique and diverse
struggles and challenges.

Community colleges can never be one size fits all.

Higher education is not about where or how you start, it is about
the perseverance in your journey and the ability to overcome. The
ACCJC cannot be allowed to continue destabilizing and further
disadvantaging students who already start off with many economic
and financial challenges of their own.

It is time for the ACCJC to be eradicated. Thank
you.

MR. KEISER: Thank you very much, on deck
Karen Saginor.

MS. KILLEBREW: Good afternoon I’m Ann Killebrew and I am very privileged to be here and to speak to you.

I made up a -- I don’t know what you call it, this paper to talk about the things that the ACCJC didn’t do in regards to 602.13.

Other people have addressed those and I have been hearing questions about how to deal with what the ACCJC does do and the punitive actions and how can we run things in another way?

I’ve been teaching nursing for over 25 years. I have been a nurse for 50 years. I have worked with state boards for nursing for curriculum, for standards for students, for hospital action -- I’m not used to punitive boards. I am used to a lot of help.

I’m used to public standards. Anybody can go and look at the state board regulations for nursing, for vocational nursing, for nursing assistants and those things. I just made this up this afternoon because everybody is talking and you are asking what about punitive.

Well in nursing we help each other. So we have these state regulations, we have boards where we contribute and make some changes as needed. Sometimes we have to go to the
legislature and ask for a few legal changes. There are open
notices, there are dates, people pay attention to those. If they can’t
make them they are civil.

They notify others and say they can’t come could they make something else? When it comes to the actual details in a curriculum which would be like standards that the ACCJC is looking for with faculty and not -- so I have a little bit more to say.

They send a representative to help make sure that all of these changes come up to snuff and then when these things are submitted if you made a mistake, like you printed the paper this way instead of that way, they say well can you fix that.

And then you do it. And it may take a little time but people work together so you have representatives from the board helping and then you have the faculty working together and it seems to work and you get accredited in your college for another 3 years, another 5 years and then you go through the whole process again.

But it isn’t punitive, it is helpful. It’s open, it is transparent and people work together.

MR. KEISER: Thank you.

MS. SAGINOR: My name is Karen Saginor and I have brought my own timer to make sure that I don’t run over. I
don’t want to keep you for too long, okay.

Karen Saginor I’m a Faculty Librarian at City College of San Francisco but this is not about City College as you heard from Jonathan Lightman from the state-wide and from other people. He’s from the state-wide FACCC which is by the way not a labor union.

ACCJC is not widely accepted by educators -- that’s really across the straight -- one of the many reasons for this is its failure to engage in meaningful self-evaluation. The importance of self-evaluation is highlighted by ACCJC in their training materials.

We all value the process of identifying shortcomings and correcting them. It is a foundational activity for educational quality and accreditation that we at City College have always supported and practiced.

Yet ACCJC is quite unwilling to examine their own actions and identify failings. This group has had a very direct experience of this. In December, 2016 when the officers of ACCJC came before you they told you they were already in compliance with all federal regulations.

They accused the Department staff of over-reaching their authority and their recommendations. You discussed the unwillingness of the Commission to acknowledge shortcomings
and make significant change and you noted that ACCJC wouldn’t
even agree that they were out of compliance.

When the CEO work group a few months ago
suggested that they examine best practices from other accreditors
the ACCJC claimed to be willing to make changes but then
indicated they would not even consider such changes for 7 to 10
years.

Today the ACCJC officials have been less bellicose
in their dealings with you but they are still not forthright in naming
and addressing shortcomings. Why does this matter? Full
participation in the culture of acknowledge that we are all
imperfect but can make improvements is a strength -- a necessary
strength for an accrediting agency.

Significantly and publicly changing its practice of
deny its mistakes would improve its reputation but ACCJC
refuses to do this. Today they talked about that folks from City
College were upset about alleged missteps and are not willing to
acknowledge that they actually did make some mistakes and that
they actually continue to make mistakes.

By continuing to deny the past and present
shortcomings they continue to fall short of compliance with
Regulation 602.13 and they continue to put at risk the educational
opportunity for thousands and thousands of students. Please
recommend discontinuing recognition for this Agency, thank you.

MR. KEISER: Miriam Goldstein and Julie Bruno
on deck.

MS. GOLDSTEIN: Hello I’m Miriam Goldstein
and I am the Legislative Director for Congresswoman Jackie Spear
who is unable to be here today but wanted to enter the following
brief statement into the record.

In addition to her letters which were provided
through the written statement process.

“The ACCJC should no longer be recognized by the
Department of Education as an accreditor. The ACCJC has lost its
legitimacy in the eyes of its stakeholders to the point that only the
lack of an instantly available and recognized substitute is stopping
a large number of accredited institutions from switching
accreditors.

Over 2,000 schools in California remain under some
form of sanction, a startling number except that in California we
have a sanction happy accreditor that levels penalties faster than a
police officer operating a speed trap.

In the past college President have reported to me
that implied threats of retaliation around accreditation and
speaking up about the sanctions is infeasible for so many colleges.

This fear of retaliation completely undermines the value of the organization as an agent of federal oversight.

In addition to the abuse practices of the past well documented by the California State Auditor and via the judgment in a lawsuit by San Francisco city attorney, the ACCJC has basically outlived its usefulness according to the community college Presidents and state-wide community college leaders which whom I have spoken over the past several years.

The ACCJC is fundamentally reg 2 year schools but we live in an area where community colleges need to be evaluated so that their students may transfer to 4 year institutions. In my Congressional District the community colleges are also increasingly providing 4 year degrees.

If the two levels of higher education in California -- 2 and 4 year colleges and universities are ever to be closely coordinated, they must also be accredited under a single organization.

Under the circumstances it seems to me that the U.S. Department of Education should encourage the rapid and smooth transition of the accreditation responsibility to an organization that is also geared towards 4 year degrees. Thank you
so much for your time and consideration of this recommendation.”

MR. KEISER: I have a question.

MS. GOLDSTEIN: Sure although I am merely

sitting in so I may not be able to answer it.

MR. KEISER: What do you think the Congressman

-- she believes that the WASC senior would take over all the 130

schools that are included in the AAJC?

MS. GOLDSTEIN: I am not sure about that. I

apologize I am not the staffer who handles education issues, she

was unable to come. But I could get back to you with the answer

to that question.

MR. KEISER: The reason I could say is that we did

pull the recognition of an agency at the last meeting and they had -

- all the schools are scrambling and having a very difficult time

finding a new accreditor. Why do you think it would be different -

- possibly tougher because the regionals are set up the way they are

it would be difficult for the community colleges to move to a

different region so how would -- you know what does she propose?

MS. GOLDSTEIN: Again sorry I haven’t been

handling this issue so I am not sure but we would be happy to get

back to you if there’s a contact that I could send the answer to.

MR. KEISER: Okay thank you.
MS. GOLDSTEIN: Sure.

MR. KEISER: Okay on deck oh go ahead, I’m sorry.

MS. NEAL: I want to thank you for being here and I want to thank the three Congressman, Jackie Speier, Anna Eshoo and Alan Lowenthal all of whom have expressed their desire that this accrediting body be shut down so I appreciate this input. And I understand your dilemma since you are serving as a representative I guess my only request of you would be to go back and speak to all of the Congressman because rather than coming to us I actually think that the authority to do the things that you want to do lies in Congress and the Higher Education Act will be reauthorized at some point. And to address the questions you raise in terms of the state monopoly, the regional monopoly that is something that can be eliminated by Congress and I would submit to you we talked about a number of ways today about how outdated these regional accrediting bodies are given the global nature of higher education. So I would hope that Congress would look at that and would eliminate those monopolies so institutions would have a choice and that you will consider strongly having a system that
would ensure financial stability of institutions as well as data that would be helpful to students and consumers so thank you for coming today.

MS. GOLDSTEIN: Yes thank you so much and I will be happy to relay that message.

MR. KEISER: And I apologize for mispronouncing your name.

MS. GOLDSTEIN: No worries at all.

MR. KEISER: John Stanskas is on deck.

MS. BRUNO: Mr. Chair, members of the Committee thank you so much for this opportunity. My name is Julie Bruno and I am the President of the Academic Senate for California Community Colleges. The Academic Senate is designated to legislation to represent all 58,000 faculty in the California community colleges regarding academic and professional matters including accreditation processes.

Our organization has always valued accreditation and support a rigorous peer review process which we see as essential to ensuring the quality of education as well as the integrity and effectiveness of our institutions.

Because the faculty believes in a collegial accreditation process we desire a productive relationship with our
accreditor. In the past the Academic Senate has achieved a working partnership with ACCJC on several occasions to provide information and professional development to facilitate local accreditation processes.

These interactions have benefitted our faculty and our colleges and have been a positive aspect of the relationship between our two organizations. However, the Academic Senate has also experienced numerous frustrations and concerns regarding ACCJC.

These concerns have been reflected in Resolutions passed by our delegates at our statewide planning sessions. The issues are delineated in my written statement and are related to regulations under consideration including Section 602.15 regarding the Insufficient Faculty Representation on Team Visits.

In particular and again in reference to 602.15 the Academic Senate has significant concerns regarding the lack of faculty representation on the Commission itself. The ACCJC by-laws state that at least 5 of the Commission members shall be elected as academic representatives who are faculty.

However, two current Commissioners who are designated as faculty representatives are now fully employed as administrators. In response ACCJC made changes to their by-laws
to accommodate this change in status of these two Commissioners, thus reducing the faculty voice on the Commission.

In the past few months the Commission has engaged with representatives from our colleges in an attempt to create a stronger, more collegial relationship. The Commission has also made some changes to its practices and has promised further changes as an attempt to respond to the concerns voiced by faculty and administrators.

The Academic Senate appreciates the progress that has been made however until evidence exists of additional and sustained improvements the faculty remain concerned. Faculty wish for a positive and collegial relationship with our accreditor and the Academic Senate is committed to assisting and making systemic changes that are required to sustain meaningful progress improving our accreditation process, thank you for your consideration.

MR. KEISER: Thank you, Jill?

MS. DERBY: Yes I just want to follow up. I hear in your statement that you see this Agency has made efforts to create a more collegial relationship and address some of the concerns.

MS. BRUNO: Yes.
MS. DERBY: On a scale of 1 to 10 how would you rate those? I mean I’m trying to get a sense of certainly hearing all the testimony I have heard today leaves me wondering certainly the Agency itself has heard this and what are they doing to address it. So what would you say since you have spoken to those efforts? Do you see them as significant as making a difference?

MS. BRUNO: So where we are at I think -- I serve on one of the work groups that our folks were talking about before about some of these changes that we have sort of engaged with. We provided a number of recommendations to ACCJC and some of them they are working on incorporating.

I think and I am going to say right now we are taking a watchful stance. Again it is so soon, we are not quite sure how sustained or how far these changes will go and there are significant concerns around many of the practices and some of the policies with ACCJC.

So I think right now, you know, I’m not even sure that I could say that we are hopeful or optimistic. I think we are skeptical and we are still concerned and I think we absolutely are committed to working through with ACCJC if they continue to come to the table and want to have our input and we actually see
results. That’s the thing that we need to see are the results and I think that’s where we are sort of at right now. We are skeptical and cautious.

MR. STANSKAS: My name is John Stanskas I’m the Vice President of the Academic Center for California Community Colleges and we are here today because the delegates from 113 local Academic Senates voted unanimously to send us here to testify for you.

I’m here to speak today regarding the recent history with our accrediting Commission and the implementation of the Baccalaureate program specifically CFR 602.13 and 602.16. We have worked for the last two years to support the pilot colleges implementing Baccalaureate Degrees authorized in 2014. And since that time we have worked with constituencies representing the 58,000 faculty in the community college system regarding our expectations in the areas of defining upper division, defining the number of upper division units required, expectations of general education and minimum qualifications for faculty to teach upper division.

We then worked with our Chancellor’s Office and system partners to create a handbook that was adopted in March, 2016 for the entire system that reflects the advice and judgment of
faculty in the areas of program quality, minimum qualifications and student success that the California Legislature has entrusted to faculty.

In January 2016 the Commission posted a draft policy on accreditation of Baccalaureate Degrees and we reached out to the Commission in an attempt to reconcile the differences between the systems recommendations and those in the draft policy.

In March the Commission issued a statement indicated they wish to work with representatives from the colleges to receive input. The pilot college chief executive officers, the Chancellor’s Office and we all reached out together to improve the draft policy.

And from March through June we repeatedly requested a meeting and dialogue. Instead we received a webinar that contained some factual misinformation and we had one phone meeting during which the representatives of our Accrediting Commission asserted the policy as a direct result of conversations with the Department of Education but were unable to provide any written documentation of that.

We repeatedly pointed out that this policy is the most prescriptive in the country and represents a level of
inflexibility not found by any other regional accreditor, is detrimental to students and stifles innovation. In fact some degree programs accredited under WASC senior would not be in compliance with the policy adopted by our Commission. And it is unfortunate that our accrediting body continues to turn a deaf ear to the educators of our system. ACCJC accredits 130 colleges and we represent 113 of those. We acknowledge and appreciate the changes in our Commission’s leadership that have occurred in recent months. We also feel compelled to report to you specific examples of the concerns faculty have trying to improve our accreditation processes for the benefit of our students in order that you may have a more complete view of our relationship with our accreditor and their relationship with the educators in the system. Thank you for your time and we are happy to take any questions. MR. KEISER: Thank you. Next on the list is Shannon Lienhart, oh I’m sorry Bobbie? MS. DERLIN: I would just like to ask a question about whether your skepticism, your watchful nature, your concern is more focused on the Agency overall or particularly focused on this issue of the award of Baccalaureate Degrees? MR. STANSKAS: So I was here to tell you about a
recent action that illustrates why faculty voted to send us here to
speak to you. However, I don’t think you have ever seen the
Academic Senate for California Community Colleges here before
at a NACIQI hearing.

We don’t generally -- our goal is to help colleges
remain accredited and meet standards of quality and so it is not our
practice to come and provide testimony. It is unusual that the
delegates chose to speak unanimously that we should come and let
you know our concerns.

MS. BRUNO: And I think what you heard from us
and we tried to do this together so that I kind of gave you the
broader scope and John really kind of gave you a very specific area
regarding the Baccalaureate.

We are very skeptical and watchful in both of these
areas. I think we are seeing more changes in the broader scope.
We still have some very significant issues regarding the
Baccalaureate and the policy that ACCJC has created and we are
still working with the pilot colleges to try to make sure that they
are able to reconcile the differences between what we are saying in
our Chancellor’s Office and the policy that ACCJC has passed.

So it has been challenging for us to navigate all of
these pieces and try to make sure that we are serving our
institutions and our faculty as we can to make sure that the students are held harmless throughout this entire thing.


MR. FREITAS: Thank you Chairman and Board. In addition to my previous or our previous written comments this is my oral comment thank you for the public opportunity for this. I’m the Secretary Treasurer of the California Federation of Teachers representing educational employees of 31 California community college districts.

In fact almost 20,000 faculty. It is unanimous among the faculty and staff organizations we represent that ACCJC should not continue as an accreditor and since 2013 numerous stakeholders have had the same concern.

In 2014 California legislators bi-partisan audit found to eliminate ACCJC as the sole accreditor and identify other accreditors. From this audit in 2015 California Community College Task Force on Accreditation found “The ACCJC has made no significant effort to engage in meaningful or lasting reform.”

In late 2015 the Board of Governors of the California Community Colleges found that ACCJC “No longer meets the current and anticipated need of California community
colleges,” and started a search for an alternative accreditor.

And finally in 2016 the California community college Chief Executive Officer surveyed 99 of its CEO’s with a finding that 89% of the respondents, “At the end of the same time explore alternative structures for a regional accreditor.”

Are we to accept that after years of disapproval and years of harm to the California community college system that this disapproval can be overturned with a promise of change? In City College of San Francisco alone over 30,000 fewer students are attending an amazing college experience.

In Questa College thousands of students left for the similar reason. Compton College has been without accreditation for 10 years and threatened to not have another for another 10 years.

LA Community College District has 9 colleges and it was set up to review all 9 at the same time costing the District thousands more. Evergreen San Jose was threatened to be put on sanction -- it did not have certain prescriptions in faculty evaluations. An out of control fee increases by ACCJC and now you have an 18 month sanction which is unclear what that means to many of the colleges.

And many other examples of harm have been done
in California. The years of over-sanctioned status, the practice of
changing recommendations from visiting teams, the conflict of
interest that existed and the lack of transparency and due process
cannot be ignored simply by the elimination of a few people from
this organization.

There have been statements that all key
stakeholders have been reached out to. I’m here to say that we
have not been reached out to. You have heard that trust needs to
be created. None has been provided as this is the first time a CFT
has ever been addressed by ACCJC leadership other than through
the court date changes.

We are unaware of any actual faculty and staff input
into the proposed changes. Given the harm to California
community college by ACCJC and given the numerous and varied
organizations that represent thousands of California community
college stakeholders that have and still reject ACCJC the CFT
demands that the Department of Education de-list ACCJC as an
accreditation agency let alone not give it authority to grant any 4
year accreditations.

And to respond to the fact that 80% of the
opposition letters come from the CFT members -- yes we ask our
members to comment on their concerns just like ACCJC did.
What percentage of support comments were based on an ACCJC
letter requesting for a comment to this Board. However, we cannot
sanction any locals or individual if that letter is not written. Now
is the time to take action, thank you.

MR. KEISER: I have a question. You said since
the -- almost a year, at least a year you have looked at alternatives
to this Commission. Have you found any?

MR. FREITAS: The California Federation of
Teachers does not have the authority to act upon changing the
Commission, the accreditor.

MR. KEISER: No I understand that but have they
found an option because accreditation is voluntary. None of the
institutions are forced to go to that particular accreditor. They can
go to a national accreditor, they could do different things -- but
have you found a reasonable alternative for you?

MR. FREITAS: I believe that the CEO’s have
looked into this. I believe the Chancellor’s Office has looked into
this. I believe the Board of Governance has looked into this and
those are the appropriate agencies to be looking at alternatives.

MR. KEISER: I understand they looked into it,
have they come to a conclusion?

MR. FREITAS: I think they haven’t informed CFT.
They have excluded us from that search and the process.

MR. KEISER: But in the best interest of your faculty members that you represent if there is no alternative right now is this the right -- are you making the right recommendation or at least demand as you put it to us for them?

MR. FREITAS: We believe there are options and we have put those options out there. Have they told us that that is available for the state I am not aware of.

MR. KEISER: Thank you, anyone else? On deck is Alma Nuno Ramos. Go ahead you’re up.

MS. LIENHART: Hi I’m Shannon Lienhart. I have been a professor -- a math professor at Palomar Community College in San Diego County for 26 years. I am going to give you an example of why ACCJC is not widely accepted amongst educators.

This is a fairly recent example. I know about it because I was present when this happened. This letter was passed across the table at the negotiations table. In July of 2015 ACCJC wrote to Palomar College stating that ACCJC had developed a composite financial index along with that letter there was a rubric with ratings.

There was also a warning. We were told that the
college would be under what they called “enhanced fiscal
monitoring”. This caused great alarm and also much confusion
because Palomar wasn’t in any financial distress so this seemingly
came out of nowhere.

The college’s Chief Financial Officer asked ACCJC
for clarification on how they derived the ratings. ACCJC refused
to answer. Also perplexing was a statement in the letter that
Palomar College had the 12th highest score in the region but very
few colleges we knew of received the letter. It didn’t make any
sense.

When ACCJC was asked to provide the names of
the other schools they refused to provide those names. The letters
in July of 2015 were seemingly the beginning and the end of this
alleged monitoring program because as far as I know we never
heard of it again.

We were lucky. We were singled out and warned
but we were not punished. This is how ACCJC works. They
develop rules, those rules are always shifting. The rules are often
meaningless and when institutions try to get answers they can’t.

When ACCJC wants to arbitrarily enforce one of
those rules on an institution they punish them. Everyone suffers --
students, institutions, communities and taxpayers. I don’t know
what kind of sampling is represented in the letters to determine that ACCJC is widely accepted but in my broad experience over many years across the state that is categorically false.

Also, please note and I am one of the only people here from another college and the reason for that is because there is a culture of fear around publicly criticizing ACCJC and I can state that for a fact okay.

Many believe that negative sanctions will result from any public dissent. That is why you rarely hear from colleges other than CCSF. I just happen to be a very brave person. Faculty across the California community college system absolutely does not accept trust or respect ACCJC, thank you.

MR. KEISER: Thank you on deck Ed Jaramillo, help me on that one.

MS. RAMOS: Good afternoon. My name is Alma Ramos. When I started going to City College of San Francisco in the fall of 2012 everything was busy. The parking was a hassle, the classes were filled but as soon as ACCJC threatened City College I started seeing less and less students walking on campus. I enrolled into a class Poetry for the People where the first week I heard of a Pacific Islander study course with open seats, many empty seats. I enrolled into two critical Pacific
Islander study courses, one -- Pacific Islanders in the U.S. and two -- Cultural Expressions of Oceania. The classes had less than 20 students and the class was in danger of being cut. My professor said, “I never had issues filling up my classes.” So what made the difference that semester? In a matter of two years 15% of Pacific Islander students dropped -- left City College of San Francisco. Why -- because important resources were being cut and continue to be cut. These cuts to diversity studies hurt under-represented communities the most.

Because of these courses I decided to complete by AA in Critical Pacific Islanders studies. This community is just one of the many communities in danger of losing classes to learn about their culture. This community is being lost and with the damage that ACCJC caused not only this course but other diversity courses can be lost as well.

I worked with the diversity studies faculties and it hurts me a lot to hear that they are scrambling for students because these classes are in danger of being cut. Not only did a program stop but also resource centers stopped getting funded as well.

I am currently working on my BA Early Childhood Development major and in this field more experience the better.
The family resource center provided child care for many students, student-parents for 6 months to 5 years old and also provides workshops for students in need of housing.

This essential resource got cut by 40% after the accreditation crisis meaning not only having money for staff and funding for resources for the children they care for. They only have limited funding to provide for a minimal amount of children.

They also only provide limited funding to provide diapers, snacks, supplies for kids and parents. Since the family resource center got cut, this means less student workers, less spots to take care of kids and less help for student parents.

Since the damage that was done to our diversity communities and student body is because of the ACCJC’s mistreatment of our school. This cannot happen to another community college or student body. The ACCJC has made some provisions but that is not nearly enough.

The only solution is to de-list ACCJC today, thank you.

MR. KEISER: Thank you on deck is Monica Malamud.

MR. JARAMILLO: Thank you so much for allowing me the opportunity to speak at this hearing. My name is
Ed Jaramillo. I’m an automotive instructor of the College of Adameda. I currently serve as President of the Peralta Federation of Teachers Local 1603, Oakland, California.

And we are also from another college and our union sent us here and I guess we have to accept the risk of speaking out publicly but it must be done. After spending countless people hours and millions of dollars to get itself out of accreditation trouble several years back, Peralta Community College just again found itself with all four colleges sanctioned after an ACCJC visit and report 18 months ago.

Again Peralta Federation of Teachers and Faculty understand the need for fair accreditation. But it is keenly aware of how ACCJC sanctions can spell hardship for a faculty and students they serve.

For example in order to remove past sanctions Peralta has spent millions of dollars on consultants and other administrative costs at the same time cutting classes our students vitally need and require to transfer or earn Vocational Degrees and delaying much needed infrastructure repairs.

How does this benefit our students in their effort to obtain an education and pursue their educational dreams and goals? PFT knows that Peralta can better devote its resources to
teaching and learning -- that is what we are actually here for, when
it is not obliged to spend most of its institutional energy on the
bureaucratic requirements of accreditation.

We also have felt ACCJC passed recommendations
on things like other public employee benefit bonds actually
interfered with our collective bargaining agreement and the district
already had a solid investment plan.

One last example involves a seemingly arbitrary
placement of sanctions to college that use SLO language in the
report to their accreditor. One collage thankfully was removed
from sanctions and the other school unfortunately remains on
sanctions.

More transparency and fairness is needed for the
process. In closing I and the Peralta Federation of Teachers are
asking this body to tell the DOE to de-list ACCJC as an accreditor
so we can get back to relying on accreditation to improve the
quality of education and not waste millions of dollars to remove
these punitive sanctions.

The ACCJC continues to show itself to be
unreliable, arbitrary and has lacked transparency. Thank you for
taking the time to listen.

MR. KEISER: Thank you. On deck is Tema Staig.
MS. MALAMUD: Good afternoon my name is
Monica Malamud and I am a Professor of Spanish at Canada
College. I’m also the President of the Faculty Union at the San
Mateo Community College District which includes Canada
College, Skyland College and the College of San Mateo.
I would like to give you two examples of
experiences that our District has had with the ACCJC. I want to
start with an area where ACCJC chose consistency in their work.
It consistently re-affirms accreditation of colleges who have
representatives sitting on the Commission when their college
undergoes accreditation while issuing sanctions for the majority of
colleges which do not.
So could this be due to the fact that the
Commissioners are very knowledgeable about the ACCJC
standards and therefore able to guide their colleges toward
accreditation? Well in my District the three colleges have between
8 and 10 recommendations from the visiting team including both
specific college deficiencies and 3 identical District level
deficiencies.
But the ACCJC decided to issue a warning to two of
the colleges and it reaffirmed accreditation of the college who had
a Commissioner in ACCJC despite the same deficiencies that were
found in the other colleges. So same deficiencies but very
different outcomes -- this shows inconsistent application of the
standards and decision-making on the part of the ACCJC.

This is not just my observation it has been noted
and made public by representatives of the District administration
as well.

My second example involves a newly developed
program, one of the 15 pilot Bachelor Degrees for the California
Community Colleges. In January of 2015 Skyland College was
selected to offer a Bachelor’s Degree in respiratory care.

In April, 2015 the college submitted a substantive
change to ACCJC identifying the program structure and 27 units of
upper division coarse work as required by the state. The ACCJC
approved the substantive change in May of 2015.

In the fall courses were developed and in January of
2016 Skyland College started promoting the program. But in April
of 2016 and that is 11 months after the ACCJC had already
approved this substantive change, the ACCJC drafted a new policy
requiring now 45 units of upper division course work.

That’s 18 more units than required by the state. So
in a matter of days Skyland had to develop courses for the
additional 18 units and just days after this was done the ACCJC
approved a revised version of its new policy requiring 40 units of upper division course work.

The new Bachelor’s Degree in respiratory care at Skyland College could not risk not being approved by the ACCJC so faculty scrambled to create courses that they did not believe were necessary. College staff scrambled to re-write and re-print the promotional materials.

The deadline for application to the program had to be extended and the pool of applicants was reduced as a result of this last minute requirement from ACCJC.

So this shows how ACCJC acts in a capricious and unreasonable manner lacking any rationale for its action and it also shows how it is not really well prepared to accredit Baccalaureate Degrees thank you.

MR. KEISER: Thank you, on deck Richard Hansen.

MS. STAIG: I’ve timed myself. Hello I’m Tema Staig and I would like to thank you for the opportunity to speak today. I am an instructor in the theatre arts department at Los Angeles City College, one of the 9 campuses in the LA Community College District.

I’m a member of the Los Angeles College Faculty
Guild, AFT Local 1521 the exclusive bargaining representative for the 5,000 faculty of the LA CCD. We teach many underserved and under-prepared but enthusiastic students who work doubly hard to get ahead in life.

Our teachers feel a deep responsibility to them. I urge the Committee to acknowledge that the ACCJC is not widely accepted by faculty. I ask the Committee to carefully consider and include in your decision the evidence that the lack of support for the ACCJC is overwhelming.

Documentation of that lack of support has been sent to you from faculty administrators, the courts, the legislature and the California Community College Board of Governors. ACCJC’s toxic culture brewed over decades continues to generate a culture of punishment and fear rather than a culture of excellence.

They arbitrarily and without input from the field, change rules and practices. An example is that in previous accreditation cycles our 9 LA CCD colleges were on a secure accreditation cycle. During our most recent accreditation cycle they added our district office as a 10th entity to our 9 cites.

We received full accreditation but only for 18 months. This creates constant accreditation crisis mode. Another example is the frequent demand to purchase an update, expensive
cumbersome software to track student learning outcomes. If these practices required by the ACCJC were backed by evidence that was casually related to improved student achievement it might be acceptable but that evidence is non-existent.

Our colleges are held financially hostage by the ACCJC as part of the educational industrial complex with an ecosystem of expensive consultants known as coaches, software and financial vehicles at the ready to help a college reach compliance. This is a set up that impacts our students and that they risk losing their financial aid and ability to transfer to a four year college if we lose accreditation. The excessive cost of accreditation to already resource starved colleges is between 500,000 and 1 million dollars per year per campus diverting resources from students.

We should be investing in what we know works and improves people’s lives such as more classes, library hours and counselors. In 2012 the ACCJC sent a letter to one of our sister schools listing recommendations for improvement including “management and control mechanisms needed for sound financial decision-making”. How are we supposed to be financial responsible when they require us to spend money on accreditation related
expenditures such as company-sponsored consultants to teach our campuses how to collect data?

In other words they create a costly requirement then threaten and sanction us for following through on that requirement. These are persistent problems that we have been more than patient in waiting for the ACCJC to address. In spite of recent efforts to collaborate with California Community College Chief Executive Offices Workgroup -- and although the ACCJC has made changes in the personnel and leadership position and practice, things remain the same.

I urge the Committee to consider today’s testimony from practitioners, thank you very much.

MR. KEISER: I guess my clock was different than yours. Mr. Hansen? Not seeing Mr. Hansen, Congressman Alen Lowenthal or his representative?

MS. NQUYEN: I am not the Congressman. My name is Annie Nguyen I’m reading a statement from Congressman Lowenthal.

“As a Representative from the Los Angeles area the issues regarding the ACCJC are not merely a City College of San Francisco concern as implied in the Department of Education’s staff report. Many of our area community colleges have also been
negatively impacted by new standards and policies of ACCJC such as a new 18 month accreditation cycle.

That is why the evidence cited in the California Audit Report and the Accreditation Task Force Report is so critical to understanding why ACCJC is not widely accepted by educators and educational institutions as required by law.

The ACCJC remains out of compliance with a number of the Secretary’s requirements identified including but not limited to the widely accepted criteria found in Section 602.13. The Department of Education staff report stating that the ACCJC meets the requirement of being widely accepted -- is that better?

Okay let me start that sentence over. The Department of Education staff report stating that the ACCJC meets the requirement of being widely accepted is incorrect and faulty. The Department staff report states the following:

“Department staff notes that some of the areas noted in the Task Force Report, Auditor Report and third party comments such as sanctioning right of ACCJC where evidence should be reviewed within an appeal and transparency of Commission meeting are not covered by the federal regulations regarding the recognition of accrediting agencies by the Department and therefore are outside of the scope of this review.”
The review of the myriads of Commission decisions on an individual institution as noted by the complainants is also outside the authority of the Department. This conflicts with the regulation which states that the Agency standards, policies, procedures and decisions must be widely accepted.

The examples in the staff report are clearly policy and procedures so how can these areas not be part of the review of ACCJC? One of the policies of concern is the new 18 month accreditation cycle which is a significant change in the standards, policies and procedures.

Does this mean that the concern about the creation of this new 18 month accreditation cycle is somehow irrelevant to ACCJC’s acceptance as a legitimate accreditor?

My conclusion is that the ACCJC should be denied the authority to remain an accreditor, thank you.”

MR. KEISER: Next up is Win-Mon Kyi -- yes do you have a question, go ahead Steven?

MR. VAN AUSDLE: What does the Representative recommend as an alternative?

MS. NQUYEN: I wish he were here to answer your question.

MR. VAN AUSDLE: I’m just thinking about the
implications of this. It seems like all of California needs to kind of come together. We could feel a little bit of pain out here but I am reading reports here of how there is a collaborative committee that got together.

It looked like progress was being made you know and then I hear somebody that doesn’t even want to give it a chance. We have got to come to a point and you are representing the state leader and I think that has to come in here a little bit to at least -- it looks to me like there is a short-term and a long-term situation going on here.

Short-term you have to survive, you have to have accreditation. Does anybody disagree with that? Short-term you have got to have accreditation.

Long-term you can look for options -- that’s where I am coming from.

MS. KYI: Hi members of the NACIQI Board -- closer. Okay, my name is Win-Mon Kyi I am a current student at City College in San Francisco, Organizer for the CCSF Solidarity Commission and studying Asian American studies.

This is my second time coming to a NACIQI Board meeting. Last time I spoke to de-list the ACCJC and here again. San Francisco has been home all of my life growing up in the
Fillmore Mission and Sunset Districts.

CCSF has reflected and served the needs of my community. I am second generation Burmese and daughter of Burmese parents and our home has been reshaped by the ACCJC. It is one agency in California but has directly de-stabilized thousands of students of lives.

We have lost one-third of our students. ACCJC is a cancer, a tumor with no function or purpose and has weakened the body that is the California Community Colleges. To not de-list the ACCJC is to allow it to grow and further kill educational occupational and personal aspirations of millions of students and community.

It has literally sanctioned to shut down the very organs that allow our communities to thrive. The ACCJC has been inconsistent with its following its own standards, has abusive authority and is unlawful and has not yet received any -- no restorative justice and consequences that match the severity of the damage caused -- and damages we are still recovering and still fighting from.

The damage includes 1,412 class cuts and under their guidance since 2012. 22% of credit courses and 45% of all non-credit courses, the push out of thousands of students under the
implementation of push out policies. Since ACCJC threatens to closure we lost an average of 6,000 students per year.

What was before a thriving school is now a ghost town with empty classrooms, stripped programs and certificates. In our particular community the damage ACCJC has caused is largely to the immigrant community with cuts to non-credit classes and ESL courses that benefit the immigrant community.

CCSF’s students who successfully complete remediation in English is higher than the state-wide average as is the share of students who successfully complete ESL courses. That is one way immigrants have been pushed out of this very need.

My parents personally have taken the ESL courses now those are being cut and immigrants are being pushed out and the slow violence made excluding the most marginalized. This is just one of the various communities that have been harmed. It is in the eyes and hearts of students, faculties state-wide that ACCJC is irredeemable.

A court case found them to be unlawful. The State Chancellor has condemned them as well as the California Federation of Teachers and there is overwhelmingly evidence that ACCJC is not widely accepted and must be de-listed, thank you.
MR. KEISER: You are not Cynthia Macon?

MR. BOYDEN: I’m Bruce Boyden.

MR. KEISER: Is Cynthia here?

MR. BOYDEN: Cynthia is not here.

MR. KEISER: Okay well you are the last speaker thank you very much you are up.

MR. BOYDEN: Before my 3 minutes start I just wanted to say respectfully it probably was just a wonderful gesture of you having to remove the people who may have an appearance of conflict of interest, I think that’s very important and it is one of the significant areas of the ACCJC and I say it in all honesty because I believe every one of them capable and competent to make a decision about accrediting and accreditor.

Now my name is Commissioner Bruce Boyton. I am here as a resident of the District and to represent the community to save Compton Community College. It was established in 2006. Compton College was at the time of the loss of accreditation a 79 year old institution established in 1927, 90 years ago as of today with a proud history serving the community sorely in need of higher education as an avenue to escape poverty. It was vibrant, well attended with dedicated staff and faculty who it was later learned had higher levels and more
degrees on average than the El Camino College counter-partner who now has oversight and has merged the two campuses together. It is clear that there is a problem. That after 13 years we have not regained our accreditation. The financial and managerial problems at Compton College were brought to the attention of the ACCJC by the concerned faculty and staff seeking assistance in dealing with obvious area trustee board and management problems.

What they received in return unnecessarily was an institutional death sentence. Of all the California campuses negatively impacted by the action of the ACCJC, Compton College stands out foremost. We are the first community college in California history to actually lose its accreditation. Our institution -- no history and community connection have been lost, our dedicated faculty eroded. Our enrollment disseminated an entire new generation does not even know the name Compton College. Can I just get another sentence in? Okay.

Since academics were being conducted and faculty were meeting their mandate the decision to remove accreditations severely punished the entire body without regard to not showing up at the surrounding college. The decision to remove accreditation
did not relate to or solve or improve the college’s academic performance so for us the ACCJC clearly lost sight of its primary mandate.

MR. KEISER: That was four sentences. Thank you very much. I do want to thank all the commentators for being here and taking their time out to express their concerns. We did listen to you and George you have a question?

MR. FRENCH: Just a real quick question. Thank you for bringing up Compton. During the period of the last decade did the students at Compton receive Title IV aid?

MR. BOYDEN: Yes they did. The reason they did --

MR. FRENCH: El Camino?

MR. BOYDEN: Right they had coverage from El Camino.

MR. FRENCH: Okay.

MR. BOYDEN: However during the loss of accreditation the attendance went from 6500 to 1400 students so even with accreditation coming back it is going to take time to rebuild the college again.

MR. FRENCH: Thank you.

MR. KEISER: Thank you very much. Members --
the chance now for the folks from ACCJC to come before us to
talk about the comments from the commentators.

MR. RODRIGUEZ: Where do you begin after
some of the comments I have heard so there’s a lot to talk about.
So I will start with the last first. I mean do you want us to really
start talking about the problems we found at colleges like
Compton? We don’t want to do that. We shone the light on them
on the issues that there were and at Compton people broke the law.
Are we supposed to turn a blind eye to that? Are
we not supposed to do our duty? I think we all take this job as
Commissioners very seriously and we do what we are supposed to
do, we hold people to the standards and that’s what we have
always done.
People can claim that we are inconsistent or
whatever but we are human and for someone to say that we haven’t
admitted to making mistakes I have admitted that we made a lot of
mistakes, absolutely we have and we are trying to correct those
mistakes, we are not perfect.
We are human just like anyone else so I think as we
said earlier we have turned a corner we think. It’s a new day,
people need evidence. We require evidence so they need to get the
evidence too but we are still at an early stage. We participated in
the CO worker one -- which is trying to make changes. We
actually started a process in the Commission and a CO worker
came along and said we want to -- you know, work together in this
so we have been working with them and I think we have made a lot
of progress.

There’s still a lot more to do. The CO worker 2 I
have been on that work group as well and they are looking to find -
- to align our region with other regions across the country and what
they mean by that is every other region in the country -- the
community colleges and universities are all in one Commission.

We are the only one in the country that is separate
so they looked at that and basically said that the Work Group 2 has
recommended that we be aligned with one single accreditor in the
western region.

So that is the recommendation that is going to go
forward and maybe it will have to be looked at by the Board of
Governors, by the CO group by everybody. There’s still a long
process to go through for people to look at what could potentially
happen down the road.

They estimate it could take 10 years we don’t know.

But we are not trying to block that process we are participating in
it and if our membership wants us to go away at some point in time
we will assist that process. We are not here to be a roadblock we
are here to help our membership to achieve their ends and to help
them improve their institutions and ensure quality for the public so
there’s a lot more that I could say but I will turn it over to my
colleagues and let them deal with the specific issues.

MR. WINN: I think if there is a part of the
narrative that I would like to challenge it is the notion that when
the Commission takes an action that says you need to pay attention
to this that it is there for automatically for punitive.

And you heard the word punitive repeatedly in the
last two hours. Accreditors are not inclined to punish but
accreditors are expected to hold institutions responsible for
meeting the standards.

Similarly you heard a number of references to the
18 month policy. This by the way as some of you know parallels
what happens right here where an Agency that comes for review
and it has some areas that need to continue to attend to, its
recognition is extended for 18 months to give it time to deal with
that.

We realize that the 18 month policy as practiced in
the region of late has probably not been adequately communicated
as an opportunity for improvement and is seen as punitive and we
are evaluating that at our upcoming Commission Development Workshop looking to see whether federal policy really requires that approach as a way of meeting and ensuring that institutions meet the two year rule.

We think there are other ways to do that and again we are asking for some patience while we work these things through.

MR. WINNICK: I would like to just add that we have heard a lot about various statistics and to me the most important ones are the State Legislative Auditor, not ACCJC itself but the State Legislative Auditor did a survey of the members of ACCJC and reported on it in their 2014 report.

ACCJC had no control of that with a 70% response rate from institutions accredited by ACCJC. 88% said that ACCJC’s actions and recommendations between the years 2009 and 2013 were reasonable. 86% said that the teams that ACCJC sent out on comprehensive institutional reviews were properly constituted.

84% said that follow-up teams were properly constituted. I don’t know how you can make any sense out of those figures except a flat out repudiation of the claims that ACCJC has lost the trust of its membership.
Certainly we have heard today that there is a certain degree of lack of trust among certain quarters especially in San Francisco but those surveys speak volumes to the fact that many of the people who have testified here today, however heartfelt their feelings have greatly exaggerated the issue of a loss of trust or a loss of confidence.

I’m also concerned about the extreme language that was used to refer to ACCJC which has just been trying to do its job. It’s been referred to as heinous attacks, as bellicose, as a cancer. And I would suggest that some of that may reflect a broader agenda of the AFT CFT to basically view accreditation as getting in the way of the leverage they have to bargain agreements with institutions.

MR. KEISER: Yes George?

MR. FRENCH: I have a quick question.

MR. KEISER: Jill was first. Are you finished?

I’m not sure you are finished? Okay if they are finished again we are past our 5 o’clock time. I would like to go through the questions and then afterwards we will discuss if we want to continue tomorrow, Jill then George and then --

MS. DERBY: Certainly, you know, some of the testimony we have had today represented large groups of people
and something that I take seriously. But I want to refer to a
question I had earlier. So it sounds like you are making -- I know
you have had a change in leadership.

It sounds like you are making some efforts and it
has been in the past a sense of great adversarial-ness, do you feel
that you have moved beyond that and you have listened to some of
this and are looking at the way you communicate, some of your
practices that might increase that tension rather than diminish it, so
are you making changes?

MR. WINN: Well it is worth noting the change of
leadership is just a little over 2 months old including weekends and
holidays and many of the instances of disappointment, outrage, et
cetera that you have heard date back sometimes several years so
yes we are pretty clear on where the boat is leaking and we are
working fast to re-establish relationships that have been strained.

And I personally have just been delighted with how
open and receptive people have been. I haven’t touched them all.
It’s tough to do negotiations with for example, the union when it is
overlaid with an extremely expensive lawsuit.

And we are going to try to go into negotiation on
that -- mediation and see if we can solve that including an
approach that says talk to us, we are open. You know this is not
anything where you ever have to worry about retaliation-- never.

MS. DERBY: It’s good to hear, thank you.

MR. KEISER: George?

MR. FRENCH: Thank you Mr. Chairman. Jill covered the essence of my question. It appears that the Agency is acknowledging that there have been some serious issues in relationship and in relating and in communicating and that the Agency is willing deliberately to address those issues.

The second part though is we are academics so when we talk or use a survey and speak of 88% and 86% that’s 88 and 86% of those who responded correct, not overall? Of those who responded how many -- did we have a critical mass to indicate that we had a response rate which represents the districts?

MR. WINNICK: Yes sir it was 70% response rate which I believe is quite high.

MR. FRENCH: 70% thank you.

MR. KEISER: Then we have Bobbie and Ralph.

MS. DERLIN: Thanks I have not a two part question but I have two questions. And one is general and you referred to one specific example President Winn when you spoke about the reference to the 18 month accreditation cycle and the need for improved communication.
There were some other instances in the commentary that were references to changes in policy that appear to -- from the commentators appear to have not been well communicated or to have been imposed with a very precipitous timeframe and I’m wondering if you can address how that might be avoided in your plan?

MR. WINN: Having been with the organization only a few months there’s not a whole lot I can say about past history. But I can say with absolutely clarity that our goal going forward is for a process that is squeaky clean and air tight that is inclusive of the Commission where the Commission gets engaged with accurate information, where any Commissioners -- I mean any actions that are taken are endorsed by the Commission, they are communicated fairly and promptly.

As I mentioned earlier we are updating our website so that people become accustomed to this. Perhaps a significant piece of this is that we are in April planning our first ever annual conference and we have several -- I think 5 or 6 major sectors in that annual conference dedicated just to dealing with things like the role of the accreditation liaison officer, problematic standards that have created misunderstanding, open mic sessions for people to come and talk.
We are going to have a business session where we will talk openly about the budget which I think will spread some good news. So there are a number of ways which we are going to put our faces in front of our constituency and say this is who we are, these are the plans we have made.

Hold us accountable to the promises that we are making.

MR. WELLSFRY: If I can partially respond to that. We have a process at the ACCJC where when a policy is adopted it is brought to the Commission for a first reading. It is then distributed to the field for comment.

And at the next meeting it would be adopted on a second reading. That is our standard process. Unfortunately I’ll talk about a communication problem and that is that we send those policies to Presidents and accreditation liaison officers and I’m afraid that sometimes it may not actually get down to the faculty level.

But we are working on that. Let me give you an example of the Baccalaureate Degree so I can really address two issues that have come up. The Baccalaureate policy was adopted at a Commission meeting and sent out to the field.

And at that point it was not as fully flushed out as it
needed to be. It was developed over the period of the next 6 months and then brought back to a Commission meeting. But let me sit some of the changes that were made because we recited as having violated the faculty prerogative.

And I will have to admit yes we did because one of the things that we insisted on was that there would be a Master’s Degree as a minimum qualification for the faculty that was not in the original proposal. It came from the California Community College Chancellor in the handbook that was mentioned.

We insisted on a Master’s Degree. We also insisted that there would be at least 40 units of operative vision course work and 9 of those units would be upper division general education. Again, inconsistent with the policy that had been adopted in the Bachelor’s handbook by the Chancellor of the California Community Colleges.

We had compared what was happening nationally and what was happening in the California State University system. There is a sacred document in California called Title V. It is our state regulatory mechanism and in Title V the California state universities are required to have 40 units of upper division course work in a major -- and 9 units of general education.

So we did in fact bring our requirement for the
community college Baccalaureate to parallel that of the California
state university system and that of virtually the rest of the country.
So there are times when we disagree with our colleagues on the
faculty but we don’t do it casually.

We do it intentionally and we do it for very good
reasons. I think there are some other things that came up in the
discussion. There was criticism of something called enhanced
monitoring. We are required by federal regulations to monitor the
financial condition of colleges.

We do use a mechanism that we call the composite
index. The composite index is also used by at least 3 other
regional accreditors that I can name off the top of my head --
Middle States, the Higher Learning Commission and the Southern
Association.

We all use the composite index. The intent of that
is to warn colleges that they are fiscally in at risk of becoming
unstable. It is not an action by our Commission. It is a letter to the
college that says look you have got a financial problem. Address it
now before we have to get at it.

I also have to talk about the re-accreditation -- the
re-affirmation of San Francisco. There was an accusation that we
did that to save face. That was not done. San Francisco underwent
a very rigorous review. Every single one of the accreditation standards was looked at by a team of almost 20 people. And they looked at all aspects of that college.

San Francisco did an incredible job of addressing the accreditation standards. In fact one of them student learning outcomes, which was one of the reasons why they had a challenge back in 2012, they have actually developed a state model for using student learning outcomes and they are going to be presenting at our conference in April.

That college changed. We did not give them reaffirmation or our Commission did not give them reaffirmation because we wanted to save face. They did a heck of a job and they need to be acknowledged for the job that they did.

MR. WINN: There’s a French philosopher who once said there is no truth there is only perceptions. And so we are fighting headwinds of perceptions including a perception for example that would say, “Because some colleges have found it useful to upgrade their data management system that we are driving that, that we are causing them to use better, more current data management systems and somehow we are in collusion with the vendors.”

Anyway what to say -- there are many parts of the
narrative out there that we are hoping we can regain control over
by over time rebuilding our means of communication, making
ourselves available for when these kinds of questions or
perceptions come up we are on their speed dial, they can get in
touch with us, we can get these things clarified, get the perceptions
adjusted at the early stage.

MS. DERLIN: I just wanted to say that my second
question was answered in Dr. Wellsfry’s response.

MR. KEISER: Thank you, Federico?

MR. ZARAGOZA: Everybody has deep
appreciation for the complexities and the extent of work that is
involved in the accreditation process. And so in the spirit of your
last comments the extensive and multiple areas that you are
currently involved in, you know, certainly the topic of litigation
has come up, the legislative process, the community relations
process and the regular job of accreditation.

So my question is with all that you have going on is
this a good time to ask for -- I mean why would you want to ask
for an early review and secondly have you looked at the impact of
removing the limitation in terms of the Master’s and what that
could mean to the administrative capacity?

MR. WELLSFRY: I’m sorry I didn’t catch the
second part of that question?

MR. ZARAGOZA: So with all that you have going on -- if you lift the limitations would that not have an impact on your administrative capacity -- even more work?

MR. WELLSFRY: Okay the reason that we asked for an early review was because we already had a whole bunch of that stuff in process and we knew we would have it finished and why wait around for an extended period of time when we knew the issue would be resolved?

The issue of re-acquiring the Baccalaureate authorization is that is part of our regular decision flow. My -- one of my responsibilities at the Commission is the work on the sub-change committee and that is a regular part of our process and review.

So no it will not increase the administrative burden on our organization.

MR. KEISER: Anne?

MS. NEAL: Just quickly and then there’s been a lot of discussion in the last few minutes about frayed relationships and communications and that this is what it is all about. I want to be clear. For me it is not all about communications and frayed relationships. It’s about to use your term “problematic standards”,

something that you also referred to.

So that’s what I am most interested in pursuing.

But let me pursue the widely accepted just very quickly. The auditor’s report has been referenced several times. It is not accessible in our materials and based on what I think I heard it may have been surveys as many as 8 years ago so I would like to have access to that report to see that.

What I think I also heard is that you as an accrediting body reached out to your various institutions that you accredit seeking letters in support, did I hear that correctly? We have also of course heard from many that when you are dealing with an accreditor which holds the purse strings for federal dollars that sometimes these institutions don’t entirely feel free so I just want to raise that as a concern.

And then I guess my other question and this goes to the 18 month issue and to the BA issue. In looking at the three examples that you have provided in terms of an extension of the BA I note that two of those institutions are actually under an 18 month review by you.

But nevertheless you are still going to give them -- extend them the AB. This is an issue that we talked about earlier today about concerns about extending when there are other
problems with institutions so I am just curious that clearly that wasn’t enough to inhibit your desire to offer the BA.

MR. WINN: So one of the things that we have discovered of late is that while the 18 month concept was designed to give institutions time to respond it has been interpreted as a statement of institutional weakness and that is an unintended consequence.

We have strong institutions that have been robust for decades for a given 18 months. We perceived it as you got a little time here to tend to these things, send us a report or host of visit depending on it and we are done. But it has been misunderstood and we are taking a serious look at that.

And the thought that in requesting letters people had to fear it is a real stretch, you know. I mean we talked to some people who said I’m not interested in sending a letter I don’t agree with it and we said fine.

And there were others who said I’d like to send a letter but I have some folks on the campus who would see that as problematic and I don’t think I will. So there was a lot of candor in that.

We never intended that 602.13 would become a popularity contest where let’s see who gets the most votes. What
we saw is important for our colleagues who believe in what we are
doing to see that there is an opportunity here to speak on our behalf
because there were a lot of messages coming from the other
direction.

MR. RODRIGUEZ: The 18-month re-affirmation
is something that we developed to respond to constraints by CO’s
who complained of us for years that when the college was put on
sanction or warning, in particular, that they were embarrassed.

They got a lot of bad press in their community -- it was
unnecessary blah, blah, blah.

So we thought about this and thought about it and
we thought well this is one way where you don’t sanction the
college. There are some minor issues they need to clean up you
give them 18 months and as Richard said then they are good to go.

And I think the problem was in the roll out we
didn’t communicate it well enough to people and that’s why there
was a reaction against it but it was meant to help the field and I
think it has helped.

MR. KEISER: Jennifer?

MS. HONG: So Anne I don’t know if access to the
report is because of the technical issues that you might have had.

Does -- I see it under Exhibit 19 the California State Auditor
Report of June 2014. I just want to make sure did any other members have any trouble accessing the exhibits -- okay thank you.

MR. KEISER: Any other questions.

MR. WINNICK: Mr. Chair, excuse me, can I just quickly raise one due process issue?

MR. KEISER: No.

MR. WINNICK: No, okay.

MS. DAGGETT: Hello I’m just going to try to be quick because I don’t want to extend our time here. I just wanted to hit on one thing that seems to have been raised which is regarding the wide acceptance.

I wanted to indicate that we do have prior precedence in the form of review of previous agencies that wide acceptance does not mean unanimous acceptance. That we generally, of course, want there to be as much support as possible but it requires only a reasonable level of support. That’s what we have used under our guidelines and not a unanimous support.

I also wanted to bring up the fact that in regards to the statements that have been said by the comments regarding what the Secretary said regarding the use of comments was that we have to look at all comments that come in and we are not trying to
improperly weigh one side or the other but that perhaps which side
you sit on and what the ultimate determination is then that skews
how you determine whether or not we have improperly weighed
that.

So I wanted to bring up those two particular things
and then one last thing is that a lot of the commenters were
bringing up past issues that the Agency had such as a deficiency
found by the judge in the lawsuit that they have discussed.

As far as our practice goes is that if somebody -- if
an Agency were to have some sort of issue they have the ability to
correct that issue, implement new policies and demonstrate that
they have implemented those to show that they have corrected
them and that’s what has happened in this particular case.

Other than that I would like to try to answer any
questions you might have.

MR. KEISER: Any questions?

MR. ZARAGOSA: Arthur there is no Motion on
the table right now right?

MR. KEISER: No, not yet.

MR. BOEHME: I’ll make a Motion to adjourn the
meeting for today.

MR. ZARAGOSA: Second.
MR. KEISER: For the Podiatry group we will see you as soon as we can after the decision of this discussion and then we will move on tomorrow.

(Whereupon, at 5:58 p.m., the conference was adjourned to reconvene on Thursday, February 23, 2017.)