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U.S. DEPARTMENT OF EDUCATION

OFFICE OF POSTSECONDARY EDUCATION

NATIONAL ADVISORY COMMITTEE ON  
INSTITUTIONAL QUALITY AND INTEGRITY  
(NACIQI)

FEBRUARY 22, 2017

8:30 a.m. - 5:00 p.m.

HILTON ALEXANDRIA OLD TOWN HOTEL

GRAND BALLROOM

1767 King Street

Alexandria, VA 22314

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1 **Department Staff:** Elizabeth Daggett

2 **Agency Representatives:** Richard A. Winn, Stephanie Droker,

3 Norv Wellsfry, Raul Rodriquez and Steve Sinnick.

4 **Third-Party Oral Commenters**

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1 PROCEEDINGS

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

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

10 I would like to welcome our Committee Members  
11 and members of the audience. We have had some time since our  
12 last telephonic meeting in August. As many of you know NACIQI  
13 was established by Section 114 of the Higher Education Act of  
14 1965 as amended or HEA and is also governed by provisions of the  
15 Federal Advisory Committee Act as amended or FACA which sets  
16 forth standards for the formation and use of Advisory Committees.

17 Sections 101C and 487C-4 of the HEA and Section  
18 801-6 of the Public Service Act, 42 USC Section 2966 require the  
19 Secretary to publish lists of state approval agencies, nationally  
20 recognized accrediting agencies and state approval and accrediting  
21 agencies for programs of nurse education that the Secretary  
22 determines to be reliable authorities as to the quality of education

1 provided by the institutions and programs that they accredit.

2 Eligibility of educational institutions and programs  
3 for participating in various federal programs requires accreditation  
4 by an agency listed by the Secretary. As provided in HEA Section  
5 114 NACIQI advises the Secretary in the discharge of these  
6 functions and is also authorized to provide advice regarding the  
7 process of eligibility and certification of institutions of higher  
8 education for participation in the federal student aid programs  
9 authorized under Title 4 of the HEA.

10 Further, in addition to these charges, NACIQI  
11 authorizes academic graduate degrees from federal agencies and  
12 institutions. This authorization was provided by letter from the  
13 Office of Management and Budget back in 1954.

14 This letter is available on the NACIQI website  
15 along with all other records related to NACIQI's deliberations.

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

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

22 And we will be joined tomorrow by Claude

1 Pressnell, President of the Tennessee Independent Colleges and  
2 Universities Association who filled our remaining vacancy and  
3 was appointed by Senate Republicans.

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

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

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

12 MR. BOUNDS: I would just like to share that one  
13 of our Senior Analysts, Mr. Steve Porcelli will be retiring. This  
14 will be his last NACIQI meeting. Steve has over 30 years of  
15 service and I was told that his first NACIQI meeting was in 1987.  
16 So I would just like to congratulate Steve on his future endeavors.

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

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

21 MR. Wu: Frank Wu, Member of the Faculty,  
22 University of California Hastings College of Law.

1 MR. KEISER: Art Keiser, Chancellor, Keiser  
2 University.

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

5 MR. FRENCH: George French, President Miles  
6 College.

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

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

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

14 MR. O'DONNELL: Rick O'Donnell, CEO of  
15 Skills Fund.

16 MR. BOEHME: Simon Boehma, Student Member.

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

19 MR. JONES: Brian Jones of Strayer University.

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

22 MR. VAN AUSDLE: Steve Van Ausdle, President

1 Emeritus, Walla Walla Community College.

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

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

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

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

10 MS. MORGAN: Sally Morgan.

11 MS. MCKISSIC: Stephanie McKissic,  
12 Accreditation Group.

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

15 MR. PORCELLI: Steve Porcelli, Accreditation  
16 Staff.

17 MS. DAGGETT: Elizabeth Daggett, Accreditation  
18 Group.

19 MR. MULA: Chuck Mula, Accreditation Group.

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

22 MS. HONG: Thank you. One new analyst we are

1 going to introduce go ahead.

2 MS. SCHULTZ: Rachael Shultz, Accreditation  
3 Group.

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

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

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

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

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

20 MR. HERMAN: I vote nominations be closed.

21 MS. HONG: Okay we declare the nominations  
22 closed. Since there is only one nominee for Chairperson we will

1 elect Art Keiser by Acclamation is there any objection to electing  
2 Art Keiser for Chairperson? Hearing none Art Keiser is elected as  
3 Chairperson, congratulations, acceptance speech?

4 MR. KEISER: Thank you very much.

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

9 At this moment we are going to take a brief break  
10 and do some reshuffling here and get our Chair and Vice  
11 Chairperson squared away and we will proceed with our Agenda,  
12 about 10 minutes.

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1                   CHAIR KEISER: Well good morning. This will be  
2 my first duty as Chair. Thank you members of the Committee I  
3 appreciate your confidence. I am honored to serve in this capacity.  
4 This morning our first item of business is to have a discussion with  
5 the panel on Outcome Measures.

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

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

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

20                  Laura Rasar King, Chair of the Association of  
21 Specialized and Professional Accreditors and Michale McComis,  
22 Executive Director of the Accrediting Commission of Career

1 Schools and Colleges. Would you please come forward? The  
2 floor is yours.

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

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

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

18 We have about 700 or 650 institutions that we  
19 accredit.

20 MS. BRITTINGHAM: Thank you and I'm Barbara  
21 Brittingham. I'm President of the Commission on Institutions of  
22 Higher Education for the New England Association of Schools and

1 Colleges and I currently serve as Chair of C-RAC, the Council of  
2 Regional Accrediting Commissions.

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

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

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

18 I want to give you two main messages today. One  
19 is that given the variation in institutions in regional accreditation.  
20 There is no one size fits all. And the second message is that  
21 regional accreditors use a variety of ways to look at outcome  
22 measures and student achievement. And if we can go to -- oh we

1 found batteries, excellent, yes there we go thank you very much.

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

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

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

20                   Land grant institutions add service so teaching  
21 research and service. They vary by control. We give credit to  
22 public independent and for profit institutions. They vary by degree

1 level from associate, bachelors, master's, professional doctorate  
2 and PhD. Programs and any given institution may offer programs  
3 at one, two or all of those levels.

4           Some of the institutions have a parent and some do  
5 not. The parents include the state, either an institution alone or in a  
6 system. Some -- a few institutions have the federal government as  
7 their parent. There are parents of religious congregations,  
8 hospitals, a research institution as a parent, a museum, a  
9 municipality or a for-profit organization as a parent. Thank you.

10           They offer a range of programs. A few institutions  
11 offer a single program, others offer hundreds of programs. We  
12 have special purpose institutions, seminaries, institutions that focus  
13 only on business, health, engineering, law, medicine, art, music,  
14 landscape design or maritime studies. They vary by location --  
15 urban, suburban, rural or entirely online.

16           Some institutions have a single campus others have  
17 multiple branches and locations, both in the U.S. and in other  
18 countries. Some institutions are entirely residential. Some are  
19 partially or not at all and some institutions, whether or not it is  
20 residential varies by campus or location.

21           The enrollment of regionally accredited institutions  
22 varies from I think 18 is the lowest to over 60,000 students on a

1 single campus. The selectivity varies from institutions that admit  
2 fewer than about 6% of their students to institutions that are  
3 essentially open enrollment.

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

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

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

22           In some institutions it varies by program. We have

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

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

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

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

19                   You see here some examples of mission variation.  
20 Some of these places you will recognize, some you will not.  
21 Southern New Hampshire University is now largest in terms of  
22 enrollment in New England.

1                   You see Amherst College, a traditional liberal arts  
2 community college in Vermont which has no single campus but 12  
3 locations and others that sort of by their names speak to how they  
4 are distinctive.

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

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

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

1 some of the other schools on the other.

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

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

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

17 And some of the regionals do differentiate their  
18 process a bit -- the Higher Learning Commission has a pathway for  
19 institutions that have demonstrated certain stability. In New  
20 England what we try to do is make sure that the team visiting the  
21 institution includes people who have deep experience with  
22 institutions of that mission so that they can fully understand the

1 place.

2 I would say every institution in New England can  
3 look at the standards and find places where they would like to be  
4 better no matter how good they are and we want to send them -- we  
5 want to help shape their self-study to focus on the areas that are  
6 going to bring them the most value and make sure that their team  
7 includes a number of people who have deep understanding of that  
8 kind of institution.

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

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

19 Because it seemed to me that she made the case that  
20 you were running -- when I say you, you are talking about middle  
21 states -- sort of a one size fits all and you know you check the  
22 boxes for all these different schools but they are very different and

1 their missions are different and I just continue to wonder why no  
2 progress has been made in that direction.

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

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

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

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

1 responsibility to pay it back.

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

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

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

21                   And the third is other measures, quantitative  
22 measures of student's success. Our Commission looks at that in

1 the comprehensive evaluation and in the interim report in which  
2 institutions are asked to write reflective essay on understanding  
3 what students have gained as a result of their education.

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

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

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

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

20                   I want to talk now about the C-RAC project and this  
21 was alluded to in the introduction here. Last September I believe it  
22 was the Council of Regional Accrediting Commissions agreed to

1 take a project where we would look at IPEDS graduation rates of  
2 150% of expected time for first-time, full-time students.

3 This is the traditional IPEDS graduation rate. It was  
4 started in 1985 -- two years before Steve Porcelli joined the  
5 Department and it was invented to help look at how student  
6 athletes graduation rates compared to other students at their  
7 institutions.

8 So 150% for 2-year institutions of course is 3 years.  
9 We looked at institutions that have graduation rates after 3 years of  
10 15% or lower and the 4 year institutions, the 6 year graduation  
11 rates of 25% or lower. And we did this with two things in mind.  
12 One is are we going through this process identify institutions  
13 where we find that there is a problem that needs further review and  
14 second, just to learn more about this.

15 These numbers as you know can be very  
16 controversial when it is cited that an institution is graduating only  
17 10% say of its student body -- what's going on there? And we  
18 wanted to learn more about that.

19 So I will tell you what we are doing in a minute but  
20 the other institutions and I have here included. Higher Learning  
21 Commission is doing a survey of approaches of some of their low-  
22 performing versus high-performing institutions. Middle States is

1 looking at additional data over a 20 year period in identifying  
2 about 25 institutions for further review.

3 WASC has developed something called an absolute  
4 graduation rate where they look at all entering students to see what  
5 the graduation patterns are not just first-time/full-time students.

6 And the Southern Commission has individual institutions that they  
7 are looking at plus the National Student Clearinghouse data.

8 The Northwest Commission and the ACCJC are  
9 also embedding this process in their reviews. I am going to give  
10 you a little more detail about how we are going about this in New  
11 England. We have about 28 institutions that met this criteria out of  
12 about 240 institutions and we wrote to each one of them and asked  
13 them to provide us with a short report addressing four questions.

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

18 And then we asked them what else do you know  
19 about your students when it comes to graduation rates? In other  
20 words what else can you tell us to help round that out? Third, what  
21 are you doing to help students move toward graduation and how is  
22 it working and four, what else are you planning to do?

1                   We have identified a group of peers who are going  
2 to help us review those and that group will be meeting the third  
3 week in March and they will make recommendations to our  
4 Commission for its meeting in April.

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

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

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

21                  And the 50% refers to the fact that many of these  
22 institutions when they threw information that they gained from the

1 National Student Clearinghouse, where they include not only the  
2 students who graduated but the students who have transferred to  
3 another institution and students who are still enrolled.

4           They get to or sometimes over 50% of the students  
5 and that's at the 150% rate. When they go to 6 years which really  
6 works better for community colleges, some of them get well up  
7 into the 70's or 80's even. So as successful as that may have been  
8 for student athletes it just doesn't work very well for students in  
9 these institutions.

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

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

20           The lives that these students lead, I think, make it  
21 very challenging for many of them to graduate. Many of them are  
22 first-time/full-time students, first in their families, very high rate of

1 PELL recipients. Many of them work, many of them work full-  
2 time and many of them who work have jobs where they cannot  
3 count on certain reliable hours each week which makes it very  
4 difficult for them to attend college.

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

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

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

21           Another institution noticed that students who  
22 traveled the farthest tended to have higher graduation rates --

1 perhaps that's an indicator of commitment to the program. A  
2 success in math is a key in several areas. Institutions are  
3 developing degree maps and guides working on stronger methods  
4 of orientation and advisement.

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

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

19           So we will have more information about this in the  
20 months ahead. And finally, one more cartoon -- this says it would  
21 be a great honor for me to be counted as one of your successes and  
22 that's what we are all concerned about so thank you very much.

1                   MR. KEISER: I want to try to hold the questions  
2 but Frank has an important question.

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

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

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

19                  You know we have institutions that score in the  
20 high 90's there. But for the institutions here for most of them --  
21 and we will review them and see if there are problems in there but  
22 for the vast majority of them it really doesn't tell their story.

1                   And one of them commented that, you know, this is  
2 one with the 5% graduation rate and people see that on the score  
3 card and it discourages perspective students because they think  
4 they won't graduate but it is a tiny proportion of the student body.

5                   So I would say what to use -- I would say use the  
6 information from the National Student Clearinghouse so you can  
7 figure out how to do it because that does include students who  
8 have transferred and students who are still enrolled and to lengthen  
9 the time, particularly 2-year institutions from 3 years to probably 6.

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

12                  MR. MCCOMIS: Well good morning. I'll go next  
13 and talk a little bit about the national accreditation landscape.  
14 While I'm going to largely direct my comments around the  
15 Accrediting Commission of Career Schools and Colleges, I think  
16 that largely what you will see across the national accreditation  
17 community is variation on its theme.

18                  And so while I will get into some specifics about  
19 how my agency deals with assessment and outcomes, I think  
20 largely again much of that can be extrapolated to other  
21 organizations akin to mine.

22                  So just a little bit of background -- ACCSC was first

1 recognized in 1967 so that means that we are celebrating our 50<sup>th</sup>  
2 year anniversary so Happy Birthday to us! You can hold your  
3 applause to the end.

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

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

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

22 So now where Barbara talked about I think

1 heterogeneity I think probably one of the things that is a hallmark  
2 of our accrediting agencies is more along the line of homogeneity.  
3 And that while missions are not identical, there are some core  
4 factors to the missions that I think overlap and that is that we are  
5 all primarily directly in some way towards vocational or career  
6 oriented institutions and outcomes.

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

17                   And so if those are two primary things that we can  
18 agree upon as measurable outcomes that's what we have been able  
19 to coalesce around and very much can create an outcomes system.

20                   My agency currently accredits about 675  
21 institutions but again we look at and improve over 2,000 programs.  
22 Again, some of those are variations on a theme as well depending

1 upon markets and depending upon the subtleties of how you want  
2 to offer your medical assisting program or your welding program  
3 but largely in order to be accredited by agencies such as ACCSC  
4 there is the primacy of vocation, the primacy of employment that  
5 would come through the training that's received.

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

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

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

21                   But the student learning outcomes are -- I think the  
22 hallmarks between the two, one is a qualitative process and the

1 other is a quantitative process. The qualitative process is process  
2 oriented whereas the quantitative process is data driven and I'll  
3 talk a little bit about those distinctions.

4                   So if you can read that really fine print I'm sorry.  
5 So student learning outcomes again -- a process oriented approach  
6 but the onus rests with the school to demonstrate. What are we  
7 asking them to demonstrate then which is -- how do they design  
8 programs such that they clearly articulate what the program  
9 objectives are?

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

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

21                   It doesn't have to be a quantitative process to do  
22 that and many of our art oriented vocational programs -- there's

1 nothing but subjective evaluation that's part of that but it is rubric  
2 oriented, it is still looking to measure whether or not the students  
3 are able to demonstrate again what the objectives of a particular  
4 program were.

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

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

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

22                   And so that's largely how we work with our

1 institutions through student learning outcomes. It is a process-  
2 oriented approach that is driven by the institution based upon their  
3 programs, the objectives of those programs and then processed to  
4 measure the progression and ultimate success of students through  
5 that.

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

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

21                   And so yes we do look at and we give every student  
22 the opportunity to graduate with 150% of normal program length

1 but if an institution or if a student is unable to graduate within  
2 150% we tell the institutions well you can go on and continue to  
3 work with that student and hopefully get them to graduation but for  
4 the pure purposes of reporting, we are going to ask you to not  
5 count them as a completer because we are again agreeing upon a  
6 starting point here to what our data set is going to look like.

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

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

19                   And then if an institution needs to go into a  
20 monitoring or reporting mechanism we are able to do that. And  
21 then several years ago my agency instituted program level actions  
22 to deal with -- instead of having to take institutional level actions

1 like a probation or a show cause or a warning -- we are able to  
2 work directly at the program level and say to an institution, "This  
3 is a program that has been reporting below benchmark outcomes  
4 for over a period of time and we are going to direct you to cap  
5 enrollment on it, cease enrollment in it."

6 "We are going to take the approval suspend it or  
7 evoke the approval of that program." So trying to use more of a  
8 scalpel as opposed to a meat cleaver approach of trying to get in  
9 and identify what specifically within an institution you need to be  
10 worked on.

11 So the student achievement outcomes again we use  
12 a graduation employment chart, that's the uniform reporting  
13 mechanism. It is based on cohort reporting so there is a complex  
14 formula -- I won't try and instruct you on that here.

15 We have lots of resources but essentially we  
16 identify cohorts and within each cohort we individually track every  
17 single student. So there are a couple of categories where we can  
18 take students out for incarceration or death -- we feel that's a good  
19 reason that someone doesn't graduate.

20 But there aren't very many categories why you get  
21 to take folks out of the calculation. So the same thing for  
22 employment but we establish a 12 month reporting period. And

1 again this is the starting point for assessment and one of the things  
2 that I often say is that please don't mistake outcomes assessment as  
3 a panacea for, you know, every type of assessment that might  
4 work.

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

11           And that's largely how we try and use that. Now  
12 my agency has been using quantitative benchmarks since 1998.  
13 We have been doing this assessment for close to 30 years since I  
14 started collecting data with the Ohio State University back in 1989-  
15 1990 and eventually established a quantitative benchmark in 1998.

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

20           And they are semi-permanent meaning that we will  
21 only adjust them if there is some significant reason to do so. But  
22 in that 11 year data set and I have been with the agency for 22

1 years now I can say really going back even further than that. There  
2 is a significant stability in the data.

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

10 And that doesn't mean that program length itself is  
11 the cause, it is that the longer the program the more opportunity is  
12 for all other causes to occur. So for 1 to 3 month programs the  
13 benchmark would be 84%, 24 months or longer the benchmark is  
14 40%. So that's our floor -- really is 40% anything below that goes  
15 into a monitoring mechanism and you can see the other  
16 benchmarks there separated and segmented.

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

22 So owe are looking for employment benchmarks of

1 70% for all programs and then our licensure and certification pass-  
2 rate benchmark is 70% as well. And that was harder to collect data  
3 on but we found that 70% seems to be a fair representation.

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

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

18                   But only 2% verified as not correct across 20,551  
19 records, only 481. So we are finding that that gives us a great deal  
20 of confidence in the reliability of the data that we are basing many  
21 of our accreditation decisions upon. So I'll stop there and -- oh I  
22 did just want to say the real value of student achievement that we

1 see -- 5,000 automotive mechanics, 2,800 welders, 3,200 HBC  
2 techs, 2,000 electricians -- 1,200 -- that's what last year ACCSC  
3 accredited institutions added to the work force so thank you.

4 MR. KEISER: Thank you, any specific questions,  
5 Kathleen?

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

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

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

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

20 And so one of the ways that we try to encourage  
21 institutions to drive other outcomes is by having a differentiation  
22 and the grant of accreditation -- that is to say that we will give an

1 institution a school of excellent distinction if they are able to  
2 demonstrate that they have got above average -- not above  
3 benchmark but above average outcomes.

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

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

20                   So those are just some ways that we are trying to  
21 use the data as nudges and as incentives and as tools to enhance  
22 student opportunity.

1 MS. SULLIVAN ALIOTO: My other question is  
2 Miss Brittingham pointed out this 5.6% -- the actual graduation  
3 rate from -- but it is not 150%, it's not 3 years it's actually 6 years  
4 and if some of the problems that our students have when they  
5 arrive 6 years is very good.

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

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

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

22 In fact our data shows that predominantly students

1 that do graduate graduate either on time or within that 1.5 duration.

2 MS. SULLIVAN ALIOTO: Thank you.

3 MR. ZARAGOZA: Thank you for your testimony.

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

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

13 MR. MCCOMIS: So on data integrity our  
14 institutions and my agency and I don't believe any of the other  
15 national agencies rely upon IPEDS data. We rely upon data that is  
16 designed for our particular process and it is what I refer to as our --  
17 do you have a question?

18 MR. ZARAGOZA: Self-reported data?

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

20 MR. ZARAGOZA: Thank you.

21 MR. MCCOMIS: So the data is collected through  
22 institutions using again our mechanism -- we call it the graduation

1 employment chart. Other agencies have different names but it is  
2 all self-reported.

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

10                   And that's looking at the monitoring of students as  
11 they progress through a program for retention purposes and to  
12 make sure that they can graduate on time or within that 150%.

13 And also looking at transcripts to ensure that the number of  
14 graduates that are reported -- if they told us that 20 students started  
15 we are looking for 20 students and we are looking for 20  
16 transcripts at the end or how many graduated.

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

21                   We are looking at, however, just pure  
22 employability.

1 MR. KEISER: Dr. King?

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

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

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

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

19 So what do programmatic accreditors do? So, on  
20 the slide you see what we officially do. But from my perspective  
21 what we do is we provide a link between practitioners in the  
22 profession and faculty in colleges and universities so that students

1 graduate with the skills and knowledge they need to be competent  
2 practitioners.

3                   While each accreditor accredits programs with  
4 differing missions, all have the same expectation. So at the end all  
5 students come out with the same skills and knowledge base as  
6 those from any other school regardless of mission or focus of  
7 institution.

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

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

19                   So our methodology was that we formed a small  
20 task force of accreditors to service the research team and we  
21 collected excerpts from member's standards criteria and policies  
22 and then called them for references to indicators as well as any

1 benchmarks or numerical thresholds that the accreditor required of  
2 its programs.

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

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

17                   And in all cases we consider the context. One size  
18 does not fill all. The indicator doesn't always represent what is  
19 going on at the program and those are the things that we use the  
20 indicator as Mike was, you know, talking about as one indication  
21 that we might need to look into something but not as the only  
22 indication.

1                   So the outcomes categories they have to meet the  
2 needs of the profession so it depends on the nature of the field so if  
3 you are looking at outcomes in nursing and outcomes in  
4 construction obviously those outcomes may not be exactly the  
5 same and so that needs to adjust and that's why one size doesn't fit  
6 all.

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

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

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

21                  So the important thing on this slide is that not every  
22 programmatic accreditor uses the same indicator or indicators,

1 compliment of indicators or even type of indicators to support its  
2 evaluation of quality.

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

7                   82% of them use any program determined  
8 indicators and 93% use competency assessment as indicators.  
9 Most agencies I would say use a compliment of those things so  
10 they overlap -- they are counted more than once.

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

17                   The next slide is program determined outcomes. So  
18 this is sort of a broader array of indicators that our members  
19 reported are program determined. And this is when either the  
20 program picks its own indicator as its own measure of success or it  
21 could be that the accreditor requires a certain indicator but lets  
22 them set their own threshold.

1                   So this is more, you know, mission driven in terms  
2 of the program and its ability to set its own indicators. So 82% of  
3 our members use this kind of indicator for a number of areas  
4 including alumni performance, student satisfaction, licensure pass  
5 rates, completion retention as well as job placement.

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

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

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

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

1 practitioners.

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

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

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

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

20                   Employer satisfaction with graduate readiness -- so  
21 many of us actually either -- well both, but require programs to  
22 hold to do surveys, focus groups, interviews with employers in the

1 field and to find out how satisfied they are in general with their  
2 programs graduates.

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

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

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

19                   Now the last thing that I wanted to talk about and I  
20 think this gets to Dr. Wu's question a bit is are we looking at the  
21 right data? And one of the trends that has been kind of bothering  
22 me lately is the question that has come from NACIQI and others

1 which is how many programs have you denied?

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

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

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

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

22                   That is sort of on the front end but then if programs

1 run into trouble once they are in the process then of course there  
2 are unannounced visits, there are certain terms, there is mandatory  
3 consultation and training, there are focused site visits, there are  
4 many ways that we address that once they get into the process.

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

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

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

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

21           MR. ROTHKOPF: Yeah I have a question really  
22 for primarily Barbara and Mike and that goes again to the report

1 which NACIQI agreed upon and submitted to the Secretary -- not  
2 the original one, my dates aren't right but I think it is the one of  
3 either late 2016 or late 2015 or '16.

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

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

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

19                   So I know it is a complicated subject but do your  
20 Agency whether it be C-RAC or Mike your Agencies, take the risk  
21 into account when you decide how much attention should be given  
22 to the particular institution?

1 MS. BRITTINGHAM: I'll start and thank you for  
2 the question. I would say we do. I have a chart -- I don't have it  
3 with me but I would be happy to show it to you at some point.  
4 And what I did was look at a sample of institutions that are coming  
5 up for comprehensive evaluation this year in 2017 and look back  
6 over 10 years. We have a 10 year cycle.

7 And there are institutions on the chart, you know,  
8 read it left to right and the left-hand-side are high capacity  
9 institutions that the Commission has seen twice in 10 years -- once  
10 for a comprehensive evaluation and once for the interim report.  
11 And the risk increases so some of the times the Commission sees  
12 an institution -- it's initiated by the institution, it's a substantive  
13 change.

14 But often it is something that the Commission is  
15 looking at. So I mentioned earlier the annual report on finance and  
16 enrollment -- that's one way we look at risk. If the institution is --  
17 has something that appears to be a risk factor the Commission will  
18 ask for a progress report or a focused evaluation.

19 And as the chart goes from left to right you see  
20 more and more entries per year over on the right-hand-side there's  
21 an institution, one institution that was on probation and recovered  
22 and one institution that was on probation and did not and the

1 Commission withdraw accreditation.

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

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

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

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

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

1 do interim monitoring.

2                   The one thing that I would say about the issue of  
3 risk and high risk and low risk in the sense that everybody is  
4 reviewed the same way. I think that maybe more of an issue of  
5 transparency than anything else. And it goes along with also the  
6 criticism that accreditation is just a binary process of on or off.

7                   And that behind the scenes there is a wide array of  
8 monitoring or assessment that may be going on from one  
9 institution that another institution isn't enjoying right? And so the  
10 low risk school says, "Hey we all have to go through the same  
11 process," not really understanding or really recognizing how much  
12 an accreditor is doing with regard to any other institution.

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

18                   But the folks that levied that criticism didn't  
19 understand how many layers of assessment kind of go on before  
20 any kind of institutional action of revoking accreditation may take  
21 place because as Dr. King said that's not the goal. There's a lot of  
22 rehabilitation and assessment and monitoring that goes on.

1                   And I would say that our Agency spends 90% of its  
2 time on 10% of its institutions which is probably not dissimilar  
3 across the spectrum.

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

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

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

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

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

1 students are involved in that.

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

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

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

21                   I'm on a quality assurance body in Ireland and one  
22 in Iceland and as you know European countries have a very

1 formalized student union -- not the facility but the organization to  
2 develop student leadership.

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

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

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

21                   MS. NEAL: Well welcome and thank you for being  
22 here today. I want to follow up a little bit on the transparency

1 issue that we were just talking about. And I heard from all of you  
2 that you are engaged behind the scenes, that there are layers and  
3 layers of working and improving organizations and helping to  
4 bring them along and of course I am happy to hear that.

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

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

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

1 to parents and the public.

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

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

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

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

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

22                   MS. KING: Oh I see what you are saying. So, you

1 know, I don't know. I mean I actually think that they go hand in  
2 hand. I don't know that you can completely separate those two  
3 things. We -- and I would say probably I could probably speak for  
4 our members -- we aren't involved in quality improvement for an  
5 already stellar quality institution.

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

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

16                   So from my perspective they go hand in hand.

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

22                   With respect to transparency and public disclosure

1 our Commission has a standard on public disclosure that articulates  
2 what it is our Commission believes the institution should make  
3 public so that students and families can make informed choices.

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

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

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

16           MR. MCCOMIS: Right and I can't really speak for  
17 all the nationals so I will just talk about our agency in this regard  
18 and I think there continues to be movement in this particular area.  
19 We require -- if we are just talking about outcomes here for a  
20 minute, we require all of our accredited institutions to report the  
21 graduation and employment rates that were reported to our Board  
22 as they were reported and we monitor and assess that as well.

1                   We are making that data available through our  
2 website. We have had a few technology impediments that have  
3 kept us from making that an easy opportunity but we will make  
4 that available as well.

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

10                  MR. KEISER: Jill, Ralph, Steven?

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

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

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

1 make available.

2 MS. DERBY: Yes.

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

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

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

17 MS. DERBY: Yeah, okay.

18 MR. KEISER: Ralph?

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

1 this time and presentation available.

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

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

10 MR. KEISER: Thank you Jill.

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

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

1 going to move the arrow on educational attainment.

2                   And by that I mean working age population.

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

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

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

18                   MS. BRITTINGHAM: Well there's an easy  
19 question but thank you for that. I will say just yesterday at my  
20 Agency we were talking about, you know, thinking ahead to our  
21 annual Conference and thinking about these reports that we are  
22 getting from these institutions with these "low graduation rates."

1                   And I really am impressed -- not with every one of  
2 them, but with so many of them of what they are doing and how  
3 they are going about trying to not only find students in their  
4 communities who have some credits but not a degree and move  
5 these students along using better technology, better software, better  
6 interventions -- there's some really creative stuff going on there.

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

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

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

1 the answer is yes.

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

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

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

20                   But it will take recognition that innovation is an  
21 important player within that paradigm. That my Agency has been  
22 asked by numerous new kinds of players to look at them as

1 entrants into the realm of accreditation that we haven't really  
2 considered you know, "schools" before but we are trying to  
3 broaden that perspective because students have different  
4 expectations, they learn differently than maybe we have thought  
5 about before.

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

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

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

21 MR. WOLFF: Thank you. Thanks for the  
22 presentations. As you all know I have been a real fan and advocate

1 for transparency and would urge more. I want to make comment  
2 about that but then I have another question.

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

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

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

22                   When actions are taken and when adverse actions

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

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

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

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

21                   How do we deal with the issue of what is an  
22 appropriate amount of time before public action is taken? And as

1 more clear triggers or quantitative measures are used and so it's  
2 one of the ones I'm really interested in is all the Agencies come up  
3 and I wonder if you could explain a little bit about how your  
4 particular groups are trying to address the issue?

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

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

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

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

1 have trustee members.

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

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

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

20                   So that's how we implement the two year rule. I  
21 will say going back several years, New England was -- before the  
22 Department really enforced this New England was willing to let an

1 institution stay on probation longer than that.

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

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

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

13                   And so often times we have created a framework  
14 around a program that might be in the monitoring mechanism or  
15 one that is going through reporting for outcomes and that may be  
16 one program amongst 15 or 20 programs, or 10 programs or even  
17 5.

18                   And so the question becomes at what point do you  
19 transition from looking at a program to being concerned about the  
20 institution as a whole meaning that it is not one program where  
21 they are suffering outcomes but it is more systemic. That's where  
22 you will get into an institutional action that talks about now your

1 institution has been deemed to be out of compliance with student  
2 achievement requirements.

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

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

15                   MR. KEISER: Kathleen?

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

21                   It's hard as the public to understand well we take  
22 that into account but there are all these other factors. It's the flip

1 side of transparency and quantitative data and I just think that  
2 that's where it is going to be really important to qualify what the  
3 progress is going to be and for C-RAC it is going to be as looking  
4 at those categories of institutions how to make public information  
5 available that explains that holistic judgment that's made.

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

8 MR. KEISER: Kathleen?

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

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

19 MS. KING: Thank you. I can't take credit for that.  
20 So in terms of a checklist just beware of that. What I presented  
21 was a list compiled from responses from all of us, from about 60 of  
22 us. So not every accreditor necessarily does each of those things

1 but those are just kind of indicators that they are all -- that among  
2 us all we have used.

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

6 MR. KEISER: Frank?

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

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

20 And I don't know that it has to be because I think  
21 everybody whether around your table, or around this table or all of  
22 the folks that are here today, everybody is just trying to do the best

1 that they can and trying to do the best thing for students.

2                   Students are 100% at the heart of what we do and

3 you know, to Ralph's question, kind of, about the trigger point.

4 When we take a probation action the fundamental question that we

5 ask ourselves on my counsel is does this program still have

6 integrity?

7                   You know, is this program able to still do its

8 functions with integrity for the well-being of students, for the

9 education of students, that's 100% of what our focus is. And so I

10 think my advice would just be to try to really listen to accreditors.

11 Talk to them about why what they are doing makes sense, not that

12 what they are doing is perfect either but it doesn't have to be an

13 adversarial relationship or feel that way.

14                   MS. BRITTINGHAM: I think your earlier question

15 about the data was also relevant here Frank and I guess the one

16 thing I would think of is that the -- on your website it has the kind

17 of little score card for every accreditor and that's based on, you

18 know, some data that also have severe limitations.

19                   Like the employment data is only for students who

20 have financial aid. Each of those data points is from -- or many of

21 them are from different groups of students. And part of the

22 challenge here is that this country doesn't have a unit record

1 system and so there is no way.

2 In New England, you know, if you look at that map  
3 and somebody once said you have all of those funny little states up  
4 there so state-wide data really isn't all that useful in New England  
5 from our point of view. It is useful for the state but it is not useful  
6 from our point of view.

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

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

19 The challenge that that presents for accreditors  
20 however is that sometimes the wants of either NACIQI collectively  
21 or individual members fall outside of the current requirements of  
22 the federal regulations and so accreditors are asked certain

1 questions about things that aren't necessarily codified within the  
2 regulations as they exist today.

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

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

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

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

19                   I really appreciate Michael's comments about the  
20 balance between access and having standards or bright lines and it  
21 is something that we are going to have to eventually deal with  
22 because the public is kind of pressuring us to do that.

1                   Again thank you so much and what we are going to  
2 do before we go on break, we are going to take a 10 minute break  
3 in a couple of minutes hopefully we can get through the Consent  
4 Agenda before that, if that's okay.

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

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

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

20                   **NACIQI RECOMMENDATION: Motion**  
21 **carries.**

22                   We go for a break for 10 minutes and then come

1 back and work with ABHES the accrediting Bureau for Health

2 Education Schools.

3 (BREAK 10:45 - 10:58 a.m.)

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1 **Accrediting Bureau of Health Education Schools (ABHES)**

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

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

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

16 MR. WU: Okay so let me pull up my notes.  
17 ABHES accredits primarily in allied health fields such as medical  
18 assistant programs, surgical tech programs. It is a Title IV  
19 gatekeeper. It currently is authorized at the Associate and  
20 Bachelor's level. It wants to expand to Graduate Degrees  
21 specifically to Master's Degrees.

22 It was initially recognized by the Department in

1 1969 has had a number of changes over the years for example in  
2 1974 to expand scope to accredit medical assistant programs in the  
3 private sector.

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

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

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

22 I have another concern of how close it is following

1 the approval of the Baccalaureate Program. When I started  
2 digging into the data I noticed in the report by the Federal Post-  
3 Secondary Education and Student Aid data it showed no  
4 Baccalaureates, it showed all less than four year and that kind of  
5 raised my concern about these two areas.

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

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

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

17                   MS. LEFOR: Good morning Mr. Chair and  
18 members of the Committee. For the record my name is Valerie  
19 Lefor and I will be presenting a summary of the Petition for an  
20 Expansion of Scope submitted by the Accrediting Bureau of  
21 Health Education Schools referred to as ABHES or the Agency.

22                   The staff recommendation to the Senior Department

1 Official or SDO for the Agency is to approve the Agency's request  
2 for an expansion of scope to include Master's Degrees. Based on  
3 review of the information in the Agency's Petition and observation  
4 of a site visit in November, 2016 Department staff found that  
5 ABHES is in compliance with the Secretary's criteria for  
6 recognition with no issues or concerns and meets standards for the  
7 creation of degrees at the Master's Level.

8                   The Agency's last full review occurred at the June  
9 2016 NACIQI meeting. Both Department staff and NACIQI  
10 recommended continued recognition of the Agency and that was  
11 confirmed by the SDO in September, 2016.

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

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

22                   Representatives are here from the Agency and I am

1 happy to answer any questions that you may have. That concludes  
2 my report, thank you.

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

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

10 So -- between the difference between Associate and  
11 Bachelor's and then between Bachelor's and Master's.

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

16 We ask the agencies to respond to us in terms of  
17 several sections of the federal criteria that we feel are pertinent.  
18 Those areas include staffing and financial resources, competency  
19 of representatives, academic administrator representatives,  
20 especially if it is at a higher level we want to insure that there is an  
21 academic involved in the process, educator practitioner  
22 representatives, involvement with the public, information in

1 regards to conflict of interest as well as some of our sort of  
2 standard processes that we would ask about such as student  
3 achievement, curriculum, faculty, facilities equipment and  
4 supplies, fiscal and administrative capacity to take on this new  
5 role, student support services, recruitment and other practices,  
6 program length, how they will handle student complaints.

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

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

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

20 And so one of the things that I did specifically for  
21 this -- and this is available to you guys in the Petition -- I uploaded  
22 it. There's an analysis that looks at two regional accrediting

1 agencies as well as two other national accrediting agencies that  
2 have Master's Degree level programs that they already approved.

3 And I looked at their standards to say, you know, is  
4 this Agency looking at a standard that is either at the same level or  
5 higher. In this instance I believe that it was.

6 MS. PHILLIPS: Let me drill down a little bit  
7 further I did take a look at that thank you. That was a really nice  
8 analysis. On the issue of faculty qualifications I noticed that this  
9 Agency has a requirement for 50% of its members to have a  
10 terminal degree, earned Doctorate.

11 I didn't notice that kind of cut-off in the comparison  
12 agencies. Is it your experience that it is common among agencies  
13 that accredit at the Master's or Doctorate level to not have fully  
14 Doctoral qualified faculty?

15 MS. LEFOR: In my observations of other agencies  
16 I haven't seen like a specific threshold. It's been more about the  
17 sufficiency and appropriateness of qualifications. So in my past  
18 experience when I have been on other site visits or reviewing other  
19 agencies it has usually been there's some sort of review but it is  
20 not necessarily specific 50% number as it is specified in their  
21 standards.

22 It's more about insuring that, you know, they are

1 sufficiently and appropriately qualified so that they can, you know,  
2 carry out the operations in the classroom and usually it is the site  
3 team that is there that has the conversation.

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

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

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

19                   MR. KEISER: Herman?

20                   MR. BOUNDS: Yes I just wanted to say that  
21 amongst occupational accreditors and amongst some professional  
22 accreditors the Master's Degree level is pretty much acceptable in

1 those arenas so when you look at state licensure requirements,  
2 especially for nursing, they set some of those academic  
3 requirements for professions and for some of those professional  
4 programs.

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

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

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

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

18 MS. SCANLON: And I'm Elise Scanlon, I'm  
19 outside counsel to ABHES.

20 MS. TATE: First of all I would like to thank the  
21 NACIQI Committee for allowing us the opportunity to sit in front  
22 of you. I would also like to congratulate Dr. Keiser and Dr. Wu

1 for taking on a conundrum of accreditation and it is my pleasure to  
2 speak in front of NACIQI again, having been here last year -- less  
3 than a year ago that we were approved.

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

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

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

17 MS. LANG: So when we decided and the  
18 Commission directed us to provide them a section of the manual  
19 for a Master's Degree standards, we developed a task force of old  
20 PhD candidates that were member peer reviews, as well as two of  
21 our own Commissioners who hold PhD's and we with Christy  
22 Bailey Buyers who is the other staff member -- we both have

1 Master's Degrees, we sat down and reviewed many of the different  
2 bodies of work that were related to regional requirements for the  
3 Master's as well as national requirements.

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

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

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

18                   The visit occurred in November of 2016. Val LeFor  
19 came with us as part of the pilot and they did an excellent job. The  
20 institution did an excellent job and you can see that in what we  
21 found which was a zero violations visit and the rest is we are here  
22 today looking for approval.

1 MR. KEISER: Frank Wu has the first question.

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

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

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

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

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

20 MS. TATE: No, they can because not every state  
21 for example requires that a student pass a CMA. Now for a surg  
22 tech you have other agencies that offer programs in surgical

1 technology and they can look to those programmatic accreditors  
2 but we look at both the institutional and the programmatic.

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

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

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

15 MS. TATE: That is correct.

16 MR. KEISER: Primary Reader Steve?

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

21 MS. LANG: Yes. The institution -- the institution  
22 is institutionally accredited with ABHES so all of their programs

1 are accredited by us that they are offering currently.

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

5 MS. LANG: Yes.

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

8 MS. LANG: Yes, actually let me put my glasses on  
9 for this one. They offer two Bachelor's Programs. One was the  
10 healthcare management and the other one is the RN to BSN and  
11 both of those programs have retention rates currently reporting at  
12 96 and 85% and their placement rates are 84 and 94%.

13 Okay their rates of retention for the health care  
14 management for the 2015-16 annual report period was 96%. And  
15 the RN to BSN was at 85% and during the period of time when  
16 they made application in the 2014-15 period their rates were at  
17 94% retention and 70% for the Bachelor of Science in the RN to  
18 BSN. And their placement rates were 91 and 87% respectively.

19 So they met their eligibility requirements that we  
20 built into the standards that you must have shown and  
21 demonstrated successful outcomes at the Bachelor's level before  
22 meeting a Master's Degree level.

1 MS. TATE: I'd also like to report that their default  
2 rate is 2.4%.

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

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

10 MR. BOUNDS: No.

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

13 MR. BOUNDS: You mean for programs.

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

17 MR. BOUNDS: So theoretically the regulations  
18 speak about this. It's still more than a single answer, the regulation  
19 speaks about this in two places under 602.12 and then I think under  
20 602.32 let me double-check and there's really no requirement for  
21 multiple approvals by regulation.

22 MR. LEBLANC: Thank you.

1                   MR. BOUNDS: I think my conversations with  
2 ACICS were about some doctoral programs which we didn't  
3 recommend that they do at that time. I don't think I was here for  
4 the discussions about the Master's Degree Programs.

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

8                   MS. LANG: Um, let me see if I could find that for  
9 you. That was for the health care management and this is the  
10 2014-15 annual report period their ending enrollment was 84  
11 students with 23 grads with a 94% retention rate.

12                   And their RN to BSN was 86 enrollment with a  
13 79% retention rate.

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

20                   I was trying to sort of discern from the materials but  
21 I think that on your Commission you have 13 members, 3 with  
22 Doctorates?

1 MS. TATE: That's correct.

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

5 MS. TATE: We have no Doctoral staff members.

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

15 Staying with the sort of theme of track record I am  
16 also a little bit concerned about they are under your watch, we  
17 have had a couple of institutions lose their access to Title IV. We  
18 have had at least one settlement with a State Attorney General. I  
19 think your institution that represents something like 20 or 25% of  
20 the students that are served by the Agency has a median salary of  
21 \$25,000 for the graduates and a 20% repayment rate, according to  
22 the data sheet.

1                   This is not -- it doesn't feel like a comforting sort of  
2 track record to me.

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

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

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

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

14                  MS. SCANLON: I'm sorry I'm not familiar with  
15 this.

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

18                  MS. LANG: I don't have any data with us about  
19 UMA.

20                  MR. LEBLANC: Okay.

21                  MS. LANG: I know that they had come back to  
22 ABHES for re-accreditation and that they meet the criteria to be re-

1 accredited but I have no specific information on them today.

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

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

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

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

18 MR. LEBLANC: Because it demonstrates the  
19 ability to -- for my mind it's your track record of ensuring quality  
20 and adhering to a high level of standards around the student  
21 outcomes and performance and also around the ethic's  
22 expectations for leadership and institutions you accredit.

1 MS. SCANLON: So I'll just say two things.  
2 Number one UMA has been accredited by ABHES for quite some  
3 time and when ABHES went through the complete renewal of  
4 recognition process back in June of last year we had a very  
5 comprehensive review of all of the outcomes, measures and the  
6 process that ABHES uses to measure administrative capability for  
7 all of its institutions not just UMA.

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

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

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

1 institutional efficacy or effectiveness?

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

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

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

18 I would just like to -- and this is an example and it  
19 happens to be a useful one just because it is such a big player  
20 within your universe of schools. Our institutions, but you could  
21 talk about this in any case for any institution, how do you think  
22 about earnings as an outcome?

1 MS. LANG: Yes, we actually have now on every  
2 application for programs a place where you are to fill out what is  
3 the tuition rate for that program and what do you expect as an  
4 earning so that we can start tracking it ourselves because this is a  
5 new regulation and a new idea.

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

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

20 MS. SCANLON: Yeah I think it's an excellent  
21 question actually. I think it is something that particularly our  
22 Secretary of Education has been thinking about very seriously for a

1 very long time. The institutions are very aware that they need to  
2 meet gainful employment statistics going forward.

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

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

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

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

21                   MR. KEISER: Did anyone else have any  
22 questions?

1                   MR. BOUNDS: I did. I just wanted -- the policy of  
2 the 60232 and 60231, 60231 and then 60212 being to talk about  
3 the requirements for what an agency has to demonstrate for an  
4 expansion of scope.

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

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

13                   MR. BOUNDS: Yeah we have --

14                   MR. LEBANC: They said it was about 4 programs  
15 and they weren't.

16                   MR. BOUNDS: Well it's about the context and the  
17 breadth of what we see and it's about our evaluation of the  
18 standards more so than the number. And when we recommend that  
19 an accreditor step back and take another look at that process it is  
20 not based on the quantity, it is based on the quality of what we see  
21 -- of what they have presented.

22                   So again based on our review of this particular

1 agency and based on Valerie's visit and the things that we saw, we  
2 think that they have a good systematic process to approve these  
3 programs based on our review of their standards, requirements and  
4 what we saw at the site visit and that's what we use.

5                   When programs -- excuse me, when accreditors  
6 come in for expansions of scope we have a big staff discussion and  
7 we talk about what areas they need to demonstrate compliance  
8 with and it is usually -- it's normally all of the standards -- criteria -  
9 - 60216 all the way through again as Valerie said staff  
10 administrative capacity, experience and then we look at the type of  
11 programs that that particular accreditor accredits.

12                   And we look at all that in comparison.

13                   MR. KEISER: Frank then Susan and then Ralph.

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

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

1 that with other agencies?

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

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

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

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

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

20 Not about any specific institution or any specific  
21 measure but what do your standards say and what's your  
22 philosophy that you are using as applied to schools and programs?

1 MS. LANG: Well when you look at our standards  
2 they are very much consistent and parallel each other through each  
3 of the degree chapters, through each of the levels of where there is  
4 a certificate or a diploma, or an Associate's Degree, a Bachelor's  
5 Degree or a Master's Degree.

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

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

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

21 The other thing I would say that has changed a lot,  
22 even in the last year is the need for a strong market survey. The

1 philosophy of ABHES is that you have got to have good program  
2 outcomes -- retention, placement. You have got to be able to show  
3 the student that there is a pathway to the end.

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

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

18                   MS. SCANLON: So I think Joyce has talked a lot  
19 about the inputs but I think your question was really more related  
20 to the outcomes process that they use and it is very similar to the  
21 one that ACCSC described to you earlier. They have established  
22 benchmarks for retention and placement and licensure of their

1 graduates.

2                   They review those benchmarks at least annually and  
3 sometimes more often if a program or an institution is required to  
4 report those outcomes or they show that they are slipping below  
5 benchmark. They use those quantitative outcomes in two ways --  
6 first as an accountability measure to make sure that institutions  
7 deserve to continue an accreditation status but also as a quality  
8 assessment measure.

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

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

18                   And there have been as we mentioned earlier,  
19 discussions about looking at earnings, looking at placement further  
20 out from graduation and those kinds of things. They all fold into a  
21 tapestry of what an institution looks like and what those numbers  
22 tell you about the effectiveness of the institution and those

1 programs.

2 MR. WU: And then on the first question is it  
3 correct that about 1 out of 5 students and programs that fall within  
4 your purview are one institution? I just want to make sure that I  
5 have that right?

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

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

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

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

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

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

22 MS. PHILLIPS: The data by the way are on the

1 NACIQI website. It is program outcomes -- the data sheets, Excel  
2 spreadsheets that are posted there.

3 MS. SCANLON: Thank you.

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

9 MS. TATE: Yes.

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

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

18 So you have Doctoral candidates on that as well as  
19 Master's. I think the way that they would look at this is how we  
20 looked at this. Was how is the program designed? Does it have a  
21 capstone? It has to have a project at the end of that 30 credit  
22 minimum -- semester credit minimum calculation.

1                   Is it meaningful? Is the work meaningful? And  
2   that's a subjective call and many peers when you do peer review it  
3   is going to be subjective. But when we went and Valerie Lefor  
4   was with us, our evaluator had a wonderful conversation. She's a  
5   Doctorate as an MSN -- she had a wonderful conversation on why  
6   did you incorporate this course rather than this course or this  
7   course.

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

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

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

22                  Both Christy and I have taught at the community

1 college level. We feel pretty good that we have a sense, a center of  
2 what's expected in a course, how much work should be included in  
3 outside hours. What types of homework seems to make sense for  
4 projects. So I want to mention that -- that the staff, we don't have  
5 Doctoral level degrees but we have a sense of experience that we  
6 bring to the table with that.

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

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

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

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

22 MS. LANG: I think coming down the road there

1 might be health care management -- some type of a health care  
2 management Master's that seems popular. Again I'm not sure, you  
3 know, it has to meet the criteria and the Commission would have  
4 to approve it but we know that the Masters of Science and Nursing  
5 is popular and even on your website you saw the trend is in that  
6 arena.

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

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

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

17                   MS. PHILLIPS: What about the nursing?

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

22                   MS. LANG: And that's a good point because this

1 institution does have that already and so they have programmatic  
2 accreditation with KFJR CERT and ASON already and they still  
3 would want to do the institutional with us.

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

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

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

15 MS. PHILLIPS: Thank you.

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

18 MR. WOLFF: Thank you. Actually I have a  
19 number of questions but Herman let me begin if I may ask you if  
20 the Agency is approved for expansion of scope at the Master's  
21 level does that include any possible degree or only the area in  
22 which it is currently approved?

1                   MR. BOUNDS: Yes they would be approved for  
2 the Master's Degree level for the scope of institutional programs  
3 that is noted in their scope of recognition. So what we say in their  
4 scope of recognition they would be able to accredit at that Master's  
5 Degree level.

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

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

11                  MR. BOUNDS: Right because that's what is in  
12 their stated scope yes.

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

16                  How many institutions have or programs are  
17 offering the Bachelor's Degree?

18                  MS. LANG: We have I think the latest number was  
19 52%.

20                  MR. WOLFF: 52%.

21                  MS. LANG: 52% of our institutions have a  
22 Bachelor's Degree program.

1                   MR. WOLFF: And right now you have done a pilot  
2 with one for the Master's. Would you anticipate -- I'm trying to  
3 understand in this area, not even expanding would you anticipate  
4 that it would grow to a substantial number of institutions offering  
5 the Master's or do you see this as being primarily an exception for  
6 only a small number of programs?

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

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

19                   But I'm not so sure you will see it, you know, an  
20 inundated number of applications in this because there's a lot --  
21 you have to have the staff. This particular school has 19 faculty  
22 and administrators with Doctoral Degrees already and all have a

1 Master's of Science in Nursing so they were the perfect fit and  
2 that's why they came to us.

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

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

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

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

21 And you bring a staff member who happened to be  
22 me. So both of us went -- it was a degree verification visit and the

1 distinction is that we are verifying that what the institution said  
2 they would be doing in their application they are doing and it  
3 meets that standard in this peer review process.

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

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

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

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

1 with that larger capacity?

2 MS. LANG: I mean that's an executive decision

3 but --

4 UNIDENTIFIED SPEAKER: The executive says

5 yes.

6 MS. LANG: If I mean if there was an inundated  
7 number -- I mean if we were inundated with an enormous number  
8 of applications I am sure that there would be yes.

9 MR. WOLFF: But you are saying that you  
10 currently have the capacity to review a small number as they come  
11 in and then determine how you would grow?

12 MS. LANG: Yes, absolutely, yes.

13 MR. WOLFF: Thank you.

14 MS. TATE: May I just add that we even set up an  
15 appeal panel with all Doctoral Degrees in case someone is denied.

16 MR. WOLFF: Is the appeal panel only for the  
17 Master's program or for any program?

18 MS. TATE: No we have several appeal panels but I  
19 want you to know that we have Doctoral people who would be on  
20 that appeal panel to review a Commission's decision should that  
21 program be denied.

22 MR. KEISER: Steve?

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

7 MS. LANG: It's an MSN. It's a Master's of  
8 Science in nursing.

9 MR. VAN AUDDLE: Masters of Science in  
10 nursing.

11 MS. LANG: Masters of Science in nursing yes.

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

18 And that's what that is intended for. Have you had  
19 financial support from private sector, the health community to help  
20 with this obligation as you expand your reach and get into a much  
21 more expensive program than maybe some others or is this coming  
22 back to reliance upon the federal investor -- PELL loan investor?

1 MS. LANG: I'm not sure quite how to answer this  
2 but I would say that, you know, I am going to stress that at ABHES  
3 we spend a lot of time on just reviewing the financial obligations  
4 of all the schools and we assess whether or not they need financial  
5 capability.

6 MR. VAN AUDDLE: Financial adequacy?

7 MS. LANG: Correct.

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

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

14 MR. KEISER: Herman has a comment.

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

19 And currently their scope reads the accreditation of  
20 private, post-secondary institutions in the United States offering  
21 predominantly allied health education programs and the  
22 programmatic accreditation of medical assisting, medical

1 laboratory technician and surgical technology programs.

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

4                   MR. KEISER: Simon?

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

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

13                   There are according to the last Hyde & Cash  
14 monitoring report released by the Department of Education on  
15 December 1<sup>st</sup> of 2016 500 and about 38 institutions were on this  
16 list.

17                   You accredit about 102 institutions. And of your  
18 102 institutions 16 of them were on this report. 11 of them  
19 received a Hyde & Cash monitoring level 1 and I understand that  
20 there can be different variations of this. There can be audit, there  
21 can be a late missing thing, there can be -- but of those 11  
22 institutions they were all put on Hyde & Cash monitoring one --

1 because of financial responsibilities.

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

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

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

17                   MS. TATE: I hope that you and I are looking at the  
18 same numbers because I monitor the numbers myself. And  
19 January 17<sup>th</sup> from the DOE there were 538 institutions on HCM,  
20 473 of those institutions were on HCM 1 and 65 on HCM 2. All of  
21 those institutions three of ABHES's schools were on HCM 2 or  
22 4.6% of the HCM 1 we had 14 which was 2.9%.

1                   We as a body monitor all aspects of financial  
2   capability including HCM 1. We work very, very closely with the  
3   Department of Financial Aid, SFA and we respond to SFA's  
4   questions in regards to any institution that looks like it may not be  
5   meeting criteria for ABHES.

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

8                   MS. LANG: Can I also add that on the HCM 2, the  
9   3 -- okay one of the three relinquished their right to Title IV  
10   funding in a December 27<sup>th</sup> notification to the Department because  
11   we received that.

12                  So they are no longer receiving Title IV funding.  
13   One of the other two is on show cause with us because we track  
14   them regularly, every cycle. The other one is on financial  
15   monitoring for financial reporting and so the others that are on  
16   HCM 1 I would say I can't speak to everyone.

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

20                  MR. BOEHME: So what was the accreditation  
21   problem with the American Institute of Medical Technology  
22   because I visited your website and it indicates that it is still

1 accredited by you?

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

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

9 MS. LANG: Financial yes.

10 MR. BOEHME: It's on show cause?

11 MS. LANG: Yes.

12 MR. BOEHME: Yes.

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

18 If you would state your name and who you  
19 represent and then let me explain to you that you have three  
20 minutes and at the end of two minutes I will put my finger up  
21 because we don't have our timer today and then we will ask you to  
22 conclude your remarks.

1 MS. FLORES: My name is Antoinette Flores and I  
2 am a Senior Policy Analyst at the Center for American Progress. I  
3 think the NACIQI members did a great job of asking questions and  
4 covered a lot of what I wanted to so I will be quick.

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

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

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

18 The first question NACIQI should ask is how  
19 students fair across their newly created BA programs and whether  
20 one graduating cohort is enough to judge success which I think for  
21 the most part you have done. But the institution or the Agency has  
22 mentioned one of its colleges but the decision to approve Master's

1 Degrees would give it authority to offer Master's Degrees at 52%  
2 of its colleges.

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

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

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

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

20                   To me this expansion of scope is too much, too fast.  
21 Again Master's Degrees significantly raise the indebtedness of  
22 students. It's not a decision that should be taken lightly or rushed

1 especially without an absolute guarantee that the Agency can be  
2 successful in doing so, thank you.

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

5 MR. BOEHME: According to the Department of  
6 Education dashboard where there is information about accreditors  
7 it indicates that AVIS's percentage of student repaying loans is at  
8 30%. Do you know of how other accreditors may be similarly  
9 situation or different regional or programmatic factor in this within  
10 their evaluations or maybe they don't?

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

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

18 MR. KEISER: Frank?

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

22 MS. FLORES: Sure again I work for the Center for

1 American Progress on the post-secondary education policy team.  
2 My work in particular has spent a large focus on accreditation. I  
3 have looked at everything from history, the performance and I  
4 have spent a lot of time recently looking at standards across  
5 agencies.

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

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

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

11 MS. FLORES: Thank you.

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

17 (BREAK 12:07 - 1:09)

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

20 MS. SCANLON: I've been asked to do that Dr.  
21 Keiser. First of all let me say thank you to the Committee for all of  
22 your thoughtful questions and comments. We appreciated hearing

1 the conversation this morning about outcomes but also the follow-  
2 on questions that you asked I think were really important  
3 questions.

4                   And I think my closing remarks will incorporate  
5 some of that discussion. As I see it there are really two issues here.  
6 You do, as Simon said earlier, have an important responsibility as  
7 the Advisory Committee in making recognition decisions.

8                   We understand that responsibility to ensure that the  
9 Accrediting Commissions that you recognize are reliable  
10 authorities as to the quality of the programs and institutions that  
11 they accredit.

12                   With that in mind ABHES submitted an Expansion  
13 of Scope Petition to you for -- to be able to accredit programs of  
14 the Master's level. It was not something that they did lightly by  
15 any means. It was something that they did quite deliberately and  
16 only after several years of careful consideration by their leadership  
17 about whether this was the right thing to do for them.

18                   As they did embark on a pilot program to Master's  
19 Degrees they did engage in conversations with the Department  
20 about what a pilot might look like and the experience of other  
21 accreditors that have been before this body and the Department of  
22 Education for expansions of scope. And the decision was made to

1 be very discriminating and deliberate about creating the pilot,  
2 involving experts in the pilot and creating eligibility criteria that  
3 would make sense for an institution to have some success in  
4 actually being able to achieve the standards that were set for the  
5 Master's.

6                   And so that process took a number of years. I think  
7 had ABHES had different information or a different understanding  
8 that demonstrating experience might require additional pilots,  
9 certainly they would have considered undertaking those that just  
10 wasn't our understanding.

11                   And what was more important to us than the  
12 number of applications that were received and the number of  
13 institutions that were in the program was the quality of the pilot  
14 itself, the quality of the interaction with the institution and the final  
15 analysis of what standards were the right standards for the  
16 Commission to adopt to make sure that those standards would  
17 accurately -- would give us accurate and good information about  
18 the quality of Master's Degree program.

19                   So having said all of that, you know, I want to  
20 acknowledge our understanding of Ms. Flores comments and the  
21 concerns that were expressed earlier today and to make one point  
22 about ABHES's mission as an accrediting organization that

1 accredits, really programs that have a career orientation. There we  
2 try to strike a balance, particularly in faculty among those that have  
3 the proper credentials to be able to teach at the appropriate level  
4 but also have the real life career experience that they bring to their  
5 teaching so that their students can benefit from that experience.

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

13                   The concern about the number of programs that  
14 may be applying and the scope certainly that number will be  
15 limited because of the subject matter scope limitations for ABHES.

16                   ABHES intends to be as deliberate in growing the  
17 Master's Degree programs as they were in pulling together the  
18 pilot program. They do not see a great -- a large number of  
19 applications being processed at any given time and they are  
20 committed to adding resources as necessary including additional  
21 credentialed staff and volunteers to be able to do an effective job of  
22 evaluating these programs as new applications present themselves.

1                   They also intend to continue to keep the eligibility  
2 requirements for these programs high. So that is the -- I hope that  
3 that addresses the many questions that you addressed earlier.  
4 There was also some discussion though and I think it is a relevant  
5 discussion about how ABHES does its work overall as an  
6 accrediting organization.

7                   And how it monitors its institutions as they change  
8 and grow -- we had a conversation this morning about risk based  
9 accreditation and what does that look like and should certain types  
10 of institutions have different pathways for receiving accreditation.  
11 I think that was a very rich discussion.

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

21                   They have done that. You had asked specifically  
22 about UMA this morning which I have no reason to doubt the

1 Department of Education's statistics about the number of students  
2 enrolled in UMA but we do have some additional information for  
3 you.

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

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

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

20                   And ABHES will continue to ask those important  
21 questions about enrollment growth, about whether they are able to  
22 maintain high quality outcomes for their students even as they

1 grow and all of that will be a part of their comprehensive re-  
2 evaluation process.

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

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

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

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

20 As I understand it from the statement made was you  
21 have only had one cohort that has gone all the way through. You  
22 have 52% that are in the Bachelor's so I am just wondering given

1 that was since 2011 is there a -- that was a claim that was made  
2 and so is there a plan or process to look at as part of your own  
3 review, the Bachelor's moving to the Bachelor's?

4 And similarly as you go forward were you to be  
5 approved for the Master's after a certain period of time to do an  
6 external review or some kind of evaluation of how it's working,  
7 that's what I am really kind of interested in for major changes to  
8 the Bachelor's and the Master's?

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

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

17 MS. SCANLON: Yes.

18 MR. KEISER: Simon?

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

21 MS. TATE: Our formula is complicated so that we  
22 look at ending enrollment and beginning enrollment and return of

1 students and divide those elements out so that we end up looking at  
2 retention which looks -- we get the number of graduates and use  
3 the number of graduates for considering placement and  
4 credentialing but we don't say graduation, we look at retention.

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

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

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

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

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

20 MR. WU: So I'll make a Motion and as a preface I  
21 was thinking about what are the possible Motions. There are four  
22 that I can see. One is to say yes, the second is to say no, the third

1 is to say not right now come back in a year and the fourth is to say  
2 yes with some limits.

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

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

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

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

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

22                   MR. KEISER: Before we discuss it I would just

1 like to -- there was a second by Arthur so now you can go.

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

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

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

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

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

21 They had no notice that we would delve into this, it  
22 really wouldn't be right to do that. So I am just trying to signal a

1 little something because members of this body have frequently  
2 expressed -- it's distressing to all of us no matter what we think the  
3 outcome is that we usually just have a yes or a no.

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

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

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

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

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

22 MR. WU: Actually I like what the Chair has

1 suggested and I would be happy to amend it such that we  
2 recommend expansion of scope, and we hereby is the very order  
3 appropriate -- we hereby order the Agency to return to report on  
4 how it went?

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

10 MR. WOLFF: I guess I'm trying to clarify.  
11 There's a difference between allowing the change of scope,  
12 allowing more Master's programs to go through their substantive  
13 change process and having them come back with an evaluation or  
14 limiting it to only one.

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

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

19 MR. KEISER: Why don't you withdraw the  
20 Motion?

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

1 MR. KEISER: Sure.

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

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

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

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

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

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

17 MR. KEISER: Bobbie?

18 MS. DERLIN: I don't know of the exact dates but I  
19 think given when they appeared before us for recognition and now  
20 it is now and we are talking the Master's -- I think it is a fairly  
21 limited amount of time before they come back to us because they  
22 had 5 years and I think they have used up a year and a half and

1 now here we are and we are talking 18 months. So from my  
2 standpoint it would be more appropriate for the Motion to be  
3 approve the expansion and request that the Agency present a report  
4 of progress related to Master's Degrees at its next re-recognition  
5 hearing or whatever.

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

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

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

20 That is if we just said we approve. Now maybe that  
21 we think we sent enough of a signal about our misgivings that we  
22 just say yes we suggest approval.

1                   MR. KEISER: I do if I am not mistaken, the  
2 Motion is 24 months? Correct okay -- any other comments,  
3 Susan?

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

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

11                  MR. KEISER: Kathleen?

12                  MS. SULLIVAN ALIOTO: I'm just concerned  
13 when I was reading the documents that were included in the  
14 discussion about the faculty. The Department agreed to and I  
15 wondered if you had any misgivings yourselves about the faculty  
16 that is going to be involved in this or is involved in this?

17                  Because I felt a little uneasy when I looked at it and  
18 the documents there was a certain sloppiness coming back and  
19 forth.

20                  MR. BOUNDS: I think there were two issues and  
21 Valerie can help me out. I think the first overall question from  
22 some Committee members was about their overall policy where

1 they stated that 50% of the faculty had to have Doctoral Degrees --  
2 that encompasses everything that they do not just one specific  
3 institution.

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

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

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

17 MR. KEISER: Simon?

18 MR. BOEHME: I cannot support the Motion. I  
19 would encourage respectfully that we come up with a new Motion  
20 where they come back in 12 months. I was not convinced by their  
21 presentation. I think a well-accepted indicator of graduation rates  
22 was not included. There was some other way of looking at this

1 metric. I was not convinced about their student outcome standards.  
2 It was in 2011 that we granted their Bachelor's and I still think that  
3 this is -- I'm worried about the capacity for this accreditor to  
4 handle the Master's program and they have only done one site visit  
5 and that's not enough in my mind.

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

8                   MR. KEISER: Paul? Kathleen turn yours off.

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

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

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

19                   It required a different way of doing business than  
20 they have prior. My sense of this, my reluctance to support the  
21 Motion is that I don't -- I'm not persuaded of the capacity within  
22 the Agency both on its Commission and the sort of experience of it

1 and I think there are some questions about track record to make me  
2 feel comfortable going forward with this. I am going to vote  
3 actually in opposition to the Motion.

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

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

11 MR. KEISER: Steven?

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

15 MR. KEISER: Yes. Frank?

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

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

1 have this conversation.

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

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

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

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

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

19 MR. KEISER: Ralph?

20 MR. WOLFF: I know that whatever NACIQI does  
21 is going to go to somebody in the Department, whoever the senior  
22 Department official is at this point. I guess I am -- if I were sitting

1 in the shoes of either the senior Department official or of the  
2 Agency I would want to know what it is that the report would need  
3 to address that would make a difference.

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

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

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

18 It doesn't surprise me that agencies appearing  
19 before us peppered with questions have only very cursory answers  
20 so that's what they would be invited to come back in a year to do is  
21 answer -- there must have been a dozen fairly probing questions,  
22 maybe two dozen.

1 MR. KEISER: Bobbie?

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

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

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

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

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

1 further discussion?

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

7 Okay do we have a new Motion? Bobbie?

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

10 MR. BOEHME: I second, Simon.

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

17 MS. DERLIN: I'd view that as friendly.

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

21 MR. KEISER: It would mean that the current pilot  
22 program would not become eligible for Title IV funds so the

1 students who would be in that program would be impacted. The  
2 question Bobbie I'd have is what is the basis of the denial when the  
3 staff has found them to be in compliance?

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

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

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

17 MR. KEISER: Ralph?

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

1 timeframe?

2 MS. HONG: They can proceed with their pilot and  
3 everything it just won't be included in their scope of recognition.  
4 And also there's nothing prohibiting them from returning should  
5 they decide to do so a year from now, two years from now, so I  
6 don't know that that language is necessary in the Motion.

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

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

12 MS. HONG: That's correct.

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

16 MS. HONG: Correct.

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

19 MS. HONG: That's right.

20 MS. PHILLIPS: Thank you.

21 MR. KEISER: Bobbie?

22 MS. DERLIN: And I would just mention to that

1 point about Title IV eligibility that this essentially places some  
2 incentive for the Agency to pursue this further.

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

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

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

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

22 MR. WU: Just to follow that up with one last

1 comment prompted by the morning panel. On the one hand we  
2 don't want to be adversarial or hostile or rude. I don't want  
3 agencies coming before us to think that we are going to go out of  
4 our way to abuse them.

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

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

17 And so it is good that we have this robust  
18 conversation that's all.

19 MR. KEISER: Simon?

20 MR. BOEHME: I'll be supporting the Motion just  
21 quickly because I think it is important that we get more  
22 information and nothing precludes this Agency from coming back

1 and I believe we need more information, thank you.

2 MR. KEISER: Any further discussion, Ralph?

3 MR. WOLFF: Yeah I think I will support it too and  
4 I appreciate the distinction between graduate and the Bachelor's  
5 that I think is really important. But I also want to acknowledge  
6 that the staff did -- it appears what they were supposed to do in  
7 terms of reviewing under the criteria and so I would just say should  
8 the senior Department official accept this recommendation I would  
9 hope that the future staff review would take in these larger  
10 considerations and use them for interpretation about capacity and  
11 the shift to graduate level because I think this is what we would  
12 really be wanting.

13 MR. KEISER: Yes?

14 MR. FRENCH: I have a very simple question. So  
15 for clarity we are saying of course we know what the staff  
16 recommendation would be but our consideration and questions that  
17 were unresolved in our minds are inconsistent with what the staff  
18 is recommending.

19 But are these the same questions? Is this the same  
20 scope of questioning or did the staff come here with a  
21 recommendation and did the body go in a slightly different  
22 direction to not agree with staff?

1                   MR. BOUNDS: I mean all I can say is that from  
2 the staff's standpoint we reviewed the Agency under the current  
3 regulatory criteria. Again, and you know it is the Committee's  
4 purview to ask questions as they see fit.

5                   But for the staff our limit is the regulations. As I  
6 said earlier there is no discussion in the regulations about how  
7 many programs that you have to review to be approved. It's the  
8 quality of the program. So you know, no matter how these  
9 discussions go with the Committee we have to review under the  
10 current regulations until those regulations are changed.

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

17                   MR. KEISER: Any other comments>?

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

21                   MR. KEISER: Bobbie?

22                   MS. DERLIN: Well I can't necessarily cite the

1 numbers Federico. But the basis for the Motion is predicated on  
2 two things. The recent review of this Agency that was conducted  
3 within the confines of Baccalaureate and lower degree levels.

4 So I do not believe that our recent recognition  
5 constrains us at this time so that's one point. The second thing is  
6 there are concerns and I certainly do not want this Motion to be  
7 interpreted as the repudiation of the Staff Report because it is not.

8 The Staff Report did allude to some of the  
9 challenges of faculty credentialing, capacity at the Agency level in  
10 terms of the degree level of existing staff and so on. And I think  
11 those concerns in consideration of a Master's Degree program  
12 which is primarily academic in its orientation is sufficiently  
13 different. So those are my two bases Federico.

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

17 MS. HONG: Sorry could you repeat that Federico?

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

22 MS. HONG: I think so. I mean I think a lot of the

1 discussion here comes down to some of the things Herman  
2 mentioned in terms of, you know what we have in the regulation  
3 and it is fairly broad. So this is a judgment call. You know you  
4 are getting into whether, you know, whether the judgment in terms  
5 of allowing the expansion of the scope the staff -- was the staff's  
6 judgment based on the pilot program that, you know, this was  
7 sufficient for approval.

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

15                   MR. KEISER: Any further discussion, George?

16                   MR. FRENCH: Yes thank you. So thank you Dr.  
17 Hong. So what Mr. Bounds was just saying was that basically the  
18 regs don't emphasize that you have to have more than one  
19 Master's program to be revered. It doesn't specify that there has to  
20 be more than one but this body is saying that we would like to see  
21 more than one, that's what we are saying essentially is that correct?  
22 Could you give me the interpretation then?

1 MS. DERLIN: I don't think the issue is the number  
2 of degree programs that have participated in the pilot. I think the  
3 issues are more related to faculty qualifications, capacity at the  
4 level of the Agency to work with academic graduate degree  
5 programs.

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

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

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

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

20 MS. DERLIN: I have to tell them specifically what  
21 to do. I mean I think the issue relates to the degree of oversight  
22 that they have demonstrated for the faculty and just what the

1 qualifications were. I mean I don't know how to be specific in my  
2 recommendation.

3 MR. KEISER: The reason I ask is we have rules.  
4 They followed the rules. The rules are not specific. They used I  
5 think the way the discussion was they tried to use what others --  
6 comparable types of institutions have used. The staff agreed to  
7 that yet we are saying no.

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

10 MS. DERLIN: Well perhaps others can help.

11 MR. KEISER: Susan?

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

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

21 I wouldn't -- I don't think I would want to offer  
22 advice to an Agency about how to proceed but I do know that there

1 are lots of ways of thinking about the differences in levels of  
2 education and that many of those might be brought to bear in a  
3 further analysis of this.

4 MR. KEISER: Frank?

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

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

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

20 So nothing here re-opens what we did in the past. It  
21 is procedurally appropriate and fair. We are leaving that be but  
22 because they want to move up to sort of a higher level

1 academically they are held to a higher standard -- same standards  
2 but just more rigor all around, that's what I hear Bobbie saying if I  
3 may put it that way.

4 MS. DERLIN: Thank you Frank and Susan.

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

8 **NACIQI RECOMMENDATION: The Motion**  
9 **carried in favor of denying the applicant's request to expand**  
10 **their scope.**

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

16 (BREAK 2:02 - 2:08)

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

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

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

17                      MS. DERLIN: Thank you Art.

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

22                      MS. SULLIVAN ALIOTO: Yes when I looked at

1 the ethics primer that we were given when we accepted this  
2 position it says that there are three problems. One if you have  
3 financial interest and two let's see -- before any court or agency in  
4 connection with any particular matter involving specific bodies in  
5 which the United States is a party and has a direct and substantial  
6 interest.

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

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

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

19                   MS. SULLIVAN ALIOTO: So that might be  
20 biased? I mean isn't everyone here biased realistically. I mean  
21 when I discussed it with Art what did you say to me Art? What  
22 was your comment when I asked you?

1                   MR. KEISER: I don't know enough of the facts of  
2 what your involvement was to be able to actually render the  
3 opinion. I assume it is something that the General Counsel's  
4 Office has expressed an opinion to you, Kathleen. I think it's an  
5 individual judgment but you have to weigh that against what  
6 General Council and the Ethic's Office, any opinion they have  
7 expressed so I don't know whether Kathy I'm throwing it over to  
8 you but I don't have a particular judgment on it.

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

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

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

20                   MS. DERLIN: Okay thanks Art. I'm here to  
21 introduce the Accrediting Commission for Community and Junior  
22 Colleges. This is an institutional accreditor and a Title IV

1 gatekeeper agency. It accredits 130 member institutions and these  
2 institutions offer two year educational programs and award  
3 Associate Degrees and the majority of the Agency's member  
4 institutions offer some distance education.

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

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

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

19           MR. KEISER: You did a beautiful job.

20           MS. DURLIN: Thank you.

21           MR. KEISER: Elizabeth?

22           MS. DAGGETT: Thank you. I will not go into the

1 history right now but if need be I'm happy to discuss that at a later  
2 time. Good afternoon Mr. Chair and members of the Committee.  
3 For the record my name is Elizabeth Daggett and I am providing a  
4 summary of the review of the compliance report for the Agency.

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

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

14           The Department also received and reviewed over  
15 120 third party written comments in response to the Agency's  
16 compliance report. Our review of the Agency's compliance report  
17 found that the Agency is in compliance with the Secretary's  
18 criteria for recognition for the sections under review.

19           With regard to the limitation the Agency provided  
20 information and documentation to demonstrate that it has a  
21 consistent, regular and thorough process for the review and  
22 approval of Baccalaureate Degree programs via its revised

1 substantive change protocol.

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

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

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

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

20                   The Agency also provided documentation of  
21 implementation of the use of these new letters. The final section  
22 under review related to the good cause extension Section 602.20B

1 was regarding the Agency's use of good cause extensions. The  
2 Agency revised its protocol for developing Commission action  
3 letters which include good cause extensions or language related to  
4 such extensions and provided documentation to demonstrate  
5 implementation of its revised protocol.

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

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

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

21                   With regard to the other section affirmed after  
22 appeal, Section 602-15A3 the Agency provided additional

1 information and documentation concerning representation of  
2 academic personnel on its evaluation teams. Specifically the  
3 Agency revised its definition of an academic representative and  
4 protocol for the evaluation team selection.

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

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

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

20           The Department also received a fourth complaint  
21 that was submitted simultaneously to the Department and the  
22 Agency in August of 2016. At the time of this review the Agency

1 had not yet completed its analysis of that complaint and as a result  
2 the current analysis does not address the fourth complaint.

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

7 Therefore, as I stated earlier the staff is  
8 recommending to the senior Department official to renew the  
9 Agency's recognition for a period of one and half years and lift the  
10 scope limitation imposed in the April 5<sup>th</sup>, 2016 decision letter,  
11 thank you.

12 MR. KEISER: Questions for the staff?

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

18 MS. DAGGETT: That's correct.

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

22 MS. DAGGETT: That's correct. They came

1 originally with their renewal petition in December of 2013  
2 requesting an expansion of scope to include all Baccalaureate  
3 Degrees. We did not feel at that time that they had demonstrated  
4 that they could undertake that higher level of degree and limited  
5 them to the first Baccalaureate Degree only using their substantive  
6 change protocol.

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

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

19                   So at this time we are recommending to limit -- to  
20 lift that limitation so they could go back to allowing the first  
21 Baccalaureate Degree via that substantive change protocol. I'm  
22 sorry if that was not clear.

1 MS. DERLIN: It's complicated and so the bottom  
2 line is that lifting the limitation does not expand the scope of the  
3 ACCJC to approve multiple Baccalaureate Degrees.

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

6 MS. DERLIN: Thank you.

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

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

18 MS. DAGGETT: For the first one the complaint  
19 was reviewed and closed. I don't have that complaint with me and  
20 I did that one over a year ago so I couldn't tell you exactly why  
21 other than it didn't have any basis in the criteria that we felt needed  
22 to be followed up with regard to what they provided.

1                   The reason that we had held those complaints is that  
2 we just didn't even look at them until the appeal had been decided  
3 which was a year ago January because they did reference to the  
4 two sections that were under appeal so I can't answer the question  
5 regarding that first complaint other than it didn't end up having  
6 anything that was manifest in any of these areas and that we felt  
7 like it was not necessary, unlike the other two complaints which  
8 we felt did bear on those specific areas.

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

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

21                   MS. NEAL: So I know this Committee has had a  
22 conversation regularly about receiving information about

1 complaints. It is my understanding that that is something that is to  
2 be forthcoming to us when we evaluate accreditors. So I would  
3 ask that we receive more full information on complaints based on  
4 our past discussion.

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

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

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

19                   MR. KEISER: Simon?

20                   MR. BOEHME: Thank you for your work in this.  
21 My first NACIQI meeting was in December of 2013 so I fondly  
22 remember the third party commenters for ACCJC and I was

1 reviewing the transcript from that last December, 2013 meeting  
2 and from your reading of the written comments and your analysis  
3 in what we will anticipate today could you just provide a quick  
4 overview of maybe the particular regulations that they may or may  
5 not be grounded in?

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

9 MR. BOEHME: And anything else?

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

13 MR. BOEHME: Great thank you.

14 MS. DAGGETT: No problem.

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

20 MR. RODRIGUEZ: My name is Raul Rodriguez  
21 I'm the Chancellor of the Rancho Santiago Community College  
22 District in Orange County, California. I have a long history with

1 ACCJC. I served on my first accreditation team in 1989, was  
2 elected to the Commission in 2011 and became Chair in  
3 November, 2016.

4 I would like my colleagues to please introduce  
5 themselves.

6 MR. WINN: I'm Richard Winn, Interim President.

7 MS. DROKER: I'm Stephanie Droker, Vice  
8 President of Policy and Research.

9 MR. WELLSFRY: I'm Norv Wellsfry, I'm the  
10 Vice President of the other stuff.

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

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

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

1 recommendation to NACIQI.

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

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

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

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

21                   Members of our senior office team are being  
22 welcomed as participants and professional groups, associations of

1 the community college sector. We hope that you will agree with  
2 the staff's finding that ACCJC is on a clear and effective path  
3 forward.

4 MR. WINN: Good afternoon. Please accept my  
5 apologies for my annual case of laryngitis. My name is Richard  
6 Winn and the Commission Chair has pointed out I am serving as  
7 interim President of ACCJC.

8 I joined the staff as Vice President of Operations in  
9 June of last year. I previously served for 12 years as a senior  
10 officer at the WASC Senior College and University Commission.  
11 I concluded my service there as a Senior Vice President.

12 And perhaps because of that extensive experience  
13 within a regional accrediting agency the Commission asked me to  
14 step in and provide leadership at this time of significant change.  
15 As Dr. Rodriguez as noted this has been a time of transition, a  
16 recalibration of relationships and of openness to broad and deep  
17 changes at ACCJC.

18 The Commission is excited to be devoting major  
19 time at its spring retreat to creating a clarified sense of vision and  
20 to enter into strategic thinking. Much of the agenda is being set by  
21 the extensive input from a CEO work group that is committed to  
22 our improvement.

1                   My executive team and I have been enjoying  
2 positive outcomes as we meet with our colleagues from member  
3 colleges and key organizations within the region. At its January  
4 meeting the Commission was able to validate the findings of the  
5 review team that conducted a rigorous evaluation of City College  
6 of San Francisco.

7                   In voting to reaffirm the college's accreditation for  
8 the maximum of 7 years the Commission expressed deep  
9 admiration for all that the college faculty classified staff and  
10 administration had done to both embrace and demonstrate best  
11 practices across the institution.

12                  Both the interim Chancellor and the accreditation  
13 officer will be presenting at our annual conference on the colleges  
14 outstanding work and disaggregating student learning outcomes.

15                  We sense in these moments a readiness for key  
16 stakeholders to move beyond the former tensions and engage in a  
17 new level of partnership toward institutional excellence. Speaking  
18 of productive relationships we deeply appreciate the constructive  
19 engagement of our team with the Department's accreditation group  
20 headed by Herman Bounds, supported by Elizabeth Daggett.

21                  The staff has provided excellent guidance as we  
22 sought to solve instances of non-compliance to the Secretary's

1 criteria. And now I would like to ask Vice Presidents Norv  
2 Wellsfry and Stephanie Droker to briefly summarize what we have  
3 done in those specific areas.

4 MS. DROKER: So in regards to 601-15A  
5 Academics on Teams and Academics on the Appeal's Board,  
6 ACCJC revised its by-laws and adopted new protocol in 2014 that  
7 defines academics and administrators for the purposes of serve on  
8 teams and the appeals for the decision-making bodies consistent  
9 with the Department's position.

10 ACCJC stopped considering student service  
11 administrators to the academics and now classifies them as  
12 administrators. The new protocol also provides for comprehensive  
13 evaluation teams to be comprised of 8 to 12 members which must  
14 include 2 to 3 faculty members for those comprehensive teams.

15 ACCJC also enhanced its evaluation team rosters by  
16 placing all individuals who are delineated as academics under a  
17 header titles, "Academic Members" and those who are delineated  
18 as administrators be placed under the heading, "Administrative  
19 Members" for clarity.

20 ACCJC also documented that these changes were  
21 implemented for its Appeals Board and for its sub-change teams  
22 and follow-up teams.

1                   In regards to 602-13 Wide Support -- to  
2 demonstrate compliance with this recognition criteria ACCJC  
3 provided over 110 letters of support from a wide range of  
4 educators. A significant portion of these letters were from  
5 academics.

6                   Additionally the California State Auditor validated  
7 this support through a state audit survey which showed that  
8 ACCJC has overwhelming support by its member institutions and  
9 educators.

10                   For example, 88% of our California institutions that  
11 responded to the survey indicated that ACCJC recommendations in  
12 reviews of their institution between 2009 and 2013 were  
13 reasonable.

14                   By contrast about 80% of the negative third party  
15 comments submitted to NACIQI were provided by AFTCFT  
16 and/or other organizations and individuals affiliated with the  
17 Teacher's Union or related to the withdrawal of accreditation from  
18 a single institution CCSF City College of San Francisco.

19                   And we note that federal recognition criteria do not  
20 require the unanimous acceptance of an accrediting Agency's  
21 standards, policies and processes. While the California  
22 Community College former Chancellor and Board of Governors

1 adopted a Resolution that raised questions about ACCJC's future  
2 status as the accreditor for California Community Colleges. Those  
3 questions represented the views of state agencies and not  
4 educators.

5 In any event we now have the support of the new  
6 state Chancellor and will continue to enrich the relationship with  
7 that office as well as our stakeholders, member institutions, faculty  
8 students, staff.

9 MR. WELLSFRY: I would like to address two of  
10 the criteria 602.12 and 602.20. 602.12 relates to the Baccalaureate  
11 Degree. In order to strengthen its oversight of Baccalaureate  
12 Degrees at its member institutions ACCJC has developed a more  
13 comprehensive and specific policies and criteria and a protocol for  
14 the review of Baccalaureate programs.

15 It has also trained members of its evaluation teams  
16 and its' Substantive Change Committee on the policies, criteria and  
17 protocol. The policies and criteria reflect ACCJC's expectations of  
18 increased depth and higher levels of rare common higher education  
19 and consistent with the policies of other accrediting agencies.

20 The protocol is used to approve and evaluate all  
21 Baccalaureate Degrees. In this past year we have done two  
22 comprehensive institutional evaluations and 7 substantive change

1 visits to review Baccalaureate Programs. These evaluations have  
2 been conducted by experienced evaluators with Baccalaureate  
3 experience.

4           The accreditation group in October attended a  
5 Substantive Change Committee meeting where we reviewed an  
6 application for a Baccalaureate Degree. The group also attended a  
7 site review of a Baccalaureate program and in both instances found  
8 the reviews to be entirely appropriate.

9           In regard to 602.20 which relates to Deficiencies  
10 and Good Cause Extensions -- to resolve Department concerns  
11 regarding the need to more clearly identify deficiencies ACCJC  
12 has modified its action letters and reports to clearly identify  
13 deficiencies and areas for improvement in separate sections.

14           It has also deleted a requirement for follow-up  
15 reports for recommendations for improvement which the  
16 Department believed should be used only for deficiencies.  
17 Deficiencies in meeting standards must be resolved in two years in  
18 order to meet the requirements of the 2 year rule as provided for in  
19 the Department's recognition criteria.

20           The Commission also revised its protocol for action  
21 letters that provide for good cause extensions. Under the protocol  
22 the action letter would include detailed information to clearly

1 identify the use of good cause extension, identify one of 5 specific  
2 reasons for a good cause extension and the period of the extension  
3 that is being granted to the institution.

4 The 5 reasons for good cause extension have been  
5 informally pre-approved by the Department, thank you.

6 MR. WINNICK: Good afternoon Mr. Chair and  
7 members of NACIQI. I just wanted to quickly note a few points  
8 for emphasis.

9 First, and this somewhat repeats what Beth Daggett  
10 had said and what others on this panel have said but I think there  
11 needs to be an understanding that the question before NACIQI  
12 today at this hearing is not whether ACCJC comprehensively  
13 meets all compliance requirements but rather whether it meets the  
14 compliance requirements addressed in the compliance report.

15 So there are a limited number of issues before  
16 NACIQI today and before the Department.

17 Secondly, ACCJC is not asking for an expansion of  
18 scope. Previously the Department with NACIQI's blessing  
19 expanded its scope to cover a single Baccalaureate program that  
20 could be approved at a previously accredited institution.

21 That expansion of scope was subsequently limited  
22 in 2016 by the Department so that ACCJC could not approve even

1 a single Baccalaureate program at another institution because of  
2 problems that were noted in the comprehensiveness of materials of  
3 policies and criteria for Baccalaureate programs and because of a  
4 meeting that was observed where the reviewers were confused  
5 about which criteria, which standards applied and which did not.

6 ACCJC has significantly tightened those policies  
7 and its implementation and so the issue before NACIQI today is  
8 whether to lift that limitation which would allow the approval only  
9 of single Baccalaureate programs, thank you.

10 MR. WINN: I wanted to say a few words about  
11 what you may hear from the third party comments. Much of the  
12 testimony will come from students, faculty and union  
13 representatives related to City College, from AFT, CFT or their  
14 affiliates.

15 These persons were understandably very protective  
16 of the college they love and upset when we withdrew accreditation  
17 from CCSF. Exacerbated by legal actions, press coverage and  
18 other initiatives to forestall the accreditation action our two sides  
19 have been polarized and overshadowed by mutual feelings of  
20 blame and distrust.

21 Even though the Commission has now acted to re-  
22 affirm CCFS for a full 7 years with deep appreciation for how

1 diligently the college has demonstrated compliance, we suspect it  
2 will take time for trust to rebuild and the potential for collaboration  
3 to become actual.

4                   While we understand the intensity of the feelings  
5 and are familiar with what they allege to have been previous  
6 missteps by the Commission we hope that NACIQI will hear these  
7 comments as having been generated by previous actions and join  
8 with us in appreciating potential for renewal that is now in full  
9 advance across the region and within the Agency.

10                   Past reports and issues are being rapidly overtaken  
11 by new developments and we are ready to embrace their energies  
12 with ours toward our mutual goal of institutional quality. We  
13 would be glad to receive any questions you may have.

14                   MR. KEISER: Bobbie would you like to start?

15                   MS. DERLIN: Thank you all very much for your  
16 remarks. Mr. Winnick thanks for speaking so clearly to the lifting  
17 of the limitation question. That clarification was very useful. The  
18 first question I would like to ask about has to do with the  
19 representation of faculty members on teams.

20                   So I think this would be a question for Stephanie.  
21 It's clear from your materials, and it is clear from your statements  
22 that improvements have been made. I'm wondering if you could

1 tell me a little bit about whether there have been related efforts to  
2 expand the roster of faculty members who are eligible to  
3 participate and some of the initiatives you may have already done  
4 or contemplate in terms of bringing those folks onboard with the  
5 related improvements you have made in various standards and so  
6 on.

7 MS. DROKER: Yes thank you. One of the areas  
8 that we realized as we have been going through our own review is  
9 that we have a database of evaluators that is very limited and so we  
10 end up using members -- faculty members, particularly and I  
11 would like to note as a previous faculty member their time  
12 constraints are something that we really need to take into  
13 consideration.

14 Faculty cannot just get up and walk out of class for  
15 a site visit and so the initiatives we are starting to take on to  
16 address -- to not only bring new faculty in, especially with a bunch  
17 of retirees going but also to make sure that our peer review process  
18 really has diverse perspectives and the peer review process is  
19 enhanced when more people are involved and more dialogue is  
20 going on for the improvement all institutions.

21 So with that effect one of the issues we are trying to  
22 do is develop a 2 year calendar so that all the comp reviews and

1 our follow-up visits where faculty will be -- including trainings,  
2 will be scheduled way out ahead of time so that when we invite our  
3 faculty to come they can work with their administration and their  
4 class scheduling so that it is appropriate to be inclusive of them.

5           We are also re-designing our training programs  
6 where we are bringing in our intro new evaluator into a separate  
7 training and we are focusing it so we are bringing in for faculty  
8 only -- scheduling it for faculty at a time where it is appropriate for  
9 them to come in and easy for them to get to so that we get our  
10 faculty trained to be evaluators prior to just calling them up and  
11 saying, "Please, please come on to a team."

12           And then regarding the database I mentioned  
13 earlier. We do have a database of people involved, of evaluators  
14 that has been very limited and we realize that infrastructure is  
15 important to growth in order to help our peer review process.

16           And what I mean by that is the database we are  
17 using is rather old and it also links to our website and I do believe  
18 someone mentioned reviewing of websites and making it easier for  
19 peer reviewers to come on and get information but also for  
20 students and families.

21           And so we are looking at infrastructure re-design in  
22 order to include more voices and get information out to people

1 including trainings and dates and resources that is easily articulated  
2 to those people who are not inherently into accreditation.

3 MS. DERLIN: Thank you. I also have another  
4 question this is perhaps for Dr. Rodriguez or Dr. Winn. This  
5 relates to the status you've made of presentation in terms of the  
6 need to for lack of a better term, mend fences as you go forward.

7 It was not clear for me -- to me in reviewing all of  
8 the materials just where the state of California has ended up in  
9 terms of its support for ACCJC. My understanding was at one  
10 time you had sole access in terms of accrediting California  
11 community colleges and I'm wondering if that has been retained or  
12 if that has changed.

13 MR. RODRIGUEZ: Sure so we still do but the  
14 Board of Governors changed the regulations so now it has our  
15 name taken out of it. We are still the single accreditor right now.  
16 That could change in the future but right now we are still in that  
17 position.

18 MS. DERLIN: Thank you.

19 MR. WINN: And as you may know there are  
20 discussions going on about moving to a single accreditor model but  
21 those discussions are far from conclusive. There are hundreds of  
22 decision-making elements that have to be addressed and change

1 protocols should the region choose to go that direction. But this is  
2 something that is being driven within the conversations within the  
3 colleges within the region and there is a shared plan that over the  
4 next several years the issues should become very clear so that an  
5 informed decision can be made.

6 Mr. RODRIGUEZ: And we are participating in  
7 that, we are part of those work groups that are going on.

8 MS. DERLIN: So this is -- I just want to be sure  
9 that I am understanding what you are saying -- so this is a matter  
10 that your Agency is open-minded about in terms of its renewal  
11 process -- that's the word you used. Am I hearing you correctly?

12 MR. WINN: There are so many things happening  
13 that don't directly address the Secretary's criteria. I mean there are  
14 the informal meetings that are going on with my staff and the CEO  
15 forum with my staff and the group that's called the RP Group  
16 which has been very active in professional development.

17 We -- Norv and I co-presented at the Academic  
18 Senate's Accreditation Institute this last weekend so there are lots  
19 of relationships at the personal level that are being established and  
20 being met with very positive receptivity. Glad to see us engaged,  
21 glad to see us open to be partnering with them.

22 MS. DERLIN: I'm ready for others.

1 MR. KEISER: Others, Susan?

2 MS. PHILLIPS: Thank you. I question for you  
3 about the Baccalaureate Degree granting activity. You have a  
4 standard 382 -- the Faculty Qualifications you heard me speak  
5 about that before.

6 And I noticed that you said the qualifications for  
7 faculty teaching upper division courses in the Baccalaureate  
8 Degree include the requirement for as Master's Degree or  
9 academic credentials at least one level higher than the  
10 Baccalaureate Degree or Doctoral Degree as appropriate in the  
11 discipline.

12 And you have a couple of caveats in case that's not  
13 possible. Could you say a little bit about your thinking and  
14 arriving at that determination?

15 MR. WELLSFRY: The basic background was as  
16 we looked at the other regions we saw pretty consistently that the  
17 requirement for faculty teaching at a particular degree level was  
18 one level above.

19 And so that was why we established the Master's  
20 Degree as the base for anybody who was teaching in a  
21 Baccalaureate program. The Baccalaureate programs that are  
22 being offered at the California community colleges can be in

1 applied science areas and so that's why you saw the requirement  
2 that's a little looser but we wanted to establish that the faculty  
3 would have the academic background that is required in the  
4 achievement of a Master's Degree as well as the technical  
5 expertise where the content knowledge if you will, which could be  
6 acquired in a different manner.

7 MS. PHILLIPS: And I saw the exception was about  
8 still having the academic preparation but also having the  
9 experience?

10 MR. WELLSFRY: Absolutely.

11 MS. PHILLIPS: Thank you.

12 MR. KEISER: Anne?

13 MS. NEAL: Welcome back. As you all I know  
14 know -- back when you were before us before I had considerable  
15 concerns and questions about your ability to be a reliable guarantor  
16 of educational quality and I opposed your re-certification.

17 One of the things that concerned me then and  
18 continues to concern me today is what has been raised -- and I  
19 suspect we will hear a little bit from third party commenters is an  
20 inability to observe and respect boundaries established by state  
21 law.

22 And I would like to pursue that in the context of

1 your request to grant BA's and to have that limitation raised  
2 because as best I can tell the California Constitution sets out that  
3 there are three parts of higher education in California -- community  
4 colleges, the state comprehensive colleges and the research  
5 institutions.

6                   And in effect what you will be doing with the  
7 ability to approve BA programs is essentially expanding the  
8 community college system beyond being a community college  
9 system. So my question and my concern here in a different context  
10 but never the less the same problem is -- is not this accrediting  
11 body through its granting of BA's in effect changing the California  
12 Constitution in a way that more properly should be the role of the  
13 legislature in California?

14                   MR. RODRIGUEZ: Absolutely not. It's the  
15 legislature that determined this program. The 15 pilot BA  
16 programs in California and so they have been approved by the  
17 Board of Governors, by the legislature and have been allowed to  
18 move forward so we are simply -- we are their accreditor.

19                   We simply want to serve them and accredit their  
20 Baccalaureate Degree programs. We are not changing anything. It  
21 is the state that is changing it.

22                   MS. NEAL: But as I understand it these are distinct

1 bills with tiny programs in them as opposed to looking  
2 comprehensively at the whole system structure?

3 MR. RODRIGUEZ: Well I think there is a push  
4 right now to change that. There are some bills that are being  
5 considered that would allow other Baccalaureate Degrees across  
6 our member institutions. So we want to be prepared for that when  
7 that happens not be limited to just these 15 pilot programs that we  
8 are now working with.

9 MS. NEAL: But my question remains. Is that not a  
10 decision for the legislature to define rather than for you to inch in  
11 through through your granting of the BA's?

12 MR. WINNICK: I think an answer to that question  
13 the legislature has authorized that, the Chancellor's Office has  
14 really pushed that program. We are not just initiating the idea of  
15 approving Baccalaureate programs -- it's our member institutions  
16 that under state law have started these programs and seek to have  
17 them accredited.

18 MR. WELLSFRY: I think it is important to  
19 recognize that when the Baccalaureate is proposed we are the  
20 reacting Agency. When the government -- the National  
21 Government of American Samoa decided that it needed to enhance  
22 the training and education of its teachers in that island nation they

1 decided to create a Baccalaureate at American Samoa Community  
2 College which we then did our examination of .

3                   The same thing is happening in California. The  
4 legislature made that decision -- they enabled it and then we  
5 reacted to it because we had the scope at that time to do it. We are  
6 not initiating and pushing this but rather we are reacting to the  
7 legislatures that are encouraging this.

8                   The nature of what is happening in education,  
9 especially in technology education today is rapidly evolving and  
10 you heard earlier, that especially in the health area, the criteria for  
11 health workers is changing quickly.

12                   Most health workers in this country are trained at  
13 community colleges.

14                   MR. KEISER: Further questions, Simon?

15                   MR. BOEHME: Thank you for being with us  
16 again. In terms of 602.13 Acceptance of the Agency by Others --  
17 could you just outline -- and I know Dr. Winn you mentioned these  
18 personal relationships and this building of a community, but how  
19 has it specifically been related to students and acceptance of  
20 students?

21                   Walk me through maybe some things you have  
22 done or some things you would like to do in regard to students.

1                   MR. WINN: Well Simon that's a puzzling question  
2 because often the issues of accreditation do not filter down to the  
3 level of the student's actual engagement in the issue. I'm not  
4 certain I know where your question is going or if you have got --

5                   MR. WELLSFRY: Just if I might contribute. We  
6 have been as I mentioned earlier that we have been conducting  
7 reviews of Baccalaureate programs and every single one of those  
8 reviews has included extensive interviews with students.

9                   I did it just a couple of weeks ago I talked to  
10 probably 30 students enrolled in Baccalaureate programs at  
11 community colleges and we talked to them about the quality of the  
12 program, the quality of the services being offered by the institution  
13 and whether those programs were meeting their expectations and  
14 we had very positive responses.

15                  MR. BOEHME: I think what was so stark to me  
16 last time when ACCJC came up and what made it so memorable  
17 and what made me particularly vulnerable as a new NACIQI  
18 member was an overwhelming amount of students who came and  
19 were upset -- whether or not they were talking about things that  
20 were relevant to NACIQI's decision-making ability.

21                  I thought the prior leadership did a poor job of  
22 including students in explaining their decisions. There could have

1 been more outreach to students and so that's where my question is.  
2 Educators are vitally important to the vibrancy of accreditation and  
3 our higher education system but so are students.

4 And so I am asking specifically, explicitly and  
5 maybe you haven't done as much but maybe moving forward you  
6 have plans to reach out to explaining how ACCJC and these new  
7 reforms will reach out to students.

8 MR. WINN: And perhaps what you saw in 2013  
9 was an outpouring of protective devotion to the college that they  
10 loved which will often bring an outpouring of student involvement.

11 We probably don't see that happen as often as we  
12 should but I think the approach that we have of working with  
13 faculty and leaders that will filter down to the students in terms of  
14 understanding the actions that we are taking.

15 MR. RODRIGUEZ: I think you are looking for  
16 concrete ideas really and so one of the things we have been looking  
17 at is when we go to a college and visit and we do for example the  
18 exit -- we call it the exit visit or interview, we used to call it report  
19 or whatever.

20 And so while the groups come together and you tell  
21 them what you found at the college and so on and that's where  
22 students typically come in and I think communications where we

1 need to work a lot harder at and communicate with students as well  
2 as other constitution groups. So you are on to something that is  
3 very important. It is just very difficult and I think all the  
4 Commissions have struggled with this, how to incorporate students  
5 into this process and I don't think we have yet hit the nail on the  
6 head but we need to keep trying I agree with you.

7 MR. WINN: We're rolling out a brand new website  
8 in April and it will have portals for different interest areas for  
9 faculty, for students, et cetera. So I think at this point I can just say  
10 stay tuned. It's a major commitment.

11 Our current website is creaking and groaning and  
12 we know that that gets in the way of good communication with our  
13 whole spectrum of constitutions.

14 MR. KEISER: Steven?

15 MR. VAN AUDDLE: Thank you Mr. Chairman. I  
16 want to come back to a point that Anne brought up because I think  
17 it is important context. I come from a state that has a critical  
18 shortage of Baccalaureates graduating.

19 I mean stifling productivity -- we are not able to  
20 keep up with the technological changes taking place. So in this  
21 case the legislature actually asks the community colleges to  
22 implement the applied Baccalaureate programs and putting

1 pressure on to do so to resolve this skills gap. But there is a  
2 difference.

3 In the Northwest commissioning colleges -- 2 of the  
4 4 year schools are one crediting association so my question is is  
5 there any disharmony between the 4 year accrediting process in  
6 Baccalaureates and your accrediting process in Baccalaureates in  
7 California?

8 Is there any turf war there or is -- and is the  
9 legislature giving you the same kind of encouragement that we are  
10 seeing in some other areas to expand participation rates in  
11 Baccalaureate education?

12 MR. WINN: Having worked with both agencies I  
13 may be in a position to add a perspective on that. And that is that  
14 they have a long history of working together very collaboratively.  
15 The boundaries of domain are quite unique. We know that it is  
16 often cited that in other regions both agencies -- I mean both  
17 levels, both sectors are combined in a single agency.

18 And sometimes the assumption is that is the  
19 preferred way. We think there is at least something to be said in  
20 favor of having an accrediting body that focuses singularly on the  
21 unique character mission and issues around community colleges.

22 MR. VAN AUSDLE: Are the standards

1 comparable?

2 MR. WINN: In most respects they are. They have  
3 some nuance that's different. You know some of the aspects of  
4 governance is different.

5 MR. VAN AUSDLE: Thank you.

6 MR. JONES: And another brief follow-up to  
7 Anne's point. Is it the case -- my understanding was and I might  
8 be incorrect that the law in California that authorizes a 2 year  
9 institutions to grant Baccalaureate Degrees that that law essentially  
10 says that you can offer degree programs that aren't provided by the  
11 state college system or the UC system is that correct?

12 MR. WELLSFRY: Yes that's the specific provision  
13 in the law and when the programs are proposed the CSU system  
14 actually looks and has an opportunity to say no that program  
15 overlaps with ours.

16 I think the only problematic area that we have right  
17 now is in nursing. Nursing is excluded from our Baccalaureate  
18 programs. There are no community colleges in California offering  
19 a Baccalaureate in nursing however in reaction to that CSU's in the  
20 community college are developing cooperative programs where a  
21 student at Sierra College which happens to be the college that's  
22 close to where I live has developed a cooperative program with

1 CSU Sacramento where a student can enroll in the Associate  
2 Degree program at Sierra and then spend I believe 18 months after  
3 they finish their Associate's Degree and they will be granted a  
4 Baccalaureate Degree from CSU.

5 I think that I heard comments earlier about  
6 innovative approaches and I think that's partially what you are  
7 seeing and it is partially why we want the expansion of scope  
8 because in many of the areas where the Baccalaureates exist they  
9 are in areas that are underserved by the traditional Baccalaureate  
10 institutions.

11 I visited an industrial automation program in  
12 Bakersfield, health information management at Shasta College  
13 which is way up in the north part of the state. So you are seeing  
14 the kinds of technology-based programs that are going to  
15 contribute to economic growth but they are in those unique niches  
16 that the community colleges have historically served.

17 MR. KEISER: I have a question. We had a very  
18 long discussion this morning on outcomes and C-RAC made a  
19 proposal that's going to be looking at certain outcomes. Where  
20 does your Commission fit into that?

21 MR. WELLSFRY: We deal with outcomes in two  
22 ways. We have two specific standards that emphasize outcomes

1 and we look at both student learning outcomes and institution-set  
2 standards. So we are looking at both achievement and student  
3 learning outcomes.

4 We review those, especially the institutions set  
5 standards as part of our comprehensive review process. We do it  
6 by the Commission, the Commission reviews, the institution set  
7 standards of the institutions that are under review, looking at both  
8 what they actually are and the appropriateness of those standards.

9 We have also expanded our mid-term reporting  
10 process that includes an extensive data analysis so that we can look  
11 longitudinally at what is happening to the institution set standards.

12 This is in addition an extension of our monitoring  
13 process.

14 MR. KEISER: Looking at the student aid data  
15 sheets that were provided, you have 37% of your institutions with  
16 what they would call bad outcomes, a graduation rate of less than  
17 20% which is 37 out of 130 institutions which is well over a third.

18 How -- in the C-RAC they would have taken a stand  
19 against that because over 20%. What have you done to those 37  
20 institutions?

21 MR. WELLSFRY: Well one of the things that we  
22 have been doing for the past year for the last two cycles is that we

1 have specifically shared the scorecard data with the institutions and  
2 asked them -- asked the visiting teams to look at those and look at  
3 the institution and find out whether they were sufficient or not or  
4 they were adequate or did they describe sufficiently the character  
5 of what was happening at the college.

6 I think as Dr. Brittingham noted this morning when  
7 you have an open access institution the first-time full-time student  
8 which is the basis of IPEDS doesn't work very well. That is the  
9 quandary that we face -- that first-time full-time students represent  
10 a relatively small minority of the students that we serve.

11 So when you look at that data you are missing an  
12 enormous portion of our institutions. So when we look at student  
13 achievement we go back to the institution set standards. We have  
14 included student completions as one of those institution set  
15 standards. Our annual reporting process includes looking at  
16 default rates and student repayment rates.

17 So we are looking at that data and we are including  
18 it in our analysis but we do have the challenge that those numbers  
19 don't happen to fit the kinds of institutions that we have very well.

20 MR. KEISER: But if a third of your institutions  
21 have graduations less than what C-RAC has declared to be the  
22 baseline isn't that an issue? And let's look at default rates -- 42 of

1 your institutions have default rates over 20% according to our data.

2 MR. WELLSFRY: Well I look at that data every  
3 year and I do have some concerns with the data, especially since I  
4 look at it and find out that a number of our more extraordinary  
5 institutions are identified in the data as certificate institutions, not  
6 Associate Degree institutions.

7 Again I go back when you look at that graduation  
8 rate it deals with IPEDS data which is first-time full-time students.  
9 That is not the student that is served by the California community  
10 colleges, by the Hawaii community colleges and the colleges in the  
11 Pacific Nations.

12 MR. KEISER: I'm not looking at IPEDS, I'm  
13 looking at the Department data which we were given for all of the  
14 accrediting agencies and to go with Paul's comment on the last  
15 Agency 13 of your institutions have average salary ranges for their  
16 graduates of under 25,000 and 49 additional institutions are under  
17 30,000 and salaries for students graduating from your schools  
18 which as Paul said at the prior school -- prior agency that's below  
19 what a high school graduate would get without going to college.

20 MR. WELLSFRY: Again I will go back to the data  
21 if you look at community college graduates, what do community  
22 college graduates do? Well many of them continue on into

1 operative division institutions. They don't make a lot of money  
2 when they are going to school. That is going to depress the  
3 salaries.

4                   Graduates of our vocational programs do extremely  
5 well. But if you compare our students to a Baccalaureate graduate  
6 of an engineering school at a research university we are not going  
7 to compare very well. That is the nature of the community  
8 colleges.

9                   But certainly our career students do extremely well  
10 within a short period after graduation and those that transfer are  
11 then going to show up in the statistics of the transfer institutions.

12                   MR. KEISER: Well again according to this data  
13 only 3 of your schools of 130 have average salaries above \$40,000  
14 the rest are between 35 and \$40,000 and all the rest are below  
15 \$35,000.

16                   I don't know if that is considered great. I know  
17 California is more expensive than Florida, not great there. The  
18 question is are you really approaching the outcomes issue or I  
19 mean as you said you leave it to the institution to determine what  
20 their outcome should be, is that the appropriate way for us to be  
21 looking at you?

22                   MR. RODRIGUEZ: I think we are but the data is

1 complex and let me give you an example. So Santa Ana College is  
2 one of my colleges in my district. 38% of their students do not  
3 have social security numbers so they are not included in the  
4 databases that you are looking at. They are not included in IPEDS  
5 they are not included in our state database because they do not  
6 have SSN's -- that's 38% of the students at one of our colleges, a  
7 20,000 student college -- 38% of those students don't have SSN's  
8 so their outcome data is not included in there.

9                   And they are motivated students because they are  
10 immigrants they want to succeed and they are not counted in those  
11 numbers. So there are lots of anomalies like that so it is not as  
12 simple as it seems, but yeah we need to do a better job, I agree  
13 with your main premise but it is more complicated than what you  
14 think.

15                   MR. WINN: I should -- I mean part of your  
16 question is what do we do and it is now part of our normal review  
17 process that growing out of the institutions self-study they identify  
18 what we call a QFE -- a quality focused essay which identifies  
19 specific long-term initiatives which the institution will now  
20 undertake that will specifically address student achievement  
21 including completion rates and student learning.

22                   And this quality focused essay becomes a major

1 part of their self-study. It is critiqued and reviewed by the team  
2 and also by the Commission at the time of the review. And the  
3 idea is to set up measurable goals where they will honestly take  
4 seriously their own performance data and make specific plans to  
5 improve it.

6 MR. KEISER: Just a final question or comment.  
7 Assuming this data is accurate and I would agree with you it is  
8 probably not, but it is what the feds have compiled. If 37 schools  
9 of your 130 are below the C-RAC benchmark can you -- because  
10 the San Francisco city college examples it is clearly in front of me  
11 -- can you pull an accreditation from an institution because they  
12 just don't perform and would you? Again?

13 MR. RODRIGUEZ: I think we would try to work  
14 very closely with that institution but in the end I think we would do  
15 what we need to do.

16 MR. WINN: We are reluctant to see accreditation  
17 doing its best work when it pulls accreditation as I am sure you can  
18 appreciate because there are thousands of student's lives, faculty  
19 lives, investments involved and it is a matter of understanding the  
20 very unique character and mission of the California community  
21 colleges which have an open access mission that is more inclusive  
22 than you experience in most places.

1                   And you help kids that are immigrants that are first-  
2 time language learners. There is a whole spectrum, very few -- I  
3 shouldn't say very few but certainly not the majority of which are  
4 calculated as degree-seeking first-time full-time Freshmen.

5                   MR. KEISER: Thank you any other questions  
6 Bobbie?

7                   MS. DERLIN: Dr. Droker I want to return to the  
8 issue of student involvement in accreditation and I think I heard so  
9 far that students are involved in some way in opportunities during  
10 the visit and that as leaders at institutions are preparing for the  
11 visits, students get engaged.

12                   But are there specific activities that occur during  
13 comprehensive visits for example, or focus visits that compel if  
14 you will student participation?

15                   MS. DROKER: So institutions through our  
16 standards are required to have -- there are stakeholders involved in  
17 the accreditation process and students are a large part of the  
18 stakeholders.

19                   And so institutions do have students on their  
20 standards teams. When site visits go out we interview students.  
21 Students are invited to open forums to provide comments to the  
22 evaluation team. This also happens during other types of site visits

1 like the Baccalaureate substantive change follow-up visits.

2                   And then through those open forums that  
3 information is brought to the evaluation team for inclusion into the  
4 team report if necessary or if required if it aligns to the standards.

5                   MS. DERLIN: Thank you.

6                   MR. KEISER: Simon?

7                   MR. BOEHME: I just wanted to -- it is -- I really  
8 hear Anne Neal when she says I think, you know, there has to be a  
9 fair application of NACIQI and the types of questions we ask and  
10 so I appreciate the Chair asking those questions because while the  
11 data is flawed the data is what we have.

12                   And 37 institutions with extremely low graduation  
13 rates -- and I know there are different factors involved, I  
14 understand that and different populations are being targeted and I  
15 am eager to see how these quality essays work out and I would be  
16 interested and appreciate, you know, depending on how all of this  
17 goes if you come back and tell us the success or maybe the failures  
18 or what you have learned.

19                   MR. WINN: I think we see ourselves doing two  
20 things concurrently. One is continue to encourage the institution to  
21 own the issue and its outcomes. But secondly we have got to find  
22 a better way for institutions to tell their stories other than some

1 single metric because that can be so damning when it simply is not  
2 even close.

3 I mean our team Chairs when they took that data to  
4 the campuses during the last comprehensive visits. When they  
5 looked at the on-campus stuff they found out that in most cases the  
6 colleges were graduating twice what the data showed on the  
7 federal sites.

8 MS. DROKER: May I add to that as well. We are  
9 working with the colleges who use their own data. For example  
10 the California community colleges has a system wide score card  
11 that not only measures completion as far as graduation rates but  
12 they have other metrics like including part-time students, having --  
13 breaking down populations as far as English language learners,  
14 CTE programs, specific mile marks where we see research  
15 supports completion like a student who has 30 units.

16 And so we use the data that the colleges are using in  
17 an effort to also ask further questions because that is what data  
18 does right? If we are doing our job right data leads to more  
19 questions.

20 So the California colleges have a way -- a  
21 systematic way of looking at that. They also break up their  
22 colleges and cohorts so when they do comparisons they are doing

1 peer groups of like colleges. With 113 colleges in the California  
2 community college system they are very different.

3                   The Hawaii colleges use the student achievement  
4 measure which also has similar data definitions to tell their story  
5 and also breaks up into peer groups. So we are working with the  
6 college's own systems to see how they are using what they --  
7 because using the data to improve their programs and services and  
8 improve student achievement.

9                   MR. RODRIGUEZ: Could I add that the California  
10 data base is very important for another reason. It separates  
11 students into those prepared for college and those who are not  
12 prepared for college and outcomes are vastly different for those  
13 two populations.

14                   So to start with a person who is at the arithmetic  
15 level and to try to get them to graduate from college is a tough  
16 task. So I think you need to look at the data in that lens as well and  
17 that you get different outcomes.

18                   MS. DROKER: And he just reminded me also  
19 students transfer among community colleges and having one data  
20 point does not look at a student who transfers among different  
21 colleges but the student achievement measure does measure that  
22 for transferring to multiple colleges.

1 MR. KEISER: Jill?

2 MS. DERBY: Well this is more of a comment but I  
3 don't want to lose it until we get to the later section and that is that  
4 it really strikes me over and over that using the IPEDS data and  
5 how much the profile of the typical community college student  
6 doesn't fit into that kind of skews the impression that we get about  
7 the outcomes.

8 And California of course which has such a big  
9 community college system has developed its own way that more  
10 accurately reflects what's really going on in the community  
11 colleges and you know, I don't know in terms of our analysis that  
12 we do whether or not we have access to that kind of information as  
13 well as just the IPEDS which I think seriously skew in terms of the  
14 community college profile the outcome.

15 So I find it refreshing to hear about what California  
16 has in place and wondering why that can't be used really more  
17 broadly when we are talking about community colleges in other  
18 places.

19 MR. KEISER: Paul?

20 MR. LEBLAC: I'd like to go a step further because  
21 I think if we were to unpack as you did to some extent what is  
22 going on beyond the data the Agency that was before us earlier

1 today would probably say a lot of the same things, open  
2 admissions, underserved populations, language challenges, et  
3 cetera and it points as Jill just did a moment ago and Simon that  
4 this data that we are dealing with seems to get in the way more  
5 than it illuminates.

6                   And so we are stuck with that reality. It is not the  
7 staff's fault it is what we have. But I don't know if there is a way  
8 in the future to urge agencies to look at that data before they  
9 appear before us and come with their own better narrative, with  
10 their own better data.

11                   We may not be able to verify it but I would rather  
12 sort of trust any of the agencies if they can give us a persuasive  
13 analysis than we are dealing with now. This is really getting more  
14 in the way and I think it is making it very difficult for anybody  
15 before us to tell their story accurately, so it's your point Jill.

16                   MR. KEISER: Steve did you have something?

17                   MR. VAN AUSDLE: Well I was sitting here  
18 thinking but I will think out loud for a second. You know and it's  
19 kind of what you are saying here -- part of the standard needs to be  
20 that all of us need to develop these systems that forms important  
21 decisions and we have to have evidence.

22                   And we don't just want hearsay we want the best

1 evidence you can bring to the table. So how do we incent the  
2 nation? You know to move in this direction of developing these  
3 kinds of systems that will enable us to communicate very frankly?

4           Looking at this I have got to think some of this is  
5 suspect. And I have dealt with IPEDS data a long time but do we  
6 require assessment centers in our institution so they are becoming  
7 data driven -- do our state systems have these things, do our  
8 accrediting agencies collaborate with state Boards and  
9 Commissions that have these systems so we can strengthen the  
10 data system in the United States. That would be a great plus for all  
11 of education -- that was what I was thinking.

12           MR. KEISER: Thank you. I appreciate your  
13 comments it just concerns me that the prior group we basically  
14 hung out to dry because of the exact same data I cited which was  
15 significantly worse and I am told that the data that we are being  
16 provided is not just IPEDS but it is a mixture of SFA data and  
17 others information.

18           So I think we have to be careful in terms of using  
19 this data as much as anything. Because we set up the last time a  
20 whole series of questions about the other Agency's abilities and  
21 performance based on the exact data which is worse for this  
22 Agency than it was for the one before -- Susan?

1 MS. PHILLIPS: Just a question -- I had mentioned  
2 to the prior Agency under discussion that the data that Paul was  
3 talking about was on the NACIQI website and I'm hearing that  
4 maybe agencies don't know that that data is out there. Is it just  
5 recently posted or is it -- Jenn perhaps you could speak to that.

6 MS. HONG: Right so the updated dashboards were  
7 posted recently after they were updated. I have said this in  
8 previous meetings everything as a result of the deliberations of this  
9 meeting are posted on the website. So I urge you, I encourage you  
10 to please check the website.

11 I still get inquiries when is the meeting? Go to the  
12 website. You know we recently revamped it. If it is current it is  
13 up there so I have tried to make it as user friendly for folks as  
14 possible. It is on the home page. We have been discussing that  
15 this pilot program has been enacted a few meetings ago.

16 The pilot project agenda, protocol is all up there so  
17 you know this is the public space and the announcement that we  
18 make that this is what's happening at the meeting, forthcoming  
19 meetings.

20 Later when we have our policy discussion we need  
21 to make decisions as to whether to continue the pilot project, what  
22 do we want to pull from it, how do we want to proceed going

1 forward with the consent agenda, so I mean the space to do that is  
2 here and then a report of the meeting is generated 90 days after the  
3 meeting.

4 That is posted on the website so the information is  
5 there and it is available to the public.

6 MR. KEISER: Bobbie?

7 MS. DERBY: This is really an important  
8 conversation. It isn't the first time that we have had this  
9 conversation. I'm hopefully counting on Friday as being another  
10 time we will have further conversation about these issues.

11 But I would like to ask given that we have many  
12 commenters that we wrap up our questioning with final questions  
13 and move on to third party commenters.

14 MR. KEISER: Any further questions?

15 MR. WINNICK: Excuse me can I just add one  
16 comment. Please don't misunderstand me. I think this has been an  
17 important discussion and I think you are hearing a lot of agreement  
18 from ACCJC to the concerns about measuring student  
19 achievement.

20 But a reminder that that is not an issue before  
21 NACIQI in terms of what to do about this compliance report from  
22 ACCJC. It's not just before NACIQI at this point.

1                   MR. KEISER: I understand and we had that  
2 conversation earlier. If that's let's see -- I think we can take a 10  
3 minute break. We will take a 10 minute break and then we will  
4 come back with the third party presenters. Please make it exactly  
5 10 minutes. I have exactly 3:30.

6                   (BREAK 3:30 - 3:45)

7  
8                   MR. KEISER: What we are going to do is ask the  
9 presenter who will be speaking to come up front I will announce  
10 their name and then we will have a person on deck who will move  
11 up to the front row and be prepared to make a presentation  
12 immediately thereafter.

13                   You will have 3 minutes to make your presentation.  
14 I will show you a finger with 1 minute to go and then I am going to  
15 ask you to conclude your remarks -- did I say that wrong? By the  
16 way you could fire me this is my first meeting I'm not doing a  
17 good job.

18                   I will put up one finger is that better okay. You  
19 embarrassed me this is terrible. So you will have 3 minutes, please  
20 try to finish as quickly as you can. If you feel you are being  
21 repetitive and you do not want to make the presentation that's fine  
22 with us but we want everybody to have a chance to make their

1 speech. We will start -- it's on your Agenda, we will start with let  
2 me get my gasses out, Jonathan Lightman, Executive Director of  
3 the Faculty Association of California Community Colleges and on  
4 deck will be Martin Hittelman, Mathematics Professor Emeritus at  
5 Los Angeles Valley College.

6 MR. LIGHTMAN: Thank you Mr. Chair and  
7 members. My name is Jonathan Lightman, Executive Director of  
8 FACCC the Faculty Association of California Community  
9 Colleges. We are a 64 year old state-wide professional  
10 membership association for the faculty throughout the California  
11 community colleges.

12 In November we filed a third party written comment  
13 and I would refer you to that document for a more thorough  
14 understanding of our concerns. FACCC is also the organization  
15 that devised and advocated California Assembly Bill 404 requiring  
16 a survey of the constituency groups in the California community  
17 colleges on how our regional accreditor has complied with federal  
18 law prior to a hearing of NACIQI such as this.

19 AB404 is pertinent to this hearing because it was  
20 triggered for the first time this fall. While I am prepared to discuss  
21 with you a few sections of federal law whose compliance by  
22 ACCJC was in question it simply is impossible to overlook how

1 the faculty comments we received on our AB404 fact member  
2 survey differed from the Department's preliminary staff analysis  
3 on CFR Section 602.13 which claimed that ACCJC met the legal  
4 threshold for wide acceptance by faculty on their standards,  
5 practices, policies, procedures and decisions.

6 We have 11,000 faculty members in our  
7 Association. Only a handful of which are in San Francisco and  
8 I'm here to challenge the presumption of compliance with that law.

9 In many ways I believe our position on ACCJC has  
10 mirrored that faculty as a whole and of other non-faculty system  
11 partners. What began as a mildly critical but overall even-handed  
12 posture has deteriorated to a state of extreme distress exacerbated  
13 by the number of institutions recently placed on a limited 18 month  
14 accreditation renewal.

15 Last fall when the Department of Education  
16 announced the call for third party written comments on ACCJC  
17 several FACCC Board members described facing local pressure to  
18 send positive statements about the accreditor that ran counter to  
19 their own experiences and opinions.

20 Not surprisingly they feared retaliation against their  
21 colleges in the next accrediting cycle if they did not comply.  
22 While we acknowledge that ACCJC has recently changed its

1 leaderships, FACCC's overwhelming sense is that the Agency has  
2 failed to live up to the letter of the law and even more importantly  
3 to the spirit of those sections of the U.S. Code and Code of Federal  
4 Regulations governing accreditation.

5 FACCC joins the many voices who believe it is in  
6 the best interest of our colleges and students to align with an  
7 accreditor that already serves four year colleges and universities  
8 and this is preferable over lifting the limitation on ACCJC's  
9 authority to accredit Baccalaureate Degree programs.

10 In closing I want to emphasize that my comments  
11 are not meant to challenge the need for accreditation. This process  
12 provides a critical safeguard for students and taxpayers to ensure  
13 that colleges employ sound educational and fiscal standards.

14 Your recommendation of the disposition of ACCJC  
15 is less about that than whether they have contravened federal law  
16 in a way that has been harmful to our colleges and students. Thank  
17 you for your consideration.

18 MR. KEISER: Thank you Mr. Lightman. Dr.  
19 Hittelman and on deck --

20 MR. HITTELMAN: My name is Martin Hittelman  
21 I'm a Mathematics Professor Emeritus of Los Angeles Valley  
22 College. The ACCJC continues to violate all of the issues

1 mentioned in the January 4, 2016 decision of the Secretary of  
2 Education and in the March 10, 2016 decision on renewal of  
3 recognition.

4           The ability of ACCJC to accredit should be  
5 withdrawn immediately. With regard to Section 602.13 the fact  
6 that the ACCJC is not widely accepted by California community  
7 college educators and educational institutions is clear.

8           This lack of support is overwhelming. The  
9 organizations representing 100% of the faculty in the California  
10 community colleges have clearly stated that they have no  
11 confidence in the ACCJC.

12           The positions of these organizations were  
13 determined by the votes of hundreds of faculty members  
14 representing every college in the system. In addition the  
15 administrator organizations and the California Community College  
16 Board of Governors have also made known their lack of  
17 confidence in the ACCJC.

18           A number of reports have enumerated the violation  
19 of federal regulations committed by ACCJC. In short, the  
20 California community college system, its faculty and its member  
21 institutions excuse me -- have lost confidence in the ACCJC.

22           The ACCJC has attempted to negate these

1 rejections by appearing to make concessions although none to date  
2 have resulted in changes from the behaviors that have brought us  
3 to this meeting.

4           The almost universal lack of confidence in ACCJC  
5 continues to this day. Relative to 602.15 the ACCJC continues to  
6 identify administrators as academics. For example, the external  
7 team that will visit San Diego Miramar College in Spring 2017 in a  
8 few weeks and have visited Los Angeles Harbor College and West  
9 Los Angeles College in Spring 2016 all had non-teaching Deans  
10 identified as academic representatives.

11           In Spring of 2014 the external evaluation team for 5  
12 colleges had no faculty members. In Spring 2015 the external  
13 evaluation team for the Peralta District Office had no faculty  
14 representatives.

15           Relative to 602.18 ACCJC continues in its letters to  
16 colleges to fairly clearly delineate between areas of non-  
17 compliance and areas for improvement. The ACCJC continues to  
18 fail to meet 602.18 and 602.25 by not providing detailed, written  
19 reports that clearly identify any deficiencies in the institution's  
20 compliance with the Agency standards.

21           In addition the ACCJC continues to fail in its action  
22 letters to clearly provide written specification of any deficiencies

1 identified at the institutions examined.

2                   The ACCJC only lists the sections that it claims are  
3 violated and then a statement on what the visiting team  
4 recommends. The letters do not make clear what changes the  
5 Commission itself believe must be performed to satisfy standards.

6                   This practice continues in the February 2017 letters  
7 to colleges.

8                   MR. KEISER: Thank you very much we are  
9 already over 3 minutes.

10                  MR. HITTLEMAN: Just one last sentence. The  
11 ACCJC continues to lack consistencies and sanctions that has been  
12 shown by lots of groups including the recent Chief Executive  
13 Officers work group one report.

14                  MR. KEISER: Thank you very much would Dr.  
15 Mike Solow and on deck is Alisa Messer.

16                  MR. SOLOW: Thank you esteemed Chair for the  
17 opportunity to speak to the Committee. My name is Mike Solow I  
18 serve as City College of San Francisco Chemistry Department  
19 Chairperson.

20                  The ACCJC does not meet the criteria for  
21 recognition of accrediting agencies 602.18E which requires the  
22 Agency to provide the institution with a detailed written report that

1 clearly identifies any deficiencies in the institution's compliance  
2 with Agency standards.

3                   In his decision against the ACCJC on January 16,  
4 2015 in the case of the People of San Francisco vs. ACCJC  
5 California Superior Court Judge Curtis Carnell found that "ACCJC  
6 did not provide a detailed written report that clearly identified all  
7 of the deficiencies in City College's compliance with accreditation  
8 standards."

9                   Additionally Judge Carnell found "ACCJC is liable  
10 for violations of the Unfair Competition Law, specifically the  
11 law's ban on unfair business practices. ACCJC's material  
12 violation made it impossible for City College to have a fair hearing  
13 prior to the 2013 termination decision."

14                   The ACCJC claims that it afford the colleges it  
15 accredits due process but it isn't a form of due process that is  
16 recognized by a judge. The ACCJC is non-compliant with Code of  
17 Federal Regulations Title 34 602.13 Acceptance of the Agency by  
18 Others because of its standards, policies, procedures and decisions  
19 to grant or deny accreditation are clearly flawed.

20                   Basically the ACCJC invents its process of  
21 accreditation as it goes flying by the seat of its pants primarily  
22 concerned with covering its backside.

1                   Last month after it lost in court the ACCJC gave  
2   CCSF a clean bill of health and reaffirmed the college's  
3   accreditation at the highest level for 7 years. City College of San  
4   Francisco went from having the highest level of accreditation a  
5   college could have to having no accreditation back to having the  
6   highest level of accreditation a college can have in the span of 5  
7   years.

8                   This strains credibility and it points to a simple truth  
9   ACCJC's accreditation process is a laughing stock. The California  
10   Community College's State Chancellor's Office which represents  
11   the majority of the colleges ACCJC accredits has called for the  
12   replacement of the ACCJC with "A credible system of  
13   accreditation."

14                  Accreditation is supposedly in the service of  
15   students, a stamp of educational authenticity beyond the influence  
16   of politics but the ACCJC's version is a sham.

17                  CCSF's accreditation was terminated by the ACCJC  
18   under the fallacy that it holds colleges accountable for  
19   performance. Will this body hold ACCJC accountable for its  
20   unlawful actions and revoke its federal recognition? Thank you  
21   esteemed Chair, may I answer any of the Committee's questions?

22                  MR. KEISER: Thank you very much. Miss Messer

1 -- Timothy Killikelly is on deck, correct me with your name  
2 please.

3 MS. MESSER: Thank you. My name is Alisa  
4 Messer I am an English teacher at City College of San Francisco. I  
5 teach basic skills and transfer level composition courses and I am  
6 past President of AFT2121.

7 This is in fact the third time that I have joined  
8 others in DC to tell NACIQI that ACCJC's actions have been  
9 "irregular, inappropriate, high-handed and vindictive and they have  
10 resulted in a culture of fear and coercion in our colleges."

11 ACCJC's numerous violations have never been just  
12 a San Francisco issue. The Agency is far from widely accepted  
13 and I again request that the ACCJC be delisted. Well before the  
14 Agency's complex entanglement with and treatment of CCSF there  
15 was concern in our California colleges about ACCJC and there was  
16 fear about saying so.

17 Now with clear evidence going back more than 10  
18 years from a variety of relevant sources including the California  
19 State Chancellor's Office and its Board of Governors, a California  
20 legislative audit, the RP Group, a Superior Court Judge, massive  
21 stacks of third party comments and yes research and comments  
22 from City College of San Francisco advocates and our related

1 unions. It is time for the Department to act.

2                   Unfortunately the Department's over-long process  
3 and bureaucratic tangle means that much of the mountain of  
4 evidence about ACCJC's misdeeds, particularly related to 602.13A  
5 and also 602.15 has been at times un-vetted and at other times it  
6 appears simply ignored or dismissed.

7                   14 months ago dozens of oral commenters were told  
8 here we could not address the over-arching issues before the  
9 Department because they were stalled under an appeal that had by  
10 then stretched to approximately 2 years.

11                   Then -- 13 months ago the Department firmly  
12 rejected ACCJC's appeal stating that the Agency "notably lacks  
13 affirmative expressions of support from educators."

14                   ACCJC was not widely accepted then and it is not  
15 widely accepted now. The wrongful 5 year trauma that City  
16 College of San Francisco has endured at the hands of this Agency  
17 should not lead you to dismiss comments from San Francisco.

18                   Instead, I encourage you to view CCSF as an  
19 extreme example -- one that comes as part of a continuum of  
20 Agency missteps. What happened at CCSF was not an exception  
21 but an outer edge.

22                   Colleges cannot be confident in this accreditor.

1 Unlike the 7 years full accreditation our college was recently  
2 granted, the vast majority of California's community colleges now  
3 receive only 18 months-time before their next review.

4 CCSF's relative safety does not and should not  
5 translate into confidence in an accreditor that has long since lost its  
6 credibility. The current staff report appears to dismiss so much  
7 evidence, even allowing the ACCJC to ignore its own and federal  
8 guidelines regarding a timely response to our extensive 2016 third  
9 party complaint.

10 We believe in a robust thorough and transparent  
11 accrediting process conducted by legitimate educators with the  
12 interests of students and the public in mind but that is not a  
13 description of the ACCJC and it has not been for many years,  
14 thank you.

15 MR. KEISER: On deck Wendy Kaufmyn.

16 MR. KILLIKELLY: Yes my name is Tim  
17 Killikelly. I teach Political Science in City College in San  
18 Francisco and I am the current President of AFT2121, the faculty  
19 union at City College of San Francisco.

20 The issues before you today are not about City  
21 College of San Francisco. We now recently received a 7 year  
22 accreditation and a crisis that we should have never gone through.

1 The issue before you is the ACCJC. They have still continued to  
2 have illegal practices and they continue to create fear in the  
3 system.

4 I wanted to read you a text of somebody who sent  
5 this to me who I thought was going to be sending a comment but  
6 this is what they wrote to me after they read the staff report. They  
7 said, "Hi Tim, I met again with the Faculty Accreditation Offices  
8 this morning and we have all reviewed the report you sent.

9 The ALO has recognized that the report is  
10 misleading -- but still believes it is not in the best interest of the  
11 college to step up on this. I'm not sure I concur but I have been  
12 overruled."

13 This is the comments that you get from people who  
14 are in fear. They don't want to talk. They want to lay low. This is  
15 the reality of what goes on. That's a comment from yesterday.  
16 The ACCJC also continues to use illegal underground standards  
17 when it comes to finances.

18 They sent letters to colleges using a composite  
19 financial index. This letter and the use of the index is not part of  
20 their standards yet one of the criteria in the CFI that colleges can  
21 get dinged on is how much money over the cost of living  
22 adjustment that faculty staff received in the contract. This is an

1 illegal interference and collective bargaining agreement.

2                   It is not an issue for the ACCJC but for the parties  
3 at the collective bargaining table. The report of the Department of  
4 Education is both incomplete and flawed. The report that was  
5 given -- the response they got it in August so let's do the math here  
6 -- end of September they should have had it, October, November,  
7 December, January, half of February -- so they were 4 and ½  
8 months late in their report and yet that doesn't seem to be much of  
9 a concern to the staff report.

10                   I'm actually really surprised. The staff report also  
11 states that many of the areas why people don't widely accept them  
12 seem to be outside of the review. The areas that are mentioned are  
13 the high rates of sanction, the transparency of Commission  
14 meetings, the evaluation of individual institutions' decisions on  
15 accreditation and the evidence of the appeals process, yet the  
16 language clearly states that the Agency must demonstrate that  
17 standards, policies, procedures and decisions to grant or deny  
18 accreditation are widely accepted.

19                   How transparent they decide to make their meetings  
20 is a policy. It is right there. Patterns of high rates of sanctions are  
21 decisions that they make. These things need to be included and the  
22 report is deeply flawed and incomplete, thank you very much.

1 OFF RECORD QUESTION:

2 MR. KILLIKELLY: Sure. If you get what you  
3 want the state of California's community college system will lose  
4 2.6 billion dollars. They will have 18 months in order to find  
5 another accreditor which a regional accreditor will be very hard to  
6 get in 18 months and it would impact, I think, thousands of faculty  
7 members and students in a very negative way.

8 MR. KEISER: Why would you advocate for us to  
9 not recognize --

10 MR. KILLIKELLY: Well I really don't accept  
11 some of the premises of your question but those are things that I  
12 really want -- the colleges to lose money or that there will be some  
13 sort of disaster for this system.

14 So what we really want is to continue a process in  
15 an expedited fashion to find a new accreditor for California  
16 community colleges, that is what we have been advocating all  
17 along and that's what we are for. So I think your characterization  
18 of what my position is is incorrect and we don't think there is any  
19 reason why we cannot move to a new accreditor.

20 The process has already gone on long enough. We  
21 don't understand some of the timelines that ACCJC in general  
22 uses. It seems to shift and change and I'll give you an example.

1 Well you asked me a question and I want to try to answer it in a  
2 thorough way so that people can understand the context.

3 So the Board of Governors of the ACCJC back in  
4 September when they went to the California Board of Governors  
5 had a report that said that they were going to give Compton  
6 Community College 3 to 5 years where they could then apply for  
7 candidacy.

8 And then only last week they just changed it and  
9 they gave them the Board is coming back -- which I think is a great  
10 thing and they are now saying that they could get full accreditation  
11 in 3 years. So all of a sudden the timelines and the processes have  
12 really changed.

13 And we think that there's a lot -- there could be a  
14 shift over in a very, very short period of time so it's the best  
15 answer I can give.

16 MR. KEISER: Thank you.

17 MR. KILLIKELLY: Thank you very much.

18 MR. KEISER: Yes on deck Muriel Parenteau.

19 MS. KAUFMYN: I am Wendy Kaufmyn. I have  
20 taught Engineering for 34 years at City College of San Francisco.  
21 I do not accept the policies or decisions of the ACCJC. The  
22 Academic Senate for California Community Colleges that

1 represents me and my 56,000 colleagues across the state does not  
2 accept them either. This lack of acceptance by educators has  
3 persisted for almost a decade.

4           The evidence is overwhelming that despite cosmetic  
5 changes to the Agency they remain unacceptable to educators  
6 across our state, not just San Francisco. The can has been kicked  
7 down the road long enough and it is time to act upon the non-  
8 compliance of ACCJC with 602.13.

9           On reason for educator's non-acceptance of the  
10 ACCJC -- one reason for educator's non-acceptance is the  
11 ACCJC's continued non-compliance with 602.18 which requires  
12 clarify about deficiencies.

13           The ACCJC's use of the word deficiency continues  
14 to be unclear. Their current definition is "An institutional policy  
15 procedure or practice or absence thereof which results in an  
16 institution not meeting one or more standards."

17           So deficiency is regarded as something separate  
18 from and pre-dating non-compliance. This issue was central in the  
19 lawsuit of the San Francisco city attorney and the judge ruled that  
20 the ACCJC's definition violated 602.18, yet they persist.

21           The February letters from ACCJC to colleges that  
22 were given 18 months state, "Deficiencies in institutional policies,

1 practices, procedures and outcomes which lead to non-compliance  
2 with any standard will impact institutional quality. The evaluation  
3 team has provided recommendations that give guidance for how  
4 the institution may come into compliance with standards.”

5 This conflates deficiencies in an institution’s  
6 policies with deficiencies in an institution’s compliance with  
7 standards. This conflation is subtle but significant. It leaves  
8 colleges susceptible to the debacle that occurred at my college.

9 The claim by ACCJC that a past communication  
10 provided notification of a deficiency because it described college  
11 practice that eventually led to non-compliance.

12 The college is accused of ignoring a Notification of  
13 Deficiency when in fact they were just given a recommendation for  
14 improvement. The ACCJC remains out of compliance with 602.13  
15 and 602.18 -- you need to recommend that they be de-listed.

16 I would like to take this opportunity to appreciate  
17 Dr. Winn’s desire for all of us to go forward collegially toward  
18 mutually accepted goals. I don’t know --

19 MR. KEISER: Stop. I’m trying hard up here, thank  
20 you very much. On deck Everardo Gonzalez.

21 MS. PARENTEAU: Hello my name is Muriel  
22 Parenteau. I’m the Department Chair of Disabled Student’s

1 Programs and Services at City College of San Francisco. DSPS  
2 serves over 2,000 students with disabilities and assists them in  
3 participating in an accessible, affordable quality education.

4 City College had its accreditation reaffirmed in  
5 January. This issue is not about City College. This is bigger than  
6 City College and encompasses all the California community  
7 colleges and all other colleges in the western region.

8 My colleagues and I are here for the third time to  
9 urge you not to recertify the ACCJC as a regional accreditor. We  
10 are not convinced that the ACCJC has changed. When I listened to  
11 the report a little while ago I agreed on one thing -- mistrust.

12 Mistrust in 2013, mistrust now, mistrust ongoing. I  
13 find it systemic across the state. Regarding 602.13 Wide  
14 Acceptance -- the lack of support for the ACCJC is overwhelming.  
15 There are a number of groups made up of educators who have  
16 denounced the ACCJC including the Academic Senate of the  
17 California Community Colleges, California Community College  
18 Chief Executive Officers and the California Community College  
19 Chancellor's Office Task Force on Accreditation.

20 In fact the Task Force report was the product of a  
21 wide range of educators and included administrators, faculty,  
22 trustees and the Chancellor's Office. It recommended a new

1 model for accreditation including getting rid of the ACCJC. The  
2 DOE staff report discounts non-support letters from CCSF's  
3 stakeholders.

4 Why doesn't it discount support letters submitting  
5 by those who may have ties to the Commissioners and ex-  
6 Commissioners of the ACCJC?

7 The ACCJC collected the support letters and the  
8 ACCJC sent them to NACIQI. In fact all letters of support  
9 obtained by the ACCJC are suspect because of a course of policy  
10 that threatens institutions with loss of accreditation if they fail to  
11 comply with the ACCJC's request.

12 In 2013 the ACCJC added to their policy on  
13 institutional integrity and ethics it states -- "The institution  
14 complies with Commission requests, directives, decisions and  
15 policies. If it fails to do so, the Commission may act to impose a  
16 sanction or to deny or revoke candidacy or accreditation."

17 The ACCJC sent out these so-called request letters  
18 for its support including a template in August, 2016. Accreditation  
19 is a necessary and important process and insures the educational  
20 quality of an institution.

21 But the ACCJC has turned the process into a  
22 punitive, confusing and demoralizing event. You can stop the

1 adverse impact on hundreds of thousands of students. Please tell  
2 the DOE to get rid of the ACCJC. The ACCJC has misused its  
3 authority to traumatize educational institutions in the name of  
4 accreditation.

5                   The public has lost faith in the ACCJC. The  
6 ACCJC may have new faces but a house with a rotten foundation  
7 cannot be fixed with a new coat of paint the structure and the  
8 culture of the institution remains. I trust this Committee moves to  
9 rid the west and region of the ACCJC. It is not flexible it's time  
10 for change now. Thank you.

11                   MR. KEISER: If I may please -- please stay within  
12 the 3 minute time limit. The next person on deck is Allen Deon  
13 Saunders.

14                   MR. GONZALEZ: Good afternoon my name is  
15 Everardo Gonzalez I'm a recent graduation of City College of San  
16 Francisco and I have successfully fulfilled pre-requisites for a  
17 Master's Program in Education that I will be attending this fall.

18                   This is my third trip to this Board meeting. At the  
19 previous meeting I spoke as to how ACCJC's continued non-  
20 compliance had up to that point resulted in the most heinous attack  
21 on student access and education opportunity in the history of City  
22 College.

1                   I warned that anything short of de-listing ACCJC  
2 would be a costly mistake and it was. When the accreditation  
3 crisis began in 2012 students were routinely advised that the main  
4 purpose of the accreditation process was to ensure and improve the  
5 quality of education at City College and that the drastic policy  
6 changes being implemented to meet the ACCJC's  
7 recommendations were in our best interest.

8                   Instead we witnessed the gross dismantling of the  
9 core pillars of City College, diversity student access and  
10 educational opportunity. Since the fall of 2012 the CCSF  
11 Administration has implemented a series of policies and draconian  
12 cuts in an attempt to appease ACCJC's recommendations.

13                   The Commission cited a lack of financial  
14 accountability as well as institutional deficiencies in the area of  
15 leadership and governance as the main obstacles to the colleges'  
16 turnaround and reaffirmed its decision to revoke accreditation from  
17 City College on June, 2013.

18                   However, in the student success scorecard released  
19 by the State Chancellor's Office in April, 2014 they found that  
20 56% of students who entered City College in the 2007-2008 school  
21 year achieved their goal of transferring or earning an Associate  
22 Degree within 6 years. None of the 12 colleges led by the

1 members of the ACCJC or where Commissioner's taught had been  
2 employed or graduated from did as well.

3           In fact City College students also completed  
4 academic goals at a higher rate than the state-wide average of all  
5 community colleges. None the less, ACCJC with their boots to our  
6 neck demanded a downsized college and a refined mission  
7 statement setting the precedent for massive cuts and divestment in  
8 programs and student resources for at risk student populations.

9           The results have been disheartening. 28% of the  
10 total courses were eliminated, 25% of funding was cut from  
11 resource centers, 35% of full-time faculty have lost their jobs,  
12 historic departments like the African American and Filipino,  
13 LGBTQ, women and labor studies have lost over 50% of their  
14 courses.

15           Since 2012 6,000 students per year have been  
16 pushed out for a total loss of over 24,500 students or 28% of  
17 enrollment. This includes 38% of all African American students,  
18 over a third of Native American Filipino and white-working class  
19 students and 1 in 5 Latino students.

20           Once again these cuts are a result of decisions based  
21 on recommendations that are supposed to improve the quality of  
22 education. City College, especially the faculty and staff have

1 moved mountains to meet the Commission's recommendations and  
2 finally after 4 long years after receiving bi-partisan criticism from  
3 federal, state and local officials, after being sued by the City of San  
4 Francisco, after receiving a scathing report from the State  
5 Chancellor's Office requesting a new accreditor and failing a state  
6 audit has the ACCJC to save face given full accreditation to City  
7 College of San Francisco.

8           The ACCJC has proven that it is neither wise nor  
9 responsible but hubristic and over-reaching and apparently without  
10 regard for the real world consequences of its actions. In March  
11 2016 in a stunning show of no confidence the Presidents and  
12 Chancellors of all California's community colleges voted by more  
13 than 90% to seek an alternative to the ACCJC.

14           It is overwhelmingly clear that the California  
15 Community College System and its member institutions, along  
16 with faculty staff and students have lost confidence in the ACCJC.  
17 We request that you de-authorize the ACCJC and support the  
18 process of finding an alternative accreditor.

19           MR. KEISER: Thank you.

20           MR. BOEHME: Can I just ask one quick question?  
21 If you could advise ACCJC on how students could be engaged in  
22 the accreditation process what would you tell them?

1 MR. GONZALEZ: I could give you plenty of  
2 examples.

3 MR. BOEHME: Just two.

4 MR. GONZALEZ: I was going to say on how the  
5 administration under the guidance of the ACCJC has actually  
6 excluded students purposefully. I can present to you specific --

7 MR. BOEHME: Just two examples of how you  
8 think moving forward or looking in the past, just two concrete  
9 examples of how you wish students would be engaged.

10 MR. GONZALEZ: Well first the liquidation of the  
11 Board of Trustees should never have happened which is one formal  
12 way where students can actually participate in providing  
13 comments.

14 The second one is also for the committees that are  
15 developed in order to figure out the changes toward the decisions  
16 being made to help students to be included as more student  
17 representation on those committees. My understanding is that is  
18 always limited to one or two, a very small number of students.

19 And there are plenty of examples and I am hoping  
20 that perhaps Tim Killikelly or Alisa Messer can speak to this I  
21 know of specific students that have actually be excluded by those  
22 committees as well in order to remove student representation from

1 those committees. So my understanding is that any opportunity  
2 that there has been in order for students to participate that they  
3 have actually been purposely removed.

4 MR. KEISER: Thank you. Are you -- you're  
5 Molly, after Molly is Kim Lee.

6 MS. CHLEBNIKOW: Good afternoon, I'm Molly  
7 Chlebnikow, PhD Candidate in Urban Regional Planning and I  
8 have been researching community college accreditation for my  
9 dissertation. And in the 14 months since ACCJC last came before  
10 NACIQI the Agency has conducted comprehensive evaluations of  
11 36 institutions.

12 31 of these institutions received decision letters that  
13 warned of unacceptable, non-compliance with standards. These  
14 letters provided notice that all of these institutions have  
15 deficiencies in institutional policies, practices, procedures and  
16 outcomes.

17 All of these letters said in part, "Under U.S.  
18 Department of Education enforcement regulations the Commission  
19 is required to take immediate action to terminate the accreditation  
20 of an institution which is out of compliance with any standards. Or  
21 alternatively may provide an institution with additional notice and  
22 a deadline for coming into compliance that is no later than 2 years

1 from when an institution was first informed of the non-compliance.

2                   With this letter the college is being provided time to  
3 meet the standards.”

4                   So the ACCJC started the 2 year clock for 86% of  
5 the 36 institutions that received comprehensive evaluations. The  
6 Agency did not call most of these decisions sanctions. They have  
7 invented a new category which they call reaffirmation of  
8 accreditation for 18 months and three-quarters of the institutions  
9 evaluated have been placed in this status.

10                   It is beyond disingenuous to call this status  
11 reaffirmation. Does the harshness which drives away students and  
12 damages efforts to recruit outstanding employees improve  
13 institutions? And is it really the case that 86% of the colleges that  
14 come up for regular review in this region are terrible places that  
15 deserve to be threatened with impending closure?

16                   As example, just a few weeks ago Santa Monica  
17 College was notified that the serious deficiencies that can result in  
18 the loss of accreditation for all of its programs are four in number.  
19 These accreditation threatening shortcomings are:

20                   1 -- The college’s formal mission statement doesn’t  
21 clearly describe the attendant student population.

22                   2 -- The college doesn’t have an explicit schedule

1 for the regular view of Board policies.

2                   3 -- The brand new Baccalaureate program is not  
3 fully compliant with the new Baccalaureate standards and finally  
4 the ACCJC says that the Board of Trustees is not fully delegating  
5 authority to the college President.

6                   I'm not sure if these are what led to the conclusion  
7 of closure or high sanction. So I submit for your consideration that  
8 the ACCJC's inability to properly identify and notify institutions  
9 about deficiencies has not changed.

10                   Warnings are masqueraded as 18 month  
11 reaffirmations. The Agency has made superficial changes in its  
12 style by increasing the number of times it uses the word deficiency  
13 in its decision letters yet the underlying logic is the same.

14                   Small problems are not differentiated from  
15 shortcomings and educational quality. The Commission continues  
16 to disempower trustees elected to provide oversight and ultimately  
17 the ACCJC continues to act as a bully to community colleges,  
18 thank you.

19                   MR. BOEHME: I have one question. As someone  
20 who studies accreditation which I would love to read your thesis at  
21 some point -- an accreditor has very few mechanisms to encourage  
22 institutions to behave in certain ways. And one of the primary

1 mechanisms is by revoking accreditation as you know.

2                   So I guess I'm kind of lost in your presentation  
3 among other people's presentations as we have a system that  
4 unfortunately is fairly rigid in what an accreditor can do. And so  
5 what specific recommendations would you offer ACCJC to do  
6 rather than having these -- I forget the term that you are using but  
7 this is the system.

8                   And I am asking you this question because you  
9 study it.

10                   MS. CHLEBNIKOW: Sure, sure and the reason  
11 that I am studying accreditation and the reason I am studying this  
12 and why I am here is I think this situation is a call for reflection for  
13 all of accreditation.

14                   That we do need to rethink using punitive measures  
15 to force compliance -- we are all doing this work, hard work  
16 together and that doesn't really share the spirit of how community  
17 colleges are tied as an egalitarian institution.

18                   So to have these higher level governing bodies  
19 which really shouldn't be passing standards and making  
20 recommendations and then force colleges to comply in order to  
21 keep their accreditation, that really in essence I think diminishes a  
22 real reflective process for organizational change that can be -- can

1 actually be fruitful and good for the college and good for the  
2 system and good for the community.

3 MR. BOEHME: So would you say the same thing  
4 about ACICS?

5 MS. CHLEBNIKOW: I mean I haven't studied -- I  
6 don't want to make any of those because I don't know the  
7 particulars of that. I know the particulars of this situation and I am  
8 studying more broadly the history of accreditation and  
9 understanding these systems like being in this room with you all  
10 right now and I am not done so I am not going to claim any kind of  
11 expertise right now.

12 But I see a lot of problems and I guess that's what  
13 has driven me to ask these questions and want to do this research.

14 MR. KEISER: Thank you. On deck is Vivek  
15 Narayan.

16 MS. LEE: Good afternoon esteemed Committee  
17 members. My name is Kim Lee and after 38 and ½ years of  
18 teaching I retired. I retired -- I'm sorry -- though retired I could  
19 not stand by as my former colleagues suffered at the hands of the  
20 ACCJC's actions.

21 In the appeal of 602.13 the ACCJC claimed "The  
22 Department gave undue weight to a coordinate set of complaints

1 about CCSF's accreditation. Rather, the Department heard the  
2 chorus of voices from around California and that a critical mass  
3 had been reached. Undue weight it was not."

4 Furthermore the ACCJC stated the complaints were  
5 coordinated. They were only coordinated in the belief that the  
6 ACCJC's standards policies, procedures and decisions have serious  
7 problems as have been delineated today.

8 It is not hard to coordinate people who feel  
9 injustice. The appeal decision signed by the former Secretary of  
10 Education John King, rejected "the ACCJC's assertion that CCSF  
11 complaints should have been categorically ignored as an  
12 impermissible basis for recommendation."

13 Simply stated Secretary King agreed with CCSF.  
14 Sadly the 2017 final staff report runs counter to the opinion  
15 contained in the above decision. Staff analysis remarks were  
16 replaced with unsubstantiated acceptance of the ACCJC's  
17 responses and then relegated to the "discussion section."

18 Instead it appears to adhere to ACCJC's position. It  
19 rejects the appeal decision and again rejects the complaints of  
20 CCSF supporters. These complaints about the ACCJC are  
21 widespread and not unique to CCSF.

22 You see ACCJC has a branding problem and though

1 a little bit trite I think we have all had the experience of going to a  
2 restaurant, getting poor service or food and never going back right?  
3 Regaining trust is difficult. Regaining trust is emotional.

4 What's to assure us the obfuscating language  
5 referenced here will not be repeated? Why fight that uphill battle?  
6 You need to de-list the ACCJC, thank you.

7 MR. KEISER: Thank you, Jas Murray is on deck.

8 MR. NARAYAN: City College is the backbone of  
9 San Francisco. Its 80 year old institution empowers marginalized  
10 people every day to pursue a brighter future. Our city's livelihood,  
11 our hotels, restaurants, non-profits, tech companies, arts, culture --  
12 these all are enabled by CCSF's educational programs.

13 San Franciscans can attest that the idea of a San  
14 Francisco without City College is inconceivable. Therefore, the  
15 ACCJC's attack on City College and the loss of students and  
16 drastic budget cuts that ensued was a devastating blow to our entire  
17 city.

18 Despite our recent re-affirmation the damage that  
19 was done was to such a degree that while we continue to rebuild,  
20 our city and school will never look quite the same again.

21 My name is Vivek. I'm a full-time student at City  
22 College studying biology and chemistry. After moving out at age

1 17 I was struggling with working full-time and feeling hopeless.  
2 During this lowest point in my life I registered at City College on a  
3 whim and I was welcomed immediately with open arms.

4 I enrolled in challenging classes with amazing  
5 teachers, utilized the counseling services to reorganize my life and  
6 plan my future and found salvation in the Queer Resource Center  
7 which supports LGBTQ students like myself.

8 I will be transferring to the UC system this fall and  
9 plan to go to grad school and pursue a career in higher education. I  
10 can truly say that City College saved my life a statement which I  
11 have heard echoed by countless other students.

12 Then the ACCJC attacked our school and student  
13 panicked worried that their credits wouldn't transfer or that the  
14 school would close and our enrollment plummeted. The Queer  
15 Resource Center's budget was slashed to the point where the  
16 Center could no longer function.

17 It was devastating to our LGBTQ community and to  
18 the thousands of students relying on this resource to succeed. I  
19 watched as our community support systems became crumbling all  
20 around me. The Family Resource Center which enables our  
21 thousands of student parents to attend college lost funding and  
22 student parents dropped out.



1 communities across the western U.S. unless the ACCJC is de-  
2 listed. Our state government educators state-wide no longer accept  
3 the ACCJC and the groundwork has already been laid to transition  
4 to a new accreditor and now it is time to follow through.

5 Committee members I urge you today to make the  
6 right decision to save quality public education. De-list the ACCJC  
7 today, thank you. Do you have any questions for me?

8 MR. KEISER: Thank you. Jas Murray are you  
9 here, is that you? On deck will be Ann Killebrew.

10 MS. MURRAY: Hello my name is Jas. I recently  
11 graduated from City College of San Francisco studying early  
12 childhood education, English and writing. I come from a single  
13 parent home. We did not have funds to pay for a 4 year college  
14 and did not receive much financial help.

15 I moved from the Southeast coast of the U.S. to the  
16 City of San Francisco for access to better resources and better  
17 career opportunities. CCSF helped me discover the passions that  
18 drive me -- they've given me a welcoming community and  
19 unlocked numerous opportunities for me including jobs,  
20 internships, housing, scholarships and an ever-growing  
21 professional network.

22 Without CCFS I am not sure where I would be right

1 now. Like many community college students I fully supported  
2 myself while in school which meant working 2 to 3 jobs most  
3 semesters in addition to taking 9 or more units.

4                   For several semesters I worked for Associated  
5 Student Queer Resource Center providing resources and a safe  
6 space for LGBTQ students which is a mostly disadvantaged group.

7                   As a working student who did not live at home, I  
8 depended on each job and every paycheck to make sure I covered  
9 textbook costs, rent, groceries, transportation and many other  
10 things.

11                   During the fall of 2014 the fear and instability  
12 caused by ACCJC's attack drove away thousands of students. The  
13 budget cuts that followed were unprecedented and devastated  
14 student activities, mainly the resource centers which both employ  
15 students and provide a central resources -- from free computer and  
16 printing access, counselors, book loans, support groups and safe  
17 spaces for marginalized students -- things that community college  
18 students need just to survive.

19                   Due to the instability caused by the ACCJC we  
20 were forced to cut budgets of resource centers and student  
21 activities, cut student workers hours and eliminate programs.  
22 ACCJC's abusive authority resulted in chaos. It added additional

1 stress onto the backs of busy students who now had to worry about  
2 our jobs being taken away, our programs ending and our classes  
3 being cancelled.

4 It became our responsibility as students in between  
5 working to survive, studying, commuting and supporting ourselves  
6 to support our school and fight for the right to keep it open and  
7 accredited.

8 Community college students already have more  
9 hurdles than traditional students. Most of us will never fit into the  
10 expected 2 year and transfer mold because we start out with other  
11 challenges. A community college is designed to help a unique and  
12 diverse community and account for our equally unique and diverse  
13 struggles and challenges.

14 Community colleges can never be one size fits all.  
15 Higher education is not about where or how you start, it is about  
16 the perseverance in your journey and the ability to overcome. The  
17 ACCJC cannot be allowed to continue destabilizing and further  
18 disadvantaging students who already start off with many economic  
19 and financial challenges of their own.

20 It is time for the ACCJC to be eradicated. Thank  
21 you.

22 MR. KEISER: Thank you very much, on deck

1 Karen Saginor.

2 MS. KILLEBREW: Good afternoon I'm Ann  
3 Killebrew and I am very privileged to be here and to speak to you.  
4 I made up a -- I don't know what you call it, this paper to talk  
5 about the things that the ACCJC didn't do in regards to 602.13.

6 Other people have addressed those and I have been  
7 hearing questions about how to deal with what the ACCJC does do  
8 and the punitive actions and how can we run things in another  
9 way?

10 I've been teaching nursing for over 25 years. I have  
11 been a nurse for 50 years. I have worked with state boards for  
12 nursing for curriculum, for standards for students, for hospital  
13 action -- I'm not used to punitive boards. I am used to a lot of  
14 help.

15 I'm used to public standards. Anybody can go and  
16 look at the state board regulations for nursing, for vocational  
17 nursing, for nursing assistants and those things. I just made this up  
18 this afternoon because everybody is talking and you are asking  
19 what about punitive.

20 Well in nursing we help each other. So we have  
21 these state regulations, we have boards where we contribute and  
22 make some changes as needed. Sometimes we have to go to the

1 legislature and ask for a few legal changes. There are open  
2 notices, there are dates, people pay attention to those. If they can't  
3 make them they are civil.

4           They notify others and say they can't come could  
5 they make something else? When it comes to the actual details in  
6 a curriculum which would be like standards that the ACCJC is  
7 looking for with faculty and not -- so I have a little bit more to say.

8           They send a representative to help make sure that  
9 all of these changes come up to snuff and then when these things  
10 are submitted if you made a mistake, like you printed the paper this  
11 way instead of that way, they say well can you fix that.

12           And then you do it. And it may take a little time but  
13 people work together so you have representatives from the board  
14 helping and then you have the faculty working together and it  
15 seems to work and you get accredited in your college for another 3  
16 years, another 5 years and then you go through the whole process  
17 again.

18           But it isn't punitive, it is helpful. It's open, it is  
19 transparent and people work together.

20           MR. KEISER: Thank you.

21           MS. SAGINOR: My name is Karen Saginor and I  
22 have brought my own timer to make sure that I don't run over. I

1 don't want to keep you for too long, okay.

2 Karen Saginor I'm a Faculty Librarian at City  
3 College of San Francisco but this is not about City College as you  
4 heard from Jonathan Lightman from the state-wide and from other  
5 people. He's from the state-wide FACCC which is by the way not  
6 a labor union.

7 ACCJC is not widely accepted by educators -- that's  
8 really across the straight -- one of the many reasons for this is its  
9 failure to engage in meaningful self-evaluation. The importance of  
10 self-evaluation is highlighted by ACCJC in their training materials.

11 We all value the process of identifying short-  
12 comings and correcting them. It is a foundational activity for  
13 educational quality and accreditation that we at City College have  
14 always supported and practiced.

15 Yet ACCJC is quite unwilling to examine their own  
16 actions and identify failings. This group has had a very direct  
17 experience of this. In December, 2016 when the officers of  
18 ACCJC came before you they told you they were already in  
19 compliance with all federal regulations.

20 They accused the Department staff of over-reaching  
21 their authority and their recommendations. You discussed the  
22 unwillingness of the Commission to acknowledge shortcomings

1 and make significant change and you noted that ACCJC wouldn't  
2 even agree that they were out of compliance.

3                   When the CEO work group a few months ago  
4 suggested that they examine best practices from other accreditors  
5 the ACCJC claimed to be willing to make changes but then  
6 indicated they would not even consider such changes for 7 to 10  
7 years.

8                   Today the ACCJC officials have been less bellicose  
9 in their dealings with you but they are still not forthright in naming  
10 and addressing shortcomings. Why does this matter? Full  
11 participation in the culture of acknowledge that we are all  
12 imperfect but can make improvements is a strength -- a necessary  
13 strength for an accrediting agency.

14                   Significantly and publicly changing its practice of  
15 denying its mistakes would improve its reputation but ACCJC  
16 refuses to do this. Today they talked about that folks from City  
17 College were upset about alleged missteps and are not willing to  
18 acknowledge that they actually did make some mistakes and that  
19 they actually continue to make mistakes.

20                   By continuing to deny the past and present  
21 shortcomings they continue to fall short of compliance with  
22 Regulation 602.13 and they continue to put at risk the educational

1 opportunity for thousands and thousands of students. Please  
2 recommend discontinuing recognition for this Agency, thank you.

3 MR. KEISER: Miriam Goldstein and Julie Bruno  
4 on deck.

5 MS. GOLDSTEIN: Hello I'm Miriam Goldstien  
6 and I am the Legislative Director for Congresswoman Jackie Spear  
7 who is unable to be here today but wanted to enter the following  
8 brief statement into the record.

9 In addition to her letters which were provided  
10 through the written statement process.

11 "The ACCJC should no longer be recognized by the  
12 Department of Education as an accreditor. The ACCJC has lost its  
13 legitimacy in the eyes of its stakeholders to the point that only the  
14 lack of an instantly available and recognized substitute is stopping  
15 a large number of accredited institutions from switching  
16 accreditors.

17 Over 2,000 schools in California remain under some  
18 form of sanction, a startling number except that in California we  
19 have a sanction happy accreditor that levels penalties faster than a  
20 police officer operating a speed trap.

21 In the past college President have reported to me  
22 that implied threats of retaliation around accreditation and

1 speaking up about the sanctions is infeasible for so many colleges.  
2 This fear of retaliation completely undermines the value of the  
3 organization as an agent of federal oversight.

4 In addition to the abuse practices of the past well  
5 documented by the California State Auditor and via the judgment  
6 in a lawsuit by San Francisco city attorney, the ACCJC has  
7 basically outlived its usefulness according to the community  
8 college Presidents and state-wide community college leaders  
9 which whom I have spoken over the past several years.

10 The ACCJC is fundamentally reg 2 year schools but  
11 we live in an area where community colleges need to be evaluated  
12 so that their students may transfer to 4 year institutions. In my  
13 Congressional District the community colleges are also  
14 increasingly providing 4 year degrees.

15 If the two levels of higher education in California --  
16 2 and 4 year colleges and universities are ever to be closely  
17 coordinated, they must also be accredited under a single  
18 organization.

19 Under the circumstances it seems to me that the  
20 U.S. Department of Education should encourage the rapid and  
21 smooth transition of the accreditation responsibility to an  
22 organization that is also geared towards 4 year degrees. Thank you

1 so much for your time and consideration of this recommendation.”

2 MR. KEISER: I have a question.

3 MS. GOLDSTEIN: Sure although I am merely  
4 sitting in so I may not be able to answer it.

5 MR. KEISER: What do you think the Congressman  
6 -- she believes that the WASC senior would take over all the 130  
7 schools that are included in the AAJC?

8 MS. GOLDSTEIN: I am not sure about that. I  
9 apologize I am not the staffer who handles education issues, she  
10 was unable to come. But I could get back to you with the answer  
11 to that question.

12 MR. KEISER: The reason I could say is that we did  
13 pull the recognition of an agency at the last meeting and they had -  
14 - all the schools are scrambling and having a very difficult time  
15 finding a new accreditor. Why do you think it would be different -  
16 - possibly tougher because the regionals are set up the way they are  
17 it would be difficult for the community colleges to move to a  
18 different region so how would -- you know what does she propose?

19 MS. GOLDSTEIN: Again sorry I haven't been  
20 handling this issue so I am not sure but we would be happy to get  
21 back to you if there's a contact that I could send the answer to.

22 MR. KEISER: Okay thank you.

1 MS. GOLDSTEIN: Sure.

2 MR. KEISER: Okay on deck oh go ahead, I'm  
3 sorry.

4 MS. NEAL: I want to thank you for being here and  
5 I want to thank the three Congressman, Jackie Speier, Anna Eshoo  
6 and Alan Lowenthal all of whom have expressed their desire that  
7 this accrediting body be shut down so I appreciate this input.

8 And I understand your dilemma since you are  
9 serving as a representative I guess my only request of you would  
10 be to go back and speak to all of the Congressman because rather  
11 than coming to us I actually think that the authority to do the things  
12 that you want to do lies in Congress and the Higher Education Act  
13 will be reauthorized at some point.

14 And to address the questions you raise in terms of  
15 the state monopoly, the regional monopoly that is something that  
16 can be eliminated by Congress and I would submit to you we  
17 talked about a number of ways today about how outdated these  
18 regional accrediting bodies are given the global nature of higher  
19 education.

20 So I would hope that Congress would look at that  
21 and would eliminate those monopolies so institutions would have a  
22 choice and that you will consider strongly having a system that

1 would ensure financial stability of institutions as well as data that  
2 would be helpful to students and consumers so thank you for  
3 coming today.

4 MS. GOLDSTEIN: Yes thank you so much and I  
5 will be happy to relay that message.

6 MR. KEISER: And I apologize for mispronouncing  
7 your name.

8 MS. GOLDSTEIN: No worries at all.

9 MR. KEISER: John Stankas is on deck.

10 MS. BRUNO: Mr. Chair, members of the  
11 Committee thank you so much for this opportunity. My name is  
12 Julie Bruno and I am the President of the Academic Senate for  
13 California Community Colleges. The Academic Senate is  
14 designated to legislation to represent all 58,000 faculty in the  
15 California community colleges regarding academic and  
16 professional matters including accreditation processes.

17 Our organization has always valued accreditation  
18 and support a rigorous peer review process which we see as  
19 essential to ensuring the quality of education as well as the  
20 integrity and effectiveness of our institutions.

21 Because the faculty believes in a collegial  
22 accreditation process we desire a productive relationship with our

1 accreditor. In the past the Academic Senate has achieved a  
2 working partnership with ACCJC on several occasions to provide  
3 information and professional development to facilitate local  
4 accreditation processes.

5           These interactions have benefitted our faculty and  
6 our colleges and have been a positive aspect of the relationship  
7 between our two organizations. However, the Academic Senate  
8 has also experienced numerous frustrations and concerns regarding  
9 ACCJC.

10           These concerns have been reflected in Resolutions  
11 passed by our delegates at our statewide planning sessions. The  
12 issues are delineated in my written statement and are related to  
13 regulations under consideration including Section 602.15 regarding  
14 the Insufficient Faculty Representation on Team Visits.

15           In particular and again in reference to 602.15 the  
16 Academic Senate has significant concerns regarding the lack of  
17 faculty representation on the Commission itself. The ACCJC by-  
18 laws state that at least 5 of the Commission members shall be  
19 elected as academic representatives who are faculty.

20           However, two current Commissioners who are  
21 designated as faculty representatives are now fully employed as  
22 administrators. In response ACCJC made changes to their by-laws

1 to accommodate this change in status of these two Commissioners,  
2 thus reducing the faculty voice on the Commission.

3 In the past few months the Commission has  
4 engaged with representatives from our colleges in an attempt to  
5 create a stronger, more collegial relationship. The Commission  
6 has also made some changes to its practices and has promised  
7 further changes as an attempt to respond to the concerns voiced by  
8 faculty and administrators.

9 The Academic Senate appreciates the progress that  
10 has been made however until evidence exists of additional and  
11 sustained improvements the faculty remain concerned. Faculty  
12 wish for a positive and collegial relationship with our accreditor  
13 and the Academic Senate is committed to assisting and making  
14 systemic changes that are required to sustain meaningful progress  
15 improving our accreditation process, thank you for your  
16 consideration.

17 MR. KEISER: Thank you, Jill?

18 MS. DERBY: Yes I just want to follow up. I hear  
19 in your statement that you see this Agency has made efforts to  
20 create a more collegial relationship and address some of the  
21 concerns.

22 MS. BRUNO: Yes.

1 MS. DERBY: On a scale of 1 to 10 how would you  
2 rate those? I mean I'm trying to get a sense of certainly hearing all  
3 the testimony I have heard today leaves me wondering certainly  
4 the Agency itself has heard this and what are they doing to address  
5 it. So what would you say since you have spoken to those efforts?

6 Do you see them as significant as making a  
7 difference?

8 MS. BRUNO: So where we are at I think -- I serve  
9 on one of the work groups that our folks were talking about before  
10 about some of these changes that we have sort of engaged with.  
11 We provided a number of recommendations to ACCJC and some  
12 of them they are working on incorporating.

13 I think and I am going to say right now we are  
14 taking a watchful stance. Again it is so soon, we are not quite sure  
15 how sustained or how far these changes will go and there are  
16 significant concerns around many of the practices and some of the  
17 policies with ACCJC.

18 So I think right now, you know, I'm not even sure  
19 that I could say that we are hopeful or optimistic. I think we are  
20 skeptical and we are still concerned and I think we absolutely are  
21 committed to working through with ACCJC if they continue to  
22 come to the table and want to have our input and we actually see

1 results. That's the thing that we need to see are the results and I  
2 think that's where we are sort of at right now. We are skeptical  
3 and cautious.

4 MR. STANSKAS: My name is John Stankas I'm  
5 the Vice President of the Academic Center for California  
6 Community Colleges and we are here today because the delegates  
7 from 113 local Academic Senates voted unanimously to send us  
8 here to testify for you.

9 I'm here to speak today regarding the recent history  
10 with our accrediting Commission and the implementation of the  
11 Baccalaureate program specifically CFR 602.13 and 602.16. We  
12 have worked for the last two years to support the pilot colleges  
13 implementing Baccalaureate Degrees authorized in 2014.

14 And since that time we have worked with  
15 constituencies representing the 58,000 faculty in the community  
16 college system regarding our expectations in the areas of defining  
17 upper division, defining the number of upper division units  
18 required, expectations of general education and minimum  
19 qualifications for faculty to teach upper division.

20 We then worked with our Chancellor's Office and  
21 system partners to create a handbook that was adopted in March,  
22 2016 for the entire system that reflects the advice and judgment of

1 faculty in the areas of program quality, minimum qualifications  
2 and student success that the California Legislature has entrusted to  
3 faculty.

4 In January 2016 the Commission posted a draft  
5 policy on accreditation of Baccalaureate Degrees and we reached  
6 out to the Commission in an attempt to reconcile the differences  
7 between the systems recommendations and those in the draft  
8 policy.

9 In March the Commission issued a statement  
10 indicated they wish to work with representatives from the colleges  
11 to receive input. The pilot college chief executive officers, the  
12 Chancellor's Office and we all reached out together to improve the  
13 draft policy.

14 And from March through June we repeatedly  
15 requested a meeting and dialogue. Instead we received a webinar  
16 that contained some factual misinformation and we had one phone  
17 meeting during which the representatives of our Accrediting  
18 Commission asserted the policy as a direct result of conversations  
19 with the Department of Education but were unable to provide any  
20 written documentation of that.

21 We repeatedly pointed out that this policy is the  
22 most prescriptive in the country and represents a level of

1 inflexibility not found by any other regional accreditor, is  
2 detrimental to students and stifles innovation. In fact some degree  
3 programs accredited under WASC senior would not be in  
4 compliance with the policy adopted by our Commission.

5                   And it is unfortunate that our accrediting body  
6 continues to turn a deaf ear to the educators of our system. ACCJC  
7 accredits 130 colleges and we represent 113 of those. We  
8 acknowledge and appreciate the changes in our Commission's  
9 leadership that have occurred in recent months.

10                   We also feel compelled to report to you specific  
11 examples of the concerns faculty have trying to improve our  
12 accreditation processes for the benefit of our students in order that  
13 you may have a more complete view of our relationship with our  
14 accreditor and their relationship with the educators in the system.  
15 Thank you for your time and we are happy to take any questions.

16                   MR. KEISER: Thank you. Next on the list is  
17 Shannon Lienhart, oh I'm sorry Bobbie?

18                   MS. DERLIN: I would just like to ask a question  
19 about whether your skepticism, your watchful nature, your concern  
20 is more focused on the Agency overall or particularly focused on  
21 this issue of the award of Baccalaureate Degrees?

22                   MR. STANSKAS: So I was here to tell you about a

1 recent action that illustrates why faculty voted to send us here to  
2 speak to you. However, I don't think you have ever seen the  
3 Academic Senate for California Community Colleges here before  
4 at a NACIQI hearing.

5 We don't generally -- our goal is to help colleges  
6 remain accredited and meet standards of quality and so it is not our  
7 practice to come and provide testimony. It is unusual that the  
8 delegates chose to speak unanimously that we should come and let  
9 you know our concerns.

10 MS. BRUNO: And I think what you heard from us  
11 and we tried to do this together so that I kind of gave you the  
12 broader scope and John really kind of gave you a very specific area  
13 regarding the Baccalaureate.

14 We are very skeptical and watchful in both of these  
15 areas. I think we are seeing more changes in the broader scope.  
16 We still have some very significant issues regarding the  
17 Baccalaureate and the policy that ACCJC has created and we are  
18 still working with the pilot colleges to try to make sure that they  
19 are able to reconcile the differences between what we are saying in  
20 our Chancellor's Office and the policy that ACCJC has passed.

21 So it has been challenging for us to navigate all of  
22 these pieces and try to make sure that we are serving our

1 institutions and our faculty as we can to make sure that the students  
2 are held harmless throughout this entire thing.

3 MR. KEISER: Thank you. Jeffery Freitas and  
4 Shannon Lienhart.

5 MR. FREITAS: Thank you Chairman and Board.  
6 In addition to my previous or our previous written comments this  
7 is my oral comment thank you for the public opportunity for this.  
8 I'm the Secretary Treasurer of the California Federation of  
9 Teachers representing educational employees of 31 California  
10 community college districts.

11 In fact almost 20,00 faculty. It is unanimous among  
12 the faculty and staff organizations we represent that ACCJC should  
13 not continue as an accreditor and since 2013 numerous  
14 stakeholders have had the same concern.

15 In 2014 California legislators bi-partisan audit  
16 found to eliminate ACCJC as the sole accreditor and identify other  
17 accreditors. From this audit in 2015 California Community  
18 College Task Force on Accreditation found "The ACCJC has made  
19 no significant effort to engage in meaningful or lasting reform."

20 In late 2015 the Board of Governors of the  
21 California Community Colleges found that ACCJC "No longer  
22 meets the current and anticipated need of California community

1 colleges,” and started a search for an alternative accreditor.

2                   And finally in 2016 the California community  
3 college Chief Executive Officer surveyed 99 of its CEO’s with a  
4 finding that 89% of the respondents, “At the end of the same time  
5 explore alternative structures for a regional accreditor.”

6                   Are we to accept that after years of disapproval and  
7 years of harm to the California community college system that this  
8 disapproval can be overturned with a promise of change? In City  
9 College of San Francisco alone over 30,000 fewer students are  
10 attending an amazing college experience.

11                   In Questa College thousands of students left for the  
12 similar reason. Compton College has been without accreditation  
13 for 10 years and threatened to not have another for another 10  
14 years.

15                   LA Community College District has 9 colleges and  
16 it was set up to review all 9 at the same time costing the District  
17 thousands more. Evergreen San Jose was threatened to be put on  
18 sanction -- it did not have certain prescriptions in faculty  
19 evaluations. An out of control fee increases by ACCJC and now  
20 you have an 18 month sanction which is unclear what that means  
21 to many of the colleges.

22                   And many other examples of harm have been done

1 in California. The years of over-sanctioned status, the practice of  
2 changing recommendations from visiting teams, the conflict of  
3 interest that existed and the lack of transparency and due process  
4 cannot be ignored simply by the elimination of a few people from  
5 this organization.

6                   There have been statements that all key  
7 stakeholders have been reached out to. I'm here to say that we  
8 have not been reached out to. You have heard that trust needs to  
9 be created. None has been provided as this is the first time a CFT  
10 has ever been addressed by ACCJC leadership other than through  
11 the court date changes.

12                   We are unaware of any actual faculty and staff input  
13 into the proposed changes. Given the harm to California  
14 community college by ACCJC and given the numerous and varied  
15 organizations that represent thousands of California community  
16 college stakeholders that have and still reject ACCJC the CFT  
17 demands that the Department of Education de-list ACCJC as an  
18 accreditation agency let alone not give it authority to grant any 4  
19 year accreditations.

20                   And to respond to the fact that 80% of the  
21 opposition letters come from the CFT members -- yes we ask our  
22 members to comment on their concerns just like ACCJC did.

1 What percentage of support comments were based on an ACCJC  
2 letter requesting for a comment to this Board. However, we cannot  
3 sanction any locals or individual if that letter is not written. Now  
4 is the time to take action, thank you.

5 MR. KEISER: I have a question. You said since  
6 the -- almost a year, at least a year you have looked at alternatives  
7 to this Commission. Have you found any?

8 MR. FREITAS: The California Federation of  
9 Teachers does not have the authority to act upon changing the  
10 Commission, the accreditor.

11 MR. KEISER: No I understand that but have they  
12 found an option because accreditation is voluntary. None of the  
13 institutions are forced to go to that particular accreditor. They can  
14 go to a national accreditor, they could do different things -- but  
15 have you found a reasonable alternative for you?

16 MR. FREITAS: I believe that the CEO's have  
17 looked into this. I believe the Chancellor's Office has looked into  
18 this. I believe the Board of Governance has looked into this and  
19 those are the appropriate agencies to be looking at alternatives.

20 MR. KEISER: I understand they looked into it,  
21 have they come to a conclusion?

22 MR. FREITAS: I think they haven't informed CFT.

1 They have excluded us from that search and the process.

2 MR. KEISER: But in the best interest of your  
3 faculty members that you represent if there is no alternative right  
4 now is this the right -- are you making the right recommendation or  
5 at least demand as you put it to us for them?

6 MR. FREITAS: We believe there are options and  
7 we have put those options out there. Have they told us that that is  
8 available for the state I am not aware of.

9 MR. KEISER: Thank you, anyone else? On deck  
10 is Alma Nuno Ramos. Go ahead you're up.

11 MS. LIENHART: Hi I'm Shannon Lienhart. I  
12 have been a professor -- a math professor at Palomar Community  
13 College in San Diego County for 26 years. I am going to give you  
14 an example of why ACCJC is not widely accepted amongst  
15 educators.

16 This is a fairly recent example. I know about it  
17 because I was present when this happened. This letter was passed  
18 across the table at the negotiations table. In July of 2015 ACCJC  
19 wrote to Palomar College stating that ACCJC had developed a  
20 composite financial index along with that letter there was a rubric  
21 with ratings.

22 There was also a warning. We were told that the

1 college would be under what they called “enhanced fiscal  
2 monitoring”. This caused great alarm and also much confusion  
3 because Palomar wasn’t in any financial distress so this seemingly  
4 came out of nowhere.

5           The college’s Chief Financial Officer asked ACCJC  
6 for clarification on how they derived the ratings. ACCJC refused  
7 to answer. Also perplexing was a statement in the letter that  
8 Palomar College had the 12<sup>th</sup> highest score in the region but very  
9 few colleges we knew of received the letter. It didn’t make any  
10 sense.

11           When ACCJC was asked to provide the names of  
12 the other schools they refused to provide those names. The letters  
13 in July of 2015 were seemingly the beginning and the end of this  
14 alleged monitoring program because as far as I know we never  
15 heard of it again.

16           We were lucky. We were singled out and warned  
17 but we were not punished. This is how ACCJC works. They  
18 develop rules, those rules are always shifting. The rules are often  
19 meaningless and when institutions try to get answers they can’t.

20           When ACCJC wants to arbitrarily enforce one of  
21 those rules on an institution they punish them. Everyone suffers --  
22 students, institutions, communities and taxpayers. I don’t know

1 what kind of sampling is represented in the letters to determine that  
2 ACCJC is widely accepted but in my broad experience over many  
3 years across the state that is categorically false.

4 Also, please note and I am one of the only people  
5 here from another college and the reason for that is because there is  
6 a culture of fear around publicly criticizing ACCJC and I can state  
7 that for a fact okay.

8 Many believe that negative sanctions will result  
9 from any public dissent. That is why you rarely hear from colleges  
10 other than CCSF. I just happen to be a very brave person. Faculty  
11 across the California community college system absolutely does  
12 not accept trust or respect ACCJC, thank you.

13 MR. KEISER: Thank you on deck Ed Jaramillo,  
14 help me on that one.

15 MS. RAMOS: Good afternoon. My name is Alma  
16 Ramos. When I started going to City College of San Francisco in  
17 the fall of 2012 everything was busy. The parking was a hassle,  
18 the classes were filled but as soon as ACCJC threatened City  
19 College I started seeing less and less students walking on campus.

20 I enrolled into a class Poetry for the People where  
21 the first week I heard of a Pacific Islander study course with open  
22 seats, many empty seats. I enrolled into two critical Pacific

1 Islander study courses, one -- Pacific Islanders in the U.S. and two  
2 -- Cultural Expressions of Oceania.

3                   The classes had less than 20 students and the class  
4 was in danger of being cut. My professor said, "I never had issues  
5 filling up my classes." So what made the difference that semester?

6                   In a matter of two years 15% of Pacific Islander  
7 students dropped -- left City College of San Francisco. Why --  
8 because important resources were being cut and continue to be cut.  
9 These cuts to diversity studies hurt under-represented communities  
10 the most.

11                   Because of these courses I decided to complete by  
12 AA in Critical Pacific Islanders studies. This community is just  
13 one of the many communities in danger of losing classes to learn  
14 about their culture. This community is being lost and with the  
15 damage that ACCJC caused not only this course but other diversity  
16 courses can be lost as well.

17                   I worked with the diversity studies faculties and it  
18 hurts me a lot to hear that they are scrambling for students because  
19 these classes are in danger of being cut. Not only did a program  
20 stop but also resource centers stopped getting funded as well.

21                   I am currently working on my BA Early Childhood  
22 Development major and in this field more experience the better.

1 The family resource center provided child care for many students,  
2 student-parents for 6 months to 5 years old and also provides  
3 workshops for students in need of housing.

4 This essential resource got cut by 40% after the  
5 accreditation crisis meaning not only having money for staff and  
6 funding for resources for the children they care for. They only  
7 have limited funding to provide for a minimal amount of children.

8 They also only provide limited funding to provide  
9 diapers, snacks, supplies for kids and parents. Since the family  
10 resource center got cut, this means less student workers, less spots  
11 to take care of kids and less help for student parents.

12 Since the damage that was done to our diversity  
13 communities and student body is because of the ACCJC's  
14 mistreatment of our school. This cannot happen to another  
15 community college or student body. The ACCJC has made some  
16 provisions but that is not nearly enough.

17 The only solution is to de-list ACCJC today, thank  
18 you.

19 MR. KEISER: Thank you on deck is Monica  
20 Malamud.

21 MR. JARAMILLO: Thank you so much for  
22 allowing me the opportunity to speak at this hearing. My name is

1 Ed Jaramillo. I'm an automotive instructor of the College of  
2 Adameda. I currently serve as President of the Peralta Federation  
3 of Teachers Local 1603, Oakland, California.

4                   And we are also from another college and our union  
5 sent us here and I guess we have to accept the risk of speaking out  
6 publically but it must be done. After spending countless people  
7 hours and millions of dollars to get itself out of accreditation  
8 trouble several years back, Peralta Community College just again  
9 found itself with all four colleges sanctioned after an ACCJC visit  
10 and report 18 months ago.

11                   Again Peralta Federation of Teachers and Faculty  
12 understand the need for fair accreditation. But it is keenly aware  
13 of how ACCJC sanctions can spell hardship for a faculty and  
14 students they serve.

15                   For example in order to remove past sanctions  
16 Peralta has spent millions of dollars on consultants and other  
17 administrative costs at the same time cutting classes our students  
18 vitally need and require to transfer or earn Vocational Degrees and  
19 delaying much needed infrastructure repairs.

20                   How does this benefit our students in their effort to  
21 obtain an education and pursue their educational dreams and  
22 goals? PFT knows that Peralta can better devote its resources to

1 teaching and learning -- that is what we are actually here for, when  
2 it is not obliged to spend most of its institutional energy on the  
3 bureaucratic requirements of accreditation.

4 We also have felt ACCJC passed recommendations  
5 on things like other public employee benefit bonds actually  
6 interfered with our collective bargaining agreement and the district  
7 already had a solid investment plan.

8 One last example involves a seemingly arbitrary  
9 placement of sanctions to college that use SLO language in the  
10 report to their accreditor. One collage thankfully was removed  
11 from sanctions and the other school unfortunately remains on  
12 sanctions.

13 More transparency and fairness is needed for the  
14 process. In closing I and the Peralta Federation of Teachers are  
15 asking this body to tell the DOE to de-list ACCJC as an accreditor  
16 so we can get back to relying on accreditation to improve the  
17 quality of education and not waste millions of dollars to remove  
18 these punitive sanctions.

19 The ACCJC continues to show itself to be  
20 unreliable, arbitrary and has lacked transparency. Thank you for  
21 taking the time to listen.

22 MR. KEISER: Thank you. On deck is Tema Staig.

1 MS. MALAMUD: Good afternoon my name is  
2 Monica Malamud and I am a Professor of Spanish at Canada  
3 College. I'm also the President of the Faculty Union at the San  
4 Mateo Community College District which includes Canada  
5 College, Skyland College and the College of San Mateo.

6 I would like to give you two examples of  
7 experiences that our District has had with the ACCJC. I want to  
8 start with an area where ACCJC chose consistency in their work.  
9 It consistently re-affirms accreditation of colleges who have  
10 representatives sitting on the Commission when their college  
11 undergoes accreditation while issuing sanctions for the majority of  
12 colleges which do not.

13 So could this be due to the fact that the  
14 Commissioners are very knowledgeable about the ACCJC  
15 standards and therefore able to guide their colleges toward  
16 accreditation? Well in my District the three colleges have between  
17 8 and 10 recommendations from the visiting team including both  
18 specific college deficiencies and 3 identical District level  
19 deficiencies.

20 But the ACCJC decided to issue a warning to two of  
21 the colleges and it reaffirmed accreditation of the college who had  
22 a Commissioner in ACCJC despite the same deficiencies that were

1 found in the other colleges. So same deficiencies but very  
2 different outcomes -- this shows inconsistent application of the  
3 standards and decision-making on the part of the ACCJC.

4 This is not just my observation it has been noted  
5 and made public by representatives of the District administration  
6 as well.

7 My second example involves a newly developed  
8 program, one of the 15 pilot Bachelor Degrees for the California  
9 Community Colleges. In January of 2015 Skyland College was  
10 selected to offer a Bachelor's Degree in respiratory care.

11 In April, 2015 the college submitted a substantive  
12 change to ACCJC identifying the program structure and 27 units of  
13 upper division course work as required by the state. The ACCJC  
14 approved the substantive change in May of 2015.

15 In the fall courses were developed and in January of  
16 2016 Skyland College started promoting the program. But in April  
17 of 2016 and that is 11 months after the ACCJC had already  
18 approved this substantive change, the ACCJC drafted a new policy  
19 requiring now 45 units of upper division course work.

20 That's 18 more units than required by the state. So  
21 in a matter of days Skyland had to develop courses for the  
22 additional 18 units and just days after this was done the ACCJC

1 approved a revised version of its new policy requiring 40 units of  
2 upper division course work.

3           The new Bachelor's Degree in respiratory care at  
4 Skyland College could not risk not being approved by the ACCJC  
5 so faculty scrambled to create courses that they did not believe  
6 were necessary. College staff scrambled to re-write and re-print  
7 the promotional materials.

8           The deadline for application to the program had to  
9 be extended and the pool of applicants was reduced as a result of  
10 this last minute requirement from ACCJC.

11           So this shows how ACCJC acts in a capricious and  
12 an unreasonable manner lacking any rationale for its action and it  
13 also shows how it is not really well prepared to accredit  
14 Baccalaureate Degrees thank you.

15           MR. KEISER: Thank you, on deck Richard  
16 Hansen.

17           MS. STAIG: I've timed myself. Hello I'm Tema  
18 Staig and I would like to thank you for the opportunity to speak  
19 today. I am an instructor in the theatre arts department at Los  
20 Angeles City College, one of the 9 campuses in the LA  
21 Community College District.

22           I'm a member of the Los Angeles College Faculty

1 Guild, AFT Local 1521 the exclusive bargaining representative for  
2 the 5,000 faculty of the LA CCD. We teach many underserved and  
3 under-prepared but enthusiastic students who work doubly hard to  
4 get ahead in life.

5 Our teachers feel a deep responsibility to them. I  
6 urge the Committee to acknowledge that the ACCJC is not widely  
7 accepted by faculty. I ask the Committee to carefully consider and  
8 include in your decision the evidence that the lack of support for  
9 the ACCJC is overwhelming.

10 Documentation of that lack of support has been sent  
11 to you from faculty administrators, the courts, the legislature and  
12 the California Community College Board of Governors. ACCJC's  
13 toxic culture brewed over decades continues to generate a culture  
14 of punishment and fear rather than a culture of excellence.

15 They arbitrarily and without input from the field,  
16 change rules and practices. An example is that in previous  
17 accreditation cycles our 9 LA CCD colleges were on a secure  
18 accreditation cycle. During our most recent accreditation cycle  
19 they added our district office as a 10<sup>th</sup> entity to our 9 cites.

20 We received full accreditation but only for 18  
21 months. This creates constant accreditation crisis mode. Another  
22 example is the frequent demand to purchase an update, expensive

1 cumbersome software to track student learning outcomes. If these  
2 practices required by the ACCJC were backed by evidence that  
3 was casually related to improved student achievement it might be  
4 acceptable but that evidence is non-existent.

5                   Our colleges are held financially hostage by the  
6 ACCJC as part of the educational industrial complex with an eco-  
7 system of expensive consultants known as coaches, software and  
8 financial vehicles at the ready to help a college reach compliance.

9                   This is a set up that impacts our students and that  
10 they risk losing their financial aid and ability to transfer to a four  
11 year college if we lose accreditation. The excessive cost of  
12 accreditation to already resource starved colleges is between  
13 500,000 and 1 million dollars per year per campus diverting  
14 resources from students.

15                   We should be investing in what we know works and  
16 improves people's lives such as more classes, library hours and  
17 counselors. In 2012 the ACCJC sent a letter to one of our sister  
18 schools listing recommendations for improvement including  
19 "management and control mechanisms needed for sound financial  
20 decision-making".

21                   How are we supposed to be financial responsible  
22 when they require us to spend money on accreditation related

1 expenditures such as company-sponsored consultants to teach our  
2 campuses how to collect data?

3                   In other words they create a costly requirement then  
4 threaten and sanction us for following through on that requirement.  
5 These are persistent problems that we have been more than patient  
6 in waiting for the ACCJC to address. In spite of recent efforts to  
7 collaborate with California Community College Chief Executive  
8 Offices Workgroup -- and although the ACCJC has made changes  
9 in the personnel and leadership position and practice, things remain  
10 the same.

11                   I urge the Committee to consider today's testimony  
12 from practitioners, thank you very much.

13                   MR. KEISER: I guess my clock was different than  
14 yours. Mr. Hansen? Not seeing Mr. Hansen, Congressman Alen  
15 Lowenthal or his representative?

16                   MS. NQUYEN: I am not the Congressman. My  
17 name is Annie Nguyen I'm reading a statement from Congressman  
18 Lowenthal.

19                   "As a Representative from the Los Angeles area the  
20 issues regarding the ACCJC are not merely a City College of San  
21 Francisco concern as implied in the Department of Education's  
22 staff report. Many of our area community colleges have also been

1 negatively impacted by new standards and policies of ACCJC such  
2 as a new 18 month accreditation cycle.

3 That is why the evidence cited in the California  
4 Audit Report and the Accreditation Task Force Report is so critical  
5 to understanding why ACCJC is not widely accepted by educators  
6 and educational institutions as required by law.

7 The ACCJC remains out of compliance with a  
8 number of the Secretary's requirements identified including but not  
9 limited to the widely accepted criteria found in Section 602.13.  
10 The Department of Education staff report stating that the ACCJC  
11 meets the requirement of being widely accepted -- is that better?

12 Okay let me start that sentence over. The  
13 Department of Education staff report stating that the ACCJC meets  
14 the requirement of being widely accepted is incorrect and faulty.  
15 The Department staff report states the following:

16 "Department staff notes that some of the areas noted  
17 in the Task Force Report, Auditor Report and third party  
18 comments such as sanctioning right of ACCJC where evidence  
19 should be reviewed within an appeal and transparency of  
20 Commission meeting are not covered by the federal regulations  
21 regarding the recognition of accrediting agencies by the  
22 Department and therefore are outside of the scope of this review."

1                   The review of the myriads of Commission decisions  
2 on an individual institution as noted by the complainants is also  
3 outside the authority of the Department. This conflicts with the  
4 regulation which states that the Agency standards, policies,  
5 procedures and decisions must be widely accepted.

6                   The examples in the staff report are clearly policy  
7 and procedures so how can these areas not be part of the review of  
8 ACCJC? One of the policies of concern is the new 18 month  
9 accreditation cycle which is a significant change in the standards,  
10 policies and procedures.

11                   Does this mean that the concern about the creation  
12 of this new 18 month accreditation cycle is somehow irrelevant to  
13 ACCJC's acceptance as a legitimate accreditor?

14                   My conclusion is that the ACCJC should be denied  
15 the authority to remain an accreditor, thank you."

16                   MR. KEISER: Next up is Win-Mon Kyi -- yes do  
17 you have a question, go ahead Steven?

18                   MR. VAN AUDDLE: What does the  
19 Representative recommend as an alternative?

20                   MS. NQUYEN: I wish he were here to answer your  
21 question.

22                   MR. VAN AUDDLE: I'm just thinking about the

1 implications of this. It seems like all of California needs to kind of  
2 come together. We could feel a little bit of pain out here but I am  
3 reading reports here of how there is a collaborative committee that  
4 got together.

5                   It looked like progress was being made you know  
6 and then I hear somebody that doesn't even want to give it a  
7 chance. We have got to come to a point and you are representing  
8 the state leader and I think that has to come in here a little bit to at  
9 least -- it looks to me like there is a short-term and a long-term  
10 situation going on here.

11                   Short-term you have to survive, you have to have  
12 accreditation. Does anybody disagree with that? Short-term you  
13 have got to have accreditation.

14                   Long-term you can look for options -- that's where I  
15 am coming from.

16                   MS. KYI: Hi members of the NACIQI Board --  
17 closer. Okay, my name is Win-Mon Kyi I am a current student at  
18 City College in San Francisco, Organizer for the CCSF Solidarity  
19 Commission and studying Asian American studies.

20                   This is my second time coming to a NACIQI Board  
21 meeting. Last time I spoke to de-list the ACCJC and here again.  
22 San Francisco has been home all of my life growing up in the

1 Fillmore Mission and Sunset Districts.

2 CCSF has reflected and served the needs of my  
3 community. I am second generation Burmese and daughter of  
4 Burmese parents and our home has been reshaped by the ACCJC.  
5 It is one agency in California but has directly de-stabilized  
6 thousands of students of lives.

7 We have lost one-third of our students. ACCJC is a  
8 cancer, a tumor with no function or purpose and has weakened the  
9 body that is the California Community Colleges. To not de-list the  
10 ACCJC is to allow it to grow and further kill educational  
11 occupational and personal aspirations of millions of students and  
12 community.

13 It has literally sanctioned to shut down the very  
14 organs that allow our communities to thrive. The ACCJC has been  
15 inconsistent with its following its own standards, has abusive  
16 authority and is unlawful and has not yet received any -- no  
17 restorative justice and consequences that match the severity of the  
18 damage caused -- and damages we are still recovering and still  
19 fighting from.

20 The damage includes 1,412 class cuts and under  
21 their guidance since 2012. 22% of credit courses and 45% of all  
22 non-credit courses, the push out of thousands of students under the

1 implementation of push out policies. Since ACCJC threats to  
2 closure we lost an average of 6,000 students per year.

3                   What was before a thriving school is now a ghost  
4 town with empty classrooms, stripped programs and certificates.  
5 In our particular community the damage ACCJC has caused is  
6 largely to the immigrant community with cuts to non-credit classes  
7 and ESL courses that benefit the immigrant community.

8                   CCSF's students who successfully complete  
9 remediation in English is higher than the state-wide average as is  
10 the share of students who successfully complete ESL courses.  
11 That is one way immigrants have been pushed out of this very  
12 need.

13                   My parents personally have taken the ESL courses  
14 now those are being cut and immigrants are being pushed out and  
15 the slow violence made excluding the most marginalized. This is  
16 just one of the various communities that have been harmed. It is in  
17 the eyes and hearts of students, faculties state-wide that ACCJC is  
18 irredeemable.

19                   A court case found them to be unlawful. The State  
20 Chancellor has condemned them as well as the California  
21 Federation of Teachers and there is overwhelmingly evidence that  
22 ACCJC is not widely accepted and must be de-listed, thank you.

1 MR. KEISER: You are not Cynthia Macon?

2 MR. BOYDEN: I'm Bruce Boyden.

3 MR. KEISER: Is Cynthia here?

4 MR. BOYDEN: Cynthia is not here.

5 MR. KEISER: Okay well you are the last speaker  
6 thank you very much you are up.

7 MR. BOYDEN: Before my 3 minutes start I just  
8 wanted to say respectfully it probably was just a wonderful gesture  
9 of you having to remove the people who may have an appearance  
10 of conflict of interest, I think that's very important and it is one of  
11 the significant areas of the ACCJC and I say it in all honesty  
12 because I believe every one of them capable and competent to  
13 make a decision about accrediting and accreditor.

14 Now my name is Commissioner Bruce Boyton. I  
15 am here as a resident of the District and to represent the  
16 community to save Compton Community College. It was  
17 established in 2006. Compton College was at the time of the loss  
18 of accreditation a 79 year old institution established in 1927, 90  
19 years ago as of today with a proud history serving the community  
20 sorely in need of higher education as an avenue to escape poverty.

21 It was vibrant, well attended with dedicated staff  
22 and faculty who it was later learned had higher levels and more

1 degrees on average than the El Camino College counter-partner  
2 who now has oversight and has merged the two campuses together.

3                   It is clear that there is a problem. That after 13  
4 years we have not regained our accreditation. The financial and  
5 managerial problems at Compton College were brought to the  
6 attention of the ACCJC by the concerned faculty and staff seeking  
7 assistance in dealing with obvious area trustee board and  
8 management problems.

9                   What they received in return unnecessarily was an  
10 institutional death sentence. Of all the California campuses  
11 negatively impacted by the action of the ACCJC, Compton College  
12 stands out foremost. We are the first community college in  
13 California history to actually lose its accreditation.

14                   Our institution -- no history and community  
15 connection have been lost, our dedicated faculty eroded. Our  
16 enrollment disseminated an entire new generation does not even  
17 know the name Compton College. Can I just get another sentence  
18 in? Okay.

19                   Since academics were being conducted and faculty  
20 were meeting their mandate the decision to remove accreditations  
21 severely punished the entire body without regard to not showing up  
22 at the surrounding college. The decision to remove accreditation

1 did not relate to or solve or improve the college's academic  
2 performance so for us the ACCJC clearly lost sight of its primary  
3 mandate.

4 MR. KEISER: That was four sentences. Thank  
5 you very much. I do want to thank all the commentators for being  
6 here and taking their time out to express their concerns. We did  
7 listen to you and George you have a question?

8 MR. FRENCH: Just a real quick question. Thank  
9 you for bringing up Compton. During the period of the last decade  
10 did the students at Compton receive Title IV aid?

11 MR. BOYDEN: Yes they did. The reason they did  
12 --

13 MR. FRENCH: El Camino?

14 MR. BOYDEN: Right they had coverage from El  
15 Camino.

16 MR. FRENCH: Okay.

17 MR. BOYDEN: However during the loss of  
18 accreditation the attendance went from 6500 to 1400 students so  
19 even with accreditation coming back it is going to take time to  
20 rebuild the college again.

21 MR. FRENCH: Thank you.

22 MR. KEISER: Thank you very much. Members --

1 the chance now for the folks from ACCJC to come before us to  
2 talk about the comments from the commentators.

3 MR. RODRIGUEZ: Where do you begin after  
4 some of the comments I have heard so there's a lot to talk about.  
5 So I will start with the last first. I mean do you want us to really  
6 start talking about the problems we found at colleges like  
7 Compton? We don't want to do that. We shone the light on them  
8 on the issues that there were and at Compton people broke the law.

9 Are we supposed to turn a blind eye to that? Are  
10 we not supposed to do our duty? I think we all take this job as  
11 Commissioners very seriously and we do what we are supposed to  
12 do, we hold people to the standards and that's what we have  
13 always done.

14 People can claim that we are inconsistent or  
15 whatever but we are human and for someone to say that we haven't  
16 admitted to making mistakes I have admitted that we made a lot of  
17 mistakes, absolutely we have and we are trying to correct those  
18 mistakes, we are not perfect.

19 We are human just like anyone else so I think as we  
20 said earlier we have turned a corner we think. It's a new day,  
21 people need evidence. We require evidence so they need to get the  
22 evidence too but we are still at an early stage. We participated in

1 the CO worker one -- which is trying to make changes. We  
2 actually started a process in the Commission and a CO worker  
3 came along and said we want to -- you know, work together in this  
4 so we have been working with them and I think we have made a lot  
5 of progress.

6                   There's still a lot more to do. The CO worker 2 I  
7 have been on that work group as well and they are looking to find -  
8 - to align our region with other regions across the country and what  
9 they mean by that is every other region in the country -- the  
10 community colleges and universities are all in one Commission.

11                   We are the only one in the country that is separate  
12 so they looked at that and basically said that the Work Group 2 has  
13 recommended that we be aligned with one single accreditor in the  
14 western region.

15                   So that is the recommendation that is going to go  
16 forward and maybe it will have to be looked at by the Board of  
17 Governors, by the CO group by everybody. There's still a long  
18 process to go through for people to look at what could potentially  
19 happen down the road.

20                   They estimate it could take 10 years we don't know.  
21 But we are not trying to block that process we are participating in  
22 it and if our membership wants us to go away at some point in time

1 we will assist that process. We are not here to be a roadblock we  
2 are here to help our membership to achieve their ends and to help  
3 them improve their institutions and ensure quality for the public so  
4 there's a lot more that I could say but I will turn it over to my  
5 colleagues and let them deal with the specific issues.

6 MR. WINN: I think if there is a part of the  
7 narrative that I would like to challenge it is the notion that when  
8 the Commission takes an action that says you need to pay attention  
9 to this that it is there for automatically for punitive.

10 And you heard the word punitive repeatedly in the  
11 last two hours. Accreditors are not inclined to punish but  
12 accreditors are expected to hold institutions responsible for  
13 meeting the standards.

14 Similarly you heard a number of references to the  
15 18 month policy. This by the way as some of you know parallels  
16 what happens right here where an Agency that comes for review  
17 and it has some areas that need to continue to attend to, its  
18 recognition is extended for 18 months to give it time to deal with  
19 that.

20 We realize that the 18 month policy as practiced in  
21 the region of late has probably not been adequately communicated  
22 as an opportunity for improvement and is seen as punitive and we

1 are evaluating that at our upcoming Commission Development  
2 Workshop looking to see whether federal policy really requires  
3 that approach as a way of meeting and ensuring that institutions  
4 meet the two year rule.

5 We think there are other ways to do that and again  
6 we are asking for some patience while we work these things  
7 through.

8 MR. WINNICK: I would like to just add that we  
9 have heard a lot about various statistics and to me the most  
10 important ones are the State Legislative Auditor, not ACCJC itself  
11 but the State Legislative Auditor did a survey of the members of  
12 ACCJC and reported on it in their 2014 report.

13 ACCJC had no control of that with a 70% response  
14 rate from institutions accredited by ACCJC. 88% said that  
15 ACCJC's actions and recommendations between the years 2009  
16 and 2013 were reasonable. 86% said that the teams that ACCJC  
17 sent out on comprehensive institutional reviews were properly  
18 constituted.

19 84% said that follow-up teams were properly  
20 constituted. I don't know how you can make any sense out of  
21 those figures except a flat out repudiation of the claims that  
22 ACCJC has lost the trust of its membership.

1                   Certainly we have heard today that there is a certain  
2 degree of lack of trust among certain quarters especially in San  
3 Francisco but those surveys speak volumes to the fact that many of  
4 the people who have testified here today, however heartfelt their  
5 feelings have greatly exaggerated the issue of a loss of trust or a  
6 loss of confidence.

7                   I'm also concerned about the extreme language that  
8 was used to refer to ACCJC which has just been trying to do its  
9 job. It's been referred to as heinous attacks, as bellicose, as a  
10 cancer. And I would suggest that some of that may reflect a  
11 broader agenda of the AFT CFT to basically view accreditation as  
12 getting in the way of the leverage they have to bargain agreements  
13 with institutions.

14                   MR. KEISER: Yes George?

15                   MR. FRENCH: I have a quick question.

16                   MR. KEISER: Jill was first. Are you finished?  
17 I'm not sure you are finished? Okay if they are finished again we  
18 are past our 5 o'clock time. I would like to go through the  
19 questions and then afterwards we will discuss if we want to  
20 continue tomorrow, Jill then George and then --

21                   MS. DERBY: Certainly, you know, some of the  
22 testimony we have had today represented large groups of people

1 and something that I take seriously. But I want to refer to a  
2 question I had earlier. So it sounds like you are making -- I know  
3 you have had a change in leadership.

4                   It sounds like you are making some efforts and it  
5 has been in the past a sense of great adversarial-ness, do you feel  
6 that you have moved beyond that and you have listened to some of  
7 this and are looking at the way you communicate, some of your  
8 practices that might increase that tension rather than diminish it, so  
9 are you making changes?

10                   MR. WINN: Well it is worth noting the change of  
11 leadership is just a little over 2 months old including weekends and  
12 holidays and many of the instances of disappointment, outrage, et  
13 cetera that you have heard date back sometimes several years so  
14 yes we are pretty clear on where the boat is leaking and we are  
15 working fast to re-establish relationships that have been strained.

16                   And I personally have just been delighted with how  
17 open and receptive people have been. I haven't touched them all.  
18 It's tough to do negotiations with for example, the union when it is  
19 overlaid with an extremely expensive lawsuit.

20                   And we are going to try to go into negotiation on  
21 that -- mediation and see if we can solve that including an  
22 approach that says talk to us, we are open. You know this is not

1 anything where you ever have to worry about retaliation-- never.

2 MS. DERBY: It's good to hear, thank you.

3 MR. KEISER: George?

4 MR. FRENCH: Thank you Mr. Chairman. Jill  
5 covered the essence of my question. It appears that the Agency is  
6 acknowledging that there have been some serious issues in  
7 relationship and in relating and in communicating and that the  
8 Agency is willing deliberately to address those issues.

9 The second part though is we are academics so  
10 when we talk or use a survey and speak of 88% and 86% that's 88  
11 and 86% of those who responded correct, not overall? Of those  
12 who responded how many -- did we have a critical mass to indicate  
13 that we had a response rate which represents the districts?

14 MR. WINNICK: Yes sir it was 70% response rate  
15 which I believe is quite high.

16 MR. FRENCH: 70% thank you.

17 MR. KEISER: Then we have Bobbie and Ralph.

18 MS. DERLIN: Thanks I have not a two part  
19 question but I have two questions. And one is general and you  
20 referred to one specific example President Winn when you spoke  
21 about the reference to the 18 month accreditation cycle and the  
22 need for improved communication.

1                   There were some other instances in the commentary  
2 that were references to changes in policy that appear to -- from the  
3 commentators appear to have not been well communicated or to  
4 have been imposed with a very precipitous timeframe and I'm  
5 wondering if you can address how that might be avoided in your  
6 plan?

7                   MR. WINN: Having been with the organization  
8 only a few months there's not a whole lot I can say about past  
9 history. But I can say with absolutely clarity that our goal going  
10 forward is for a process that is squeaky clean and air tight that is  
11 inclusive of the Commission where the Commission gets engaged  
12 with accurate information, where any Commissioners -- I mean  
13 any actions that are taken are endorsed by the Commission, they  
14 are communicated fairly and promptly.

15                   As I mentioned earlier we are updating our website  
16 so that people become accustomed to this. Perhaps a significant  
17 piece of this is that we are in April planning our first ever annual  
18 conference and we have several -- I think 5 or 6 major sectors in  
19 that annual conference dedicated just to dealing with things like the  
20 role of the accreditation liaison officer, problematic standards that  
21 have created misunderstanding, open mic sessions for people to  
22 come and talk.

1                   We are going to have a business session where we  
2 will talk openly about the budget which I think will spread some  
3 good news. So there are a number of ways which we are going to  
4 put our faces in front of our constituency and say this is who we  
5 are, these are the plans we have made.

6                   Hold us accountable to the promises that we are  
7 making.

8                   MR. WELLSFRY: If I can partially respond to  
9 that. We have a process at the ACCJC where when a policy is  
10 adopted it is brought to the Commission for a first reading. It is  
11 then distributed to the field for comment.

12                   And at the next meeting it would be adopted on a  
13 second reading. That is our standard process. Unfortunately I'll  
14 talk about a communication problem and that is that we send those  
15 policies to Presidents and accreditation liaison officers and I'm  
16 afraid that sometimes it may not actually get down to the faculty  
17 level.

18                   But we are working on that. Let me give you an  
19 example of the Baccalaureate Degree so I can really address two  
20 issues that have come up. The Baccalaureate policy was adopted  
21 at a Commission meeting and sent out to the field.

22                   And at that point it was not as fully flushed out as it

1 needed to be. It was developed over the period of the next 6  
2 months and then brought back to a Commission meeting. But let  
3 me site some of the changes that were made because we recited as  
4 having violated the faculty prerogative.

5           And I will have to admit yes we did because one of  
6 the things that we insisted on was that there would be a Master's  
7 Degree as a minimum qualification for the faculty that was not in  
8 the original proposal. It came from the California Community  
9 College Chancellor in the handbook that was mentioned.

10           We insisted on a Master's Degree. We also insisted  
11 that there would be at least 40 units of operative vision course  
12 work and 9 of those units would be upper division general  
13 education. Again, inconsistent with the policy that had been  
14 adopted in the Bachelor's handbook by the Chancellor of the  
15 California Community Colleges.

16           We had compared what was happening nationally  
17 and what was happening in the California State University system.  
18 There is a sacred document in California called Title V. It is our  
19 state regulatory mechanism and in Title V the California state  
20 universities are required to have 40 units of upper division course  
21 work in a major -- and 9 units of general education.

22           So we did in fact bring our requirement for the

1 community college Baccalaureate to parallel that of the California  
2 state university system and that of virtually the rest of the country.  
3 So there are times when we disagree with our colleagues on the  
4 faculty but we don't do it casually.

5           We do it intentionally and we do it for very good  
6 reasons. I think there are some other things that came up in the  
7 discussion. There was criticism of something called enhanced  
8 monitoring. We are required by federal regulations to monitor the  
9 financial condition of colleges.

10           We do use a mechanism that we call the composite  
11 index. The composite index is also used by at least 3 other  
12 regional accreditors that I can name off the top of my head --  
13 Middle States, the Higher Learning Commission and the Southern  
14 Association.

15           We all use the composite index. The intent of that  
16 is to warn colleges that they are fiscally in at risk of becoming  
17 unstable. It is not an action by our Commission. It is a letter to the  
18 college that says look you have got a financial problem. Address it  
19 now before we have to get at it.

20           I also have to talk about the re-accreditation -- the  
21 re-affirmation of San Francisco. There was an accusation that we  
22 did that to save face. That was not done. San Francisco underwent

1 a very rigorous review. Every single one of the accreditation  
2 standards was looked at by a team of almost 20 people. And they  
3 looked at all aspects of that college.

4 San Francisco did an incredible job of addressing  
5 the accreditation standards. In fact one of them student learning  
6 outcomes, which was one of the reasons why they had a challenge  
7 back in 2012, they have actually developed a state model for using  
8 student learning outcomes and they are going to be presenting at  
9 our conference in April.

10 That college changed. We did not give them  
11 reaffirmation or our Commission did not give them reaffirmation  
12 because we wanted to save face. They did a heck of a job and they  
13 need to be acknowledged for the job that they did.

14 MR. WINN: There's a French philosopher who  
15 once said there is no truth there is only perceptions. And so we are  
16 fighting headwinds of perceptions including a perception for  
17 example that would say, "Because some colleges have found it  
18 useful to upgrade their data management system that we are  
19 driving that, that we are causing them to use better, more current  
20 data management systems and somehow we are in collusion with  
21 the vendors."

22 Anyway what to say -- there are many parts of the

1 narrative out there that we are hoping we can regain control over  
2 by over time rebuilding our means of communication, making  
3 ourselves available for when these kinds of questions or  
4 perceptions come up we are on their speed dial, they can get in  
5 touch with us, we can get these things clarified, get the perceptions  
6 adjusted at the early stage.

7 MS. DERLIN: I just wanted to say that my second  
8 question was answered in Dr. Wellsfry's response.

9 MR. KEISER: Thank you, Federico?

10 MR. ZARAGOZA: Everybody has deep  
11 appreciation for the complexities and the extent of work that is  
12 involved in the accreditation process. And so in the spirit of your  
13 last comments the extensive and multiple areas that you are  
14 currently involved in, you know, certainly the topic of litigation  
15 has come up, the legislative process, the community relations  
16 process and the regular job of accreditation.

17 So my question is with all that you have going on is  
18 this a good time to ask for -- I mean why would you want to ask  
19 for an early review and secondly have you looked at the impact of  
20 removing the limitation in terms of the Master's and what that  
21 could mean to the administrative capacity?

22 MR. WELLSFRY: I'm sorry I didn't catch the

1 second part of that question?

2 MR. ZARAGOZA: So with all that you have going  
3 on -- if you lift the limitations would that not have an impact on  
4 your administrative capacity -- even more work?

5 MR. WELLSFRY: Okay the reason that we asked  
6 for an early review was because we already had a whole bunch of  
7 that stuff in process and we knew we would have it finished and  
8 why wait around for an extended period of time when we knew the  
9 issue would be resolved?

10 The issue of re-acquiring the Baccalaureate  
11 authorization is that is part of our regular decision flow. My -- one  
12 of my responsibilities at the Commission is the work on the sub-  
13 change committee and that is a regular part of our process and  
14 review.

15 So no it will not increase the administrative burden  
16 on our organization.

17 MR. KEISER: Anne?

18 MS. NEAL: Just quickly and then there's been a lot  
19 of discussion in the last few minutes about frayed relationships and  
20 communications and that this is what it is all about. I want to be  
21 clear. For me it is not all about communications and frayed  
22 relationships. It's about to use your term "problematic standards",

1 something that you also referred to.

2 So that's what I am most interested in pursuing.

3 But let me pursue the widely accepted just very quickly. The  
4 auditor's report has been referenced several times. It is not  
5 accessible in our materials and based on what I think I heard it may  
6 have been surveys as many as 8 years ago so I would like to have  
7 access to that report to see that.

8 What I think I also heard is that you as an  
9 accrediting body reached out to your various institutions that you  
10 accredit seeking letters in support, did I hear that correctly? We  
11 have also of course heard from many that when you are dealing  
12 with an accreditor which holds the purse strings for federal dollars  
13 that sometimes these institutions don't entirely feel free so I just  
14 want to raise that as a concern.

15 And then I guess my other question and this goes to  
16 the 18 month issue and to the BA issue. In looking at the three  
17 examples that you have provided in terms of an extension of the  
18 BA I note that two of those institutions are actually under an 18  
19 month review by you.

20 But nevertheless you are still going to give them --  
21 extend them the AB. This is an issue that we talked about earlier  
22 today about concerns about extending when there are other

1 problems with institutions so I am just curious that clearly that  
2 wasn't enough to inhibit your desire to offer the BA.

3 MR. WINN: So one of the things that we have  
4 discovered of late is that while the 18 month concept was designed  
5 to give institutions time to respond it has been interpreted as a  
6 statement of institutional weakness and that is an unintended  
7 consequence.

8 We have strong institutions that have been robust  
9 for decades for a given 18 months. We perceived it as you got a  
10 little time here to tend to these things, send us a report or host of  
11 visit depending on it and we are done. But it has been  
12 misunderstood and we are taking a serious look at that.

13 And the thought that in requesting letters people had  
14 to fear it is a real stretch, you know. I mean we talked to some  
15 people who said I'm not interested in sending a letter I don't agree  
16 with it and we said fine.

17 And there were others who said I'd like to send a  
18 letter but I have some folks on the campus who would see that as  
19 problematic and I don't think I will. So there was a lot of candor  
20 in that.

21 We never intended that 602.13 would become a  
22 popularity contest where let's see who gets the most votes. What

1 we saw is important for our colleagues who believe in what we are  
2 doing to see that there is an opportunity here to speak on our behalf  
3 because there were a lot of messages coming from the other  
4 direction.

5 MR. RODRIGUEZ: The 18-month re-affirmation  
6 is something that we developed to respond to constraints by CO's  
7 who complained of us for years that when the college was put on  
8 sanction or warning, in particular, that they were embarrassed.  
9 They got a lot of bad press in their community -- it was  
10 unnecessary blah, blah, blah.

11 So we thought about this and thought about it and  
12 we thought well this is one way where you don't sanction the  
13 college. There are some minor issues they need to clean up you  
14 give them 18 months and as Richard said then they are good to go.

15 And I think the problem was in the roll out we  
16 didn't communicate it well enough to people and that's why there  
17 was a reaction against it but it was meant to help the field and I  
18 think it has helped.

19 MR. KEISER: Jennifer?

20 MS. HONG: So Anne I don't know if access to the  
21 report is because of the technical issues that you might have had.  
22 Does -- I see it under Exhibit 19 the California State Auditor

1 Report of June 2014. I just want to make sure did any other  
2 members have any trouble accessing the exhibits -- okay thank  
3 you.

4 MR. KEISER: Any other questions.

5 MR. WINNICK: Mr. Chair, excuse me, can I just  
6 quickly raise one due process issue?

7 MR. KEISER: No.

8 MR. WINNICK: No, okay.

9 MS. DAGGETT: Hello I'm just going to try to be  
10 quick because I don't want to extend our time here. I just wanted  
11 to hit on one thing that seems to have been raised which is  
12 regarding the wide acceptance.

13 I wanted to indicate that we do have prior  
14 precedence in the form of review of previous agencies that wide  
15 acceptance does not mean unanimous acceptance. That we  
16 generally, of course, want there to be as much support as possible  
17 but it requires only a reasonable level of support. That's what we  
18 have used under our guidelines and not a unanimous support.

19 I also wanted to bring up the fact that in regards to  
20 the statements that have been said by the comments regarding what  
21 the Secretary said regarding the use of comments was that we have  
22 to look at all comments that come in and we are not trying to

1 improperly weigh one side or the other but that perhaps which side  
2 you sit on and what the ultimate determination is then that skews  
3 how you determine whether or not we have improperly weighed  
4 that.

5                   So I wanted to bring up those two particular things  
6 and then one last thing is that a lot of the commenters were  
7 bringing up past issues that the Agency had such as a deficiency  
8 found by the judge in the lawsuit that they have discussed.

9                   As far as our practice goes is that if somebody -- if  
10 an Agency were to have some sort of issue they have the ability to  
11 correct that issue, implement new policies and demonstrate that  
12 they have implemented those to show that they have corrected  
13 them and that's what has happened in this particular case.

14                   Other than that I would like to try to answer any  
15 questions you might have.

16                   MR. KEISER: Any questions?

17                   MR. ZARAGOSA: Arthur there is no Motion on  
18 the table right now right?

19                   MR. KEISER: No, not yet.

20                   MR. BOEHME: I'll make a Motion to adjourn the  
21 meeting for today.

22                   MR. ZARAGOSA: Second.

1                   MR. KEISER: For the Podiatry group we will see  
2 you as soon as we can after the decision of this discussion and then  
3 we will move on tomorrow.

4                   (Whereupon, at 5:58 p.m., the conference was  
5 adjourned to reconvene on Thursday, February 23, 2017.)

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