OFFICE OF POSTSECONDARY EDUCATION

NATIONAL ADVISORY COMMITTEE ON
INSTITUTIONAL QUALITY AND INTEGRITY
(NACIQI)

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CHAIRMAN KEISER: Good morning, welcome to Day 3 of the National Advisory Committee on Institutional Quality and Integrity. Not everybody is here yet but we are going to get started on schedule. And since we do not have “official business” -- I think we actually have a quorum anyways.

If we could introduce ourselves, Claude for the third time would you start it off?

MR. PRESSNESS: Absolutely Mr. Chairman, Claude Pressnall, I serve as the President of the Tennessee Independent Colleges and Universities.

MR. FRENCH: Good morning, George French, President of Miles College.

MS. ALIOTO: Kathleen Sullivan Alioto, Fundraiser for Children Zero to 22.

MR. BOEHME: Simon Boehme, Student Member.

MR. ZARAGOZA: Federico Zaragoza, Alamo Colleges.

MR. BOUNDS: Herman Bounds, Director of the Accreditation Group in the Department of Education.

MS. HONG: Good morning, Jennifer Hong, Executive Director and Designated Federal Official.

MR. KEISER: Art Keiser, Chancellor Keiser
University.

MR. WU: Frank Wu, Faculty University of California, Hastings College of Law.

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

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

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

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

MS. SCHULTZ: Rachael Shultz, Ed. Staff.

MS. LEFORD: Valerie Lefor, Department Staff.

MS. ABRAMS: Corrine Abrams, Ed. Intern.

MS. DAGGETT: Elizabeth Dagget, Department staff.

MS. MCKISSIC: Stephanie McKissic, Department Staff.

MR. MULA: Chuck Mula, Department staff.

MS. HARRIS: Doctor Nicole S. Harris,

Department staff.

CHAIRMAN KEISER: Well thank you all for our
third day. I especially want to thank you staff because you can
now sit back and relax the decisions that we are required to make
are made and today is a day for discussion on policy, on issues that
we confronted over the last two days.

I think we want to make it lively and make it
interesting and more importantly, hopefully helpful as we move
forward you know in working with accreditation.

Today what the schedule is going to be, I know we
will get finished before 12. We may get finished before that, that’s
my goal. We are going to try not to limit the conversation but try
to keep it within an arena and once we start repeating ourselves I
am going to try to get us to move on.

And I’ll go over the topics that we are going to
discuss today and I think that again, based upon the input of the
members of the Committee, the first part of the discussion will be
on data and the issue of the student unit record and the issue of the
dashboard and we have a guest speaker to deal with that.

The second part well what do we do with all of this
data, what are the bright lines? What bright lines should be or
shouldn’t be.

The third one is how do we deal with sub-regulatory
directives and that was a big issue yesterday and the day before
and talking about how, what is the difference between best practices versus required practices.

The fourth would be Arthur asked that we talk about and continue the discussion on NACIQI being the final authority rather than being just strictly a Board that makes recommendations.

The fifth will be Jennifer and Herman and Chuck talking about the military approval process. So I think yesterday was a little confusing to some, especially some of the newer members and how that works.

And then finally talking about some of the ways we make recommendations to the Secretary, can they be a little different? Do we have to stay with a 12 month review or can and I think the specific thing, can we just have approval based upon the receipt of materials and I think that was one of the big discussions.

So those are the six areas that we are going to try to discuss this morning.
But first we want to start and we have a guest. Oliver Schak from the Office of Planning Evaluation and Policy Development to continue our discussion on the dashboard that we have been receiving and using in terms of helping us understand the nature of the accrediting agencies that we look at and the institutions that are part of them, Mr. Schak?

MR. SCHAK: Alright thank you. Jenn do you have any initial words?

MS. HONG: I guess just to remind the Committee that you all probably remember Oliver from the last meeting and you were so enthusiastic about his presentation that you requested that he come to every meeting so in between he takes all of your feedback and we meet about it.

And he tries to make improvements and it is very forward thinking on what else we can do with the data to make it more presentable and meaningful for you all in your review, so thanks Oliver.

MR. SCHAK: Alright I’ll get going then. Well thank you Chairman and Committee members. I’m Oliver Schak. I work for the Office of Planning Evaluation and Policy Development within the Department of Education.
And as Jenn said I’ve been working on these dashboards since they were first released back in June, 2016. Today I think I’ll just go over the dashboards real quickly then I will go over some changes that were made from the last meeting and then I’ll talk a little bit more about next steps and how we can continue to improve the information that we present to the Committee.

I didn’t realize it had that -- okay, alright, great. So I just want to say that as I said at the last meeting there are sort of three over-arching principles that we have in developing this information. One is sort of ensuring that the data are as accurate and consistent across institutions and accreditors as possible and that’s one of the reasons that we really rely on federal educational data because we feel pretty good that those data are maintained pretty well and pretty consistent.

We also wanted that to be sort of relevant and applicable as much as possible to different accreditors and institutions and as you know that can be somewhat challenging because of some of the measures don’t capture all students and there is other limitations. But we do present multiple measures on the dashboards for that reason to help address that. And then we also
want our methods and the process to be as transparent as possible
and we try to release as much documentation as well as the
underlying data so that things are fairly clear to the public.

There’s really two major components as you can see
to the dashboards. There’s the data file and that provides all the
underlying institutional data and that’s intended for sort of
researchers in general but also the accreditors, specifically to help
as a tool for them to look at various schools.

And I would say that I’m really encouraged by sort
of what I have seen over the last few days that some agencies it
seems like they dug into the data file so one agency is the 90/10
percentage which is in the file, not in the PDF version of the
dashboards.

Other agencies were looking at sort of specific
institutions and seeing how that relates to their work. The other
component is the component used mainly by the Committee which
is the PDF versions of the dashboards and that’s also to sort of
shed light on student success and outcomes for the general public.

I would say you know, the purpose is to show broad
trends and sort of provide context to what’s before the Committee.

One thing that I have noticed a little bit and I just feel a little
cautious about is sort of highlighting individual institutions that
can be sort of more sensitive to the limitations of the data. I think the purpose is just to highlight broad trends, especially for the accreditors that have quite a bit of data. One major limitation I would just point out which I think the Committee is aware of at this point is that the information for programmatic and specialized accreditors can be fairly limited because we really focus on the Title IV gatekeeping role of institutional accreditation.

Next I will cover changes since the February meeting. I would emphasize that the underlying data have not changed at all since the last meeting and there are a few reasons why we did it that way. One is just that there was a fairly quick turnaround but we also wanted sort of the same data to be out there for a good period of time so that the accreditation agencies could have some time to look at it and address it.

One significant change we did make was that we added a one page cheat sheet in the PDF version. What that provides is sort of a conceptual description of the universe or cohort that is captured within each measure. So for instance the limitation of first-time, full-time for completion but also provides some information about the
number of institutions or the number of students that are captured in each measure and that is just to show, give you some sense of how much information is kind of being displayed overall on a national level.

And then we also made some small, sort of formatting and word changes based on feedback from the last meeting.

In terms of next steps moving forward I think we will have a more significant revision to the dashboards for the next meeting that will be our goal. So we will try to get new data in there so basically another year’s worth of data out there but also we kind of identified three main comments from the Committee from last time.

One was the limitation on completion that it is limited to first-time, full-time. It also looks at 100% normal completion time which can be difficult for some institutions and also it doesn’t transfer in sort of a positive way.

So we agree those are pretty significant limitations and we are looking at the outcomes measure in IPEDS which actually does -- will include all students. It’s a little bit different measure than the traditional graduation rate measure. It will measure out 4 years, 6 years and 8 years after enrollment.
One note on that is there hasn’t been a public release of those data yet from NCES. It’s a new component so they are working out some data quality concerns with institutions and there is also a pretty significant change in the methodology for that collection in the 2017-18 cycle. So we do think for those reasons that it may be a year or two before we can look into including that data element but I want to point out that it is something we are considering.

Secondly, adding more context and more information about how to interpret the measures was another piece of feedback. I just want to note something about first-time, full-time. There was some feedback about presenting the percentage of students who are first-time, full-time to basically contextualize the relevance of the graduation rate measure.

We did look at that. It turns out what’s published on the scorecard and also in our data file has missing data for quite a few institutions but we think that we can address that through some changes to the scorecard methodology.

So we think we might be able to address that by the next meeting but I just want to point out that because of those limitations we weren’t able to include that on the dashboard at this time.
And then the third comment from the Committee was about disaggregating the data by sectors. So I think the Committee was particularly interested in disaggregating the information by the level of institution so like 2 year, 4 year. We are also considering disaggregating by the control of the institution so public, private, for-profit. One thing I would put out there is we are thinking about what is the easiest way to sort of present this information in a way that’s easy for folks to understand and to not make it too complicated. And one thing we are thinking about and we welcome comments on this is possibly having interactive tools or something that folks can sort of customize to whatever cut of the data they really want to see, so we welcome comments on that. And then just a final point I would make beyond next steps is it sounds like there is some discussion on student unit record and I just want to quickly say that there is no formal position I don’t think from the Department and I’m certainly not going to comment on the position but I just want to address that up front. I would say that, you know, I think the discussion from yesterday highlighted that there are really trade-offs between sort of consistency of data, consistency of definitions across
institutions nationally versus sort of having data that serves sort of specific sectors or data that has enough depth or granularity and those are tough problems to address.

I would also point out that, you know, we generally deal with aggregate data. That’s generally what the higher Ed data landscape looks like right now and there are some trade-offs in terms of the granularity of the aggregate data you publish and privacy concerns because if the cell sizes are too small for aggregate data, that can essentially become like publishing individual level data.

So I want to point out that there are still constraints with aggregate data and I would finally just note to assure people that I think there are quite a few protections in place within the Department for assuring privacy for the individual data that we currently have.

And there is also, as you may know, there is a number of laws assuring this and they also include criminal and civil penalties for disclosing data for reasons that are not a legitimate purpose. So with those comments I think I will open it up to questions and comments.

CHAIRMAN KEISER: First of all let’s just say thank you for joining us and Frank?
VICE CHAIRMAN WU: Sure just thank you. One very quick question -- I think having data is great. All decisions should be based on data. I’m mindful though and I’ll always try to think about the cost of data.

So how many person hours does it take to put together the dashboard? Is it just you, is it 10 people, is it 100 people, is this 100% of your time? Just so that we can assess to get the data how much taxpayer money do we have to spend to compile this?

MR. SCHAK: I think it is a typical answer precisely and the reason why is I think the actual aggregation of data into the dashboards is not a huge lift, I think it is a significant lift. You know it does take up some fraction of my time as well as other’s time but I think where there really is a lot of effort is in the data elements themselves. So I know College Scorecard which is where much of the data comes from, does take up a significant level of effort in generating those data.

VICE CHAIRMAN WU: Could I repeat back what I heard you say which is that the incremental work to do what NACIQI wants isn’t that much but the underlying work that you have to do for the scorecard is substantial, do I have that right?
MR. SCHAK: The scorecard and the other data that we provide.

CHAIRMAN KEISER: Ralph?

MR. WOLFF: Thank you I have a few questions if I could to understand better. You said that you are going to be able to do more comprehensive reporting and I’m not quite clear without a unit data record system how would you be able to have information on all students not just full-time, first-time?

MR. SCHAK: So I think you are referring to the completion measures specifically?

MR. WOLFF: Right.

MR. SCHAK: So NCS has been having institutions report completion outcomes for all students for -- they added a new component to IPEDS.

MR. WOLFF: Assuming they have it accurately.

MR. SCHAK: Yeah I mean the institutions still have to find a way to report that, yeah.

MR. WOLFF: So they would be able -- so the reporting metrics or data definitions would include transfer students, those who start in spring semester, in and out students and the likes. There are definitions that would enable that to be reported?
MR. SCHAK: Yes so it includes basically four cohorts: first-time, full-time, first-time, part-time, transfer full-time, transfer part-time.

MR. WOLFF: Great. I also want to say that I really appreciate that it is the percentage of IPEDS, what percentage the full-time, first-time represents I think will be a real advantage, certainly for us in looking at the data.

One of the questions or issues raised yesterday or two days ago I guess by one of the agencies was the significant difference between different metrics that are used on the Department’s website. So I went to the College Navigator and the Scorecard for an institution that is a few miles from my home and on the Scorecard the graduation rate for this university is listed at 43% and on the College Navigator it is listed at 88%.

Hello? I mean I don’t understand -- how would anyone understand if they even are aware that there is a Scorecard and the Navigator and there may be other public data sets. I know that there are non-profits that have them. But I am trying to understand how do we make sense of that?

I’m not sure I know how to make sense of the disparity of the data. The same is true on tuition data. The net price, the tuition between the Scorecard and the Navigator are
So I am just wondering is there any correlation or are these completely different data sets?

MR. SCHAK: Yeah I mean that’s something I can definitely take back with me. I think that’s a pretty large discrepancy between the two. My experience has been looking at the data is generally there are some small differences that relate to basically differences in the -- not the underlying data, but the methodology.

So Scorecard -- one thing Scorecard does and I don’t think we do this in the dashboard but one thing it does is it pulls together multiple years of data for the graduation rate so it pulls two years together.

So if it is a small institution where it fluctuates that can make a difference. There can also be just differences in timing because the Scorecard is released sort of annually at a someone different cadence than IPEDS and therefore College Navigator.

MR. WOLFF: There’s a random sample of one.

CHAIRMAN KEISER: It’s not random.

MR. WOLFF: Okay well I’m just -- I think it is something for the public which one do you want them to use and they both represent very different approaches to what data is
collected and how it is represented. So I am in the same quandary that I think the Agency was about -- our data is based only on the Scorecard if I understand that correctly that we get from NACIQI.

So that would be the most accurate or the most comprehensive set or it will be -- so I’m just -- if the Navigator has substantially different information should we be getting that, or say that there are different ways at getting that this information.

MR. SCHAK: Yeah I would say there are tradeoffs between different sources you use. I think College Scorecard, one strength of that is it kind of pulls together lots of different pieces of information together including the earnings information, some of the other data.

Alums, that aren’t necessarily IPEDS but I think that there is also trade-offs in terms of having the most recent data possible so like IPEDS is a primary data source so that’s like the most recent information and I’d welcome sort of comments on how we should weigh those priorities.

MR. FRENCH: Good morning just to follow-up.

CHAIRMAN KEISER: Okay do you want to do this or do you want to go into our general conversation?

MR. FRENCH: There was just a follow-up on Frank’s question I thought it was a good question. What is the
actual human resource that’s working on the data sets, the College
Scorecard as well as the Navigator -- that’s what Frank was
asking?

Is it one person, is it 10, what are we looking at?

MR. SCHAK: I couldn’t -- I honestly don’t know.

I could precise estimate but I would say on both projects it is
several people and its significant and I would again repeat that, you
know, generally aggregating data is a little bit of a lower lift but
creating data is a little bit more of a lift.

CHAIRMAN KEISER: Okay well thank you and
you are certainly welcome to stay and be part of the -- oh Kathleen,
I don’t know you blend into that wall there, I miss you all the time,
I’m so sorry and then Steve, okay, let Kathleen go first.

MS. ALIOTO: I’m wondering this is the Scorecard
rather than you but with communities colleges and the community
colleges educate almost half of the people in America -- but the
enrollment data is only on full-time so that it looks like the
community college has far fewer students than they actually
educate.

So can’t there be a full-time students and part-time
students? And since so many community college students are part-
time students that there could be a total analysis of them as well in
terms of their success.

I mean I took Italian for years at a community college in San Francisco and probably my success rate wasn’t that great but I think the students who are in programs that perhaps benefit the community and jobs and so forth should also be isolated out because they are a big part of our population.

MR. SCHAK: Yeah I mean that’s definitely concern about first-time, full-time for measures that are limited to that yeah.

CHAIRMAN KEISER: Steve?

MR. VANAUSDLE: Yesterday we had presentations from WICHE and the Clearinghouse and it seemed like there is a lot of research work being done on continuing to develop data sets there that are pretty darn comprehensive. Can some of that data be integrated into your system to give us more complete information on enrolled students?

MR. SCHAK: So I think the challenge is that we want information that is sort of consistent and includes all institutions across the country. So they are working on that and I think I would say -- one thing I was going to say in my remarks is I think they did a pretty good job along with the National Student Clearinghouse sort of explaining the limitations to their universe as
well as the challenges in sort of accurately mapping together
different data sets.

The other thing I think we really want to be sure is
sort of having transparency over their methodology and that
includes insuring that they are following sort of our standards in
terms of not only data quality but student privacy and things like
that.

CHAIRMAN KEISER: Ralph?

MR. WOLFF: This is a data question. When I look
at the disaggregation there are wild differences between program
completions within institutions. So as you move toward a more
comprehensive data set for all students will the disaggregation be
able to go down to the program level?

Will it also be able to say what are the -- maybe it
already does, but what are the completion rates for PELL or for
different racial or ethnic groups. A lot of this is for understanding
the data more but I’m thinking also in our role of the range of
graduation rates that can be very low and stem very high in some
other areas.

Also for PELL recipients it could be very different
for PELL recipients and others. So could you say a little bit more
about what disaggregation will expect to get?
MR. SCHAK: Yeah so the current graduation rate which will continue to exist it’s omitted for some full-time but it disaggregates as you probably know by race ethnicity as well as gender.

The outcomes measure component -- the way they are currently collecting it, it is a little bit different. To my knowledge it doesn’t disaggregate by race ethnicity or gender.

However, it does in the future it will disaggregate by PELL status. So that’s one thing that we will be gaining in the future is being able to see the differences of PELL students versus non-PELL students. And if you are just wondering, you know, why some things are disaggregating one way versus the other I think some of it is sort of the balance of, you know, what’s the reporting burden for institutions.

And that’s something that I think NCI is considering.

CHAIRMAN KEISER: Federico?

MR. ZARAGOZA: Certainly one of the areas we were focusing on is outcomes and we are beginning to get more and more data on job placement and wages. On the other hand it is mostly self-reported and I’m not really sure how we can improve our job placement indicators, any thoughts on your end on what’s
being done to address that issue?

MR. SCHAK: So I think in terms of federal data, you know the ten year median earnings ten years out. There are some limitations in terms of being able to see -- so with other data sets like let’s say what some states have in their unemployment insurance data they can see other things like employment on a quarterly basis.

You know I think pretty much what we have published is kind of the best you can do with the data set we are working with which is what IRS has from W-2 as well as what self-employed individuals report.

But I think last time there was a comment about well can you measure further out? And that is something we are looking at a little bit so it turns out NSLDS has enrollment information going back to the late ‘90’s so we maybe have an ability to go a little bit further back.

That’s something we can look into. It is a question of level of effort and it is another agency so working with that agency as well.

CHAIRMAN KEISER: Well thank you. This is the beginning of a conversation. Obviously we have heard about multiple data collection processes. It doesn’t seem like most of
them speak to each other so that creates kind of a problem. It provides us the problem of how do we try to create a system of accountability when we are not sure that the data is where we need it to be.

And one of the proposals is to credit the student unit record. Is there someone on the Committee that would like to speak -- because I know one person would speak against it, right Claude?

But if we can have someone to speak for it and why that’s so important I think that would begin the debate and the discussion.

VICE CHAIRMAN WU: Do you mean right now at this minute?

CHAIRMAN KEISER: Right now, right this second yeah. Help us understand.

MR. PRESSNELL: Mr. Chairman could we preface something here though. First of all to say that I’m against it is I think a slight misrepresentation. I think there’s a way to get at it --

CHAIRMAN KEISER: Colleges and universities at least at this point are opposed to it.

MR. PRESSNELL: Right but in Tennessee the
majority of my campuses are working in an environment with the
Tennessee Longitudinal Data System. I guess what I would like to
do though is just have a brief reminder of who we are and what we
are doing here.

I think that that’s important because we are talking
about getting down to the student level. NACIQI’s role as I
understand it and I’m a newbie here so you could correct me on
this -- is to recognize accrediting agencies that accredit institutions
and the institutions are about primarily delivering its successful
educational programs so that the students can persist to graduation
on time in the program of choice.

We are a long way removed from that student. I
don’t doubt that we need data but our role is to make sure that
accreditors are doing what they need to be doing and so I just think
-- I think we need to make sure that we differentiate our personal
desire and what we want to know versus what we need to know as
an organization in order to do our work.

CHAIRMAN KEISER: I fully agree with you in
that’s what we should be doing however over the last couple of
meetings we have gotten down to a level whether it be student
complaints, whether it be placement rates, whether -- and in one of
the agencies validation of the placement rates was an absolutely
critical concern of this Committee against an agency.

So we have gotten down to the granular level in holding agencies accountable. So this is where a lot of this at least in my mind, and I may be wrong, but from a perspective of, you know, if placement -- and Federico just brought it up. This is considered to be a critical outcome certainly in the vocational, technical areas -- how do we hold an institution, an agency, accountable if in fact we really don’t have accurate data?

And certainly the Department has made an effort in terms of certain regulations that is holding institutions which would then hold agencies accountable for graduation placement, graduation salaries, salaries that are expected of students who graduate from a program as it relates to their student loan.

So unfortunately I would agree with you philosophically that we shouldn’t be down at that granule level but we have been forced into maybe you call it the gutter. I don’t know but certainly into an area that is why we are talking about it. So I’m going to ask Susan and then Frank and then we can start this debate.

MS. PHILLIPS: Thank you. I want to just make a case for information proceeding debate. I’m interested in learning a bit more about student unit records. I’m not convinced that they
are critical to our task but they might be.

I’d be particularly interested in learning from the accreditors that we recognize how they deal with their data problems, both at the level and the incompleteness of them. Actually I don’t quite feel like I have a grasp on what level of data the accreditors work with. I get what we work with but what accreditors work with and I would be interested in learning some more about that.

And you know at present I was very interested in hearing about the Clearinghouse information on the WICHE projects. Those are helpful perspectives but they are not the national perspective and I would be interested in some presentation on that.

I’m not entirely sure what if that was intended to be a complete presentation yesterday of the full range of issues about student records but I expect that there’s more information to be had that might benefit -- might necessarily precede the discussion or debate on our part.

CHAIRMAN KEISER: Frank?

VICE CHAIRMAN WU: So I’m going to attempt to do what the Chair has asked and then do a little more. I’m going to make three points. The first is why we, NACIQI, should be
talking about the issue.

Second is the argument as I understand it for a student unit record system. I’m going to do what lawyer’s do and third I am going to present what I understand to be the arguments against a student unit record system. So I am going to try to explain both sides in as neutral and intelligible manner as possible.

First why should we talk about this? I would offer two reasons, A -- because we are an advisory body not strictly limited to just looking at the agencies. Since we were reconstituted in 2009 we have often looked at policy issues.

We have issued white papers, we have been doing this for some time and those white papers have been received by the Department, by Congress, they have been commented on and nobody has objected that it is beyond our purview.

So my own view is so long as it is tied to accreditation in some way. So if we just did a white paper on the NCAA for example, and it had nothing to do with how higher education is accredited -- Claude I would take very seriously your concern that we have just wondered off and done something that we shouldn’t be doing.

But if we did something about athletics in so far as it is related to accreditation I would see that as entirely appropriate
because college athletics are a big part of what institutions are
concerned about and it is a big part of what the agencies that come
before us have to look at.

And it has been suggested, and I am not judging any
particular case, that some accrediting authorities have not been as
diligent as they should be as accreditors about athletics. So I am
not saying we should delve into athletics. I’m saying we should
delve into accreditors and how they oversee athletics in so far as it
is related.

So student unit records -- so B -- student unit record
in particular seem especially apt because without the data the
accreditors can’t do anything. This whole process runs on reams
and reams of data.

Every one of us seated at this table has been
involved in site visits. And I remember back in the day before
everything was on a flash drive you would get two or three boxes
just overwhelming amounts of data filled with binders and reports
and whatnot.

Now you get a drive and you open it up and you
look and you see wow, there are 25,000 pages of documents on
this drive. I can’t look at all of them but it is all data. So student
unit records in particular seem to me because it is about data to
really get to the heart of what NACIQI’s work is about and what
the agency’s work is about which is assessing what’s actually
happening.

So second -- what’s the argument? Hereto I would
say an A and a B. A -- Without the data you can’t figure out
what’s going on. The accreditors can’t figure it out, we can’t
figure it out, the public can’t figure it out and data in particular
there’s an emerging non-partisan or bi-partisan consensus and
there is a an issue under the Higher Education Act to the extent
that NACIQI can get into this.

But there is a consensus that somebody somewhere
ought to be paying attention to actual student learning outcomes.
What do students get as a return on investment and what do the
taxpayers get with the public money flowing billions into the
system for that money?

And the only way to assess that is -- either we sit
around and speculate and guess and offer anecdotes, well this is
what I know from my campus or we undertake some objective
systematic effort to get data.

So A -- the data is useful for a very specific
purpose. You know I don’t believe in just data gathered for, you
know, the sake of having art you know and just poking around in it
for theoretical purposes.

The data here is about specifically student learning outcomes. B -- why a student unit record system? Because the existing data has all of these problems in particular because it tracks only the first-time student and as I understand it, a majority of college students today are not first-time, first-institution, zero-transfer and out in four years.

So that traditional picture that we have of an 18 year old going in and exiting four maybe five years later now constitutes a minority of people in the system and a distinct minority.

So the data that we have is only capturing this little incomplete distorted weird picture that leaves out way too much community college students, not traditional age students, transfers so unless someone builds something that has that, what we are looking at is just not right.

You know data is only useful if it is accurate. If it is not true it is not a fact and if we have only part of it we are not getting it.

So three -- what are the arguments against? And my sense is three primary arguments against which I take very seriously. Maybe at the end of the day we conclude that these
arguments will carry the day.

A -- Cost. Cost of data. Data is not free. People say data wants to be free but it is not free to generate compile to publicize. So maybe we conclude that trying to get this data requires such a vast bureaucracy we just don’t want it, so that’s A.

B -- There is a concern about federal government authority and intrusiveness of the appropriate role. The federal government versus state government versus private actors and maybe that we or legislators decide it is not appropriate because of our notion of federalism.

And C -- There are significant concerns about abuse primarily related to privacy but other forms of abuse that this data will be taken and used by someone for purposes that are not noble and good and that once it is out there in the wild weird things will happen.

So I’ve tried to explain in my view why it is appropriate for us to talk about this, the argument in a summary form for some type of student unit record system as well as the argument against. I hope that is useful.

CHAIRMAN KEISER: Frank I am going to enroll in your class. Comments -- I thought that was a real way to tee it up, go ahead Kathleen?
MS. ALIOTO: Oh that was brilliant, God. Thank you. Could you -- I’m concerned about data that will improve student learning outcomes and what kind of data is there on the Scorecard -- on the dashboard?

Is there data that will sort of alert other institutions, alert institutions about what to do to improve student outcomes? I mean we have gurus in this room who are doing that at their institutions. Our retired Emeritus President here but that’s not common knowledge.

And I think if that could be somehow included in the data it would be very helpful.

CHAIRMAN KEISER: At least from my perspective Kathleen, I think the data and correct me Frank, one of the challenges with not having a student unit record and I am very ambivalent so I am not going to say one way or the other but a student who starts at my school may move to San Francisco and then go to your school and then go from San Francisco and go to Washington and your school Steve.

And that student is counted really three times, you know, depending on where the data is rather than we don’t know, you know, it may be counted against me because he was not a completer but he transferred to you and it maybe it counts against
you because he wasn’t a completer with you.

And then he went to Steve, Steve gets the credit and

I don’t like that Steve. So it’s really a challenge. When we use

data to make decisions of quality which is what our job is to

provide quality assurance, the data is not as accurate as it could be,

is that a fair statement?

VICE CHAIRMAN WU: Right, from everything

that we have heard so far as I understand, nobody has said whether

they like the idea or not that the existing system is accurate

completely. Everyone says the existing system is not accurate in

some significant way.

CHAIRMAN KEISER: Steve and then Paul?

MR. VAN AUSDLE: I’m wondering if the

question isn’t and maybe we don’t need as much data as we think

we do for our role but we are very interested to see that the

agencies are having the institutions develop the data systems that

inform planning decisions and outcome decisions.

So we have said in our paper that student

achievement is really important and accreditation has a role in

enhancing student achievement in this nation.

So what we need to do is -- I mean we heard

examples of WICHE and the Clearinghouse, there are sources of
data out there. What we need to be darn sure is that the agencies that we are accrediting are requiring this of the institutions throughout the nation.

That we are moving the arrow forward to get the information that shows what all the institutions are producing. I think the benefits -- my own assumption is the benefit of the higher Ed system is significantly understated. We don’t do the value added as we talked about, but there is a lot of emphasis on this and I think our statement should be you know, we expect much higher levels of student achievement in this nation going forward considering the federal investment and the state investments.

And we expect the accrediting agencies to work with their members to develop data systems that give us the information so that it gives us confidence when these agencies come before us that they are moving this need for accurate and timely information for decision-making forward.

It really makes a difference if you inform at the local level in terms of what the occupational needs are of your area so you can align programs. We didn’t even talk about that. But if you are not going in the right direction then it doesn’t matter -- your graduation rate.

And then we need to know how the students are
getting to those certification levels, those milestones indicate that they have achieved a level and that they can be productive citizens in our society.

That’s a little different look at it is that our role to develop a big federal comprehensive data system or is it our role to ask the accrediting agencies and everyone that has an investment in the higher education game to work together to get the best data we can so that we have evidence to show that the federal government should be making a larger investment in education let alone trying to justify what we are doing now.

We are not moving ahead on educational attainment, we are falling behind. At a macro level we know that. So that’s a little different take on it.

CHAIRMAN KEISER: Paul, Kathleen, Ralph?

MR. LEBLANC: I think generally speaking when you look at the good work that WICHE’s doing or that Claude is helping lead in Tennessee you see us moving more and more towards an acceptance of collecting more student data to get better insights and optics into how we are doing.

Right -- how we are doing as a society that pours billions of dollars into higher Ed. However if I look at the college Scorecard for as much as I applaud the direction it moves us in, I
don’t recognize my institution.

And a student who is trying to assess my institution would not have a very accurate view of it if they would look at the Scorecard. There is no programmatic data, so that varies widely the degree to which your earnings will sort of -- you know, the ratio of your earnings to the moderate debt you take on will be influenced greatly by the decision to be an early childhood educator versus a finance major going to work on Wall Street.

So these are -- when I look at the way that our numbers have been aggregated and the way that full-time, part-time students are treated, it doesn’t give you an accurate sense of how big we are so we can’t even get an accurate sense of the size of the institution in any meaningful way for someone trying to understand who we are.

If you use California Kathleen, as an example, the California Community College system it’s only about 22 to 25% of those students who take PELL grants and about 3% of them take loans. It is not because they aren’t poor in many instances it is because the cost of the community college is so low.

So as a result 75% of the students in the largest community college system in the country are not captured very well in the data. So you have unavailable to us and to the
accreditors who have to make assessments about institutional performance.

You don’t have available to us the kind of data that somebody like Raj Chetty is doing, working with -- where he is taking 1098 T data from IRS, squaring that with NSLDS data on PELL grant students and giving us much more incisive and better analysis about the performance of higher education in America from the Department of Ed.

So I’m frustrated in the mismatch. Applauding the kind of movement and the level of the work and Claude and I had an interesting conversation whether it is better to sort of continue to find ways to encourage state-level work that could be aggregated and coordinated at some point, but that’s a process how we get there question.

But we have to get there this is not working very well. And I would argue that yesterday we benefitted from hearing really good speakers at the state level. We also heard from some critics. I hope that as in this on-going conversation at the next meeting we could get some folks who have been thinking hard about this at the national level which we have not heard from at least on the proponent’s side.

CHAIRMAN KEISER: We were supposed to --
there was confusion on dates for one of the speakers -- Kathleen, Ralph then Claude.

MS. ALIOTO: Steve responded with occupational information. I remember at City College trying to get that occupational information to inform what we were doing but there was a certain amount of pushback on that and I’m going down the wrong way -- what else besides occupational information should be included -- should a college be looking at?

And Paul with you, what are the pieces of information that you use in order to inform what happens for students?

MR. LEBLANC: Yes so we want to look at things -- first of all we want to look at it at the programmatic level because they rate changes and so on.

From an institutional lens we want to look at the data from programmatic level. We want to take a look at what happens after students graduate. We want to take a look at their ability to pay back any debt that they have taken on and the ratio to their earnings.

So there are a whole set of those things which are well-established data points. I think from a consumer perspective I think to over simplify, people need to be able to ask the question
how does a student like me, however you define like me -- how is
a student like me supported at this institution which I am
considering?

So that gets you into economics, it gets you into academic preparedness and performance, socio-economic questions et cetera. And I think again, good researchers are trying to get a handle on that. Is this an institution that serves well students of color, marginalized student populations, students who come from low incomes -- those are the kinds of question from a student perspective I am always interested in.

CHAIRMAN KEISER: Ralph?

MR. WOLFF: Yeah I -- despite the good efforts with the Scorecard and to provide us all of this information my concern is that the incompleteness has led us in very troubling directions in inquiring of agency representatives.

I think a case in point is the conversation about bright lines relying on data that is provided when we heard from an agency representative that the institution in question had an IPEDS first-time, full-time cohort of 4 students and with a zero graduate rate in four years.

But we could be totally misled because we are looking at data here that is so -- in some cases, grossly incomplete
and my concern is that there are many institutions that I think are seriously underperforming but we are not getting access to the complete picture.

And we are having conversations on only the small portions of data that are under the lamppost if you will. For many of the institutions that would be characterized as seriously underperforming IPEDS does not include the vast majority of the students.

So in 2012 this Committee made recommendations around the need to improve data. I appreciate the efforts that were made to use this Scorecard data to give us information. I think a really helpful element will be if as soon as possible we can get the information but what percentage the IPEDS data, the first-time, full-time is represented in the information that we get!

So are we talking if it is 100%, 90% or 2% of the student population to be able to make judgment but that’s at an institutional level, we are getting an aggregate level per agency and so I am deeply concerned that as much as this information is helpful it can steer us in the wrong direction around the underperforming where there might be underperformance by institutions.

With respect to the national system I think there is a
difference between a national and a federal system. And there is legislation being proposed for a federal system and I think Congress will need to debate out whether or not there should be a federal system and the issues there.

I, for one, believe there definitely needs to be a more comprehensive system and I am encouraged if it is possible that some of the efforts we heard yesterday, whether it is WICHE or the National Clearinghouse could provide information.

We heard yesterday that several of the regionals are working with the National Clearinghouse to get information. So I guess in terms of what we as a Committee might do, there are two things. One -- I would like to go on record as saying we need better data and as quickly as possible to inform our judgment along with the data sets we are getting.

And I don’t know how quickly we will get some of the improvements that we heard this morning on the Scorecard data. But with respect -- if there are several regionals that are working with the National Clearinghouse I would ask or recommend that we invite those regionals to provide us, when they come before us a data set that the National Clearinghouse provided them which is 97% of the students presumably or at least that in their region so that we have an alternative set of data in addition to
the one that the Department is providing us that is more complete
and that can give us more information about -- total information.

And in talking with Dr. Shapiro yesterday indicated
three regions are, let’s start with those and at least get more
information. I don’t want it brought to us in advance. It is not the
information that is required under the recognition regulations but I
would invite that we ask for that data as we did with the pilot and
ask if it could be provided to us in advance of the meeting so that
we can compare those data sets with the ones that we are getting
with the scorecard.
CHAIRMAN KEISER: You give us a good way to segue but after Claude’s question or comment I would like to move into the next issue of bright lines and what do they mean to us, Claude?

MR. PRESSNELL: And I would be the first to admit that our data are incomplete. You know we don’t have good data to be able to make good decisions. You know I have always struggled with the IPEDS data with first-time, full-time. It’s not reflective even of my community.

It’s reflective of a large portion of my member institutions but not necessarily all of them and especially as we do a lot more with adult learners, we do a lot more with veterans and so forth.

I want to go back to something Steve had said and you know, my personal view on data and the reason we need data is again to make sure institutions have sufficient data to be successful so that their students can be successful so that they can have institutional improvement and continuous improvement in their process.

Obviously we are an accountability function, you know an accountability function that -- you know I’m a little bit
idealistic but I’m thinking that if we could again provide -- if
institutions can gather the data, have it analyzed in a comparative
fashion for them to be successful and to continue to improve then
actually our job gets easier because then there are less bad players
out there and we are having institutions be far more successful.

I think a way to do this is again to keep the data as
close to home as possible, especially from a governance
standpoint. The reason why over half of my 34 member
institutions are involved in the Tennessee Longitudinal Data
System is because they are part of the governing makeup of how
the data are submitted and how the data are used.

But they are in there -- and by the way let me just in
a parenthetical -- when we sit down with all the stakeholders
providing data into the system the education community was
probably the most encouraging about providing data. It was the
Department of Labor that we nearly couldn’t get them to do
anything.

You think we are protective? Wait until you start
working with some of these other government agencies and they
go, “There’s no way we are putting our individual data into that
system.” And it took us a long time to get it -- it took us three
years to get some of the partners.
But the structure that we have is where the institutions -- it’s a complex governance structure where people have control over what’s happening to their information. Even I would say with the student -- the Clearinghouse data, the data are put in there but they still have some control over how the data are used.

Now I don’t have any problem with saying that there ought to be -- if you are going to put your information in you need to agree to be a part of certain dashboard. We do that in Tennessee.

But I think that the reason that we were able to do and so it goes into the Tennessee system, the Tennessee system is starting to talk to other states so we are trying to get the conversation up a little bit more. But the reason it is successful is because the institutions feel as if they have got some control over what’s happening to information related to the students under their care and they want to be good stewards of the information under their care but they also want to be able to improve.

So you know, to me the primary purpose is for institutional success which is ultimately student success. And then secondarily for accountability -- if we can get good data in the system it will provide sufficient information for us to be good
stewards of our accountability function.

But I think the primary role of student success is incredibly important. The other thing that I want to say just real quickly, a lot of things that we keep talking about student learning outcomes, but then we talk about wages.

Wages are not student learning outcomes okay. Student learning outcomes deals with knowledge acquisition and manipulation of that knowledge to be able to apply it to complex world situations faculty are able to evaluate.

Graduation rates are an outcome -- a student learning outcome. But I want us to just really be careful on this proxy on wages and not only that but let us please be careful and not equate a high-quality degree to high-quality wages.

If we do we will eliminate our educators, our law enforcement officers, we will totally disenfranchise rural communities so let’s be careful. So we are going to have to still, once we get it all in there we are still going to have to cut it various ways to determine -- which leads us to the bright line discussion.

It is so difficult to just say well we have bright lines as well.

And especially like on graduation rates. I’ll tell you the best way to always be above the bright line, only admit people with higher qualifications as they come in -- forget about those
who are underqualified which then creates huge disparity but I will
let you, Mr. Chairman, carry that discussion.

CHAIRMAN KEISER: Jennifer, before we start
the bright lines go ahead.

MS. HONG: Yes before we move on I just wanted
to comment on NACIQI’s role. When we prioritize NACIQI’s
work we are looking at NACIQI’s role as a compliance and
enforcement entity so we really are prioritizing the review of
agencies and having a deliberative discussion so that we can
forward those recommendations on to the senior Department
official for decision.

So that is really the bulk and the primary focus of
NACIQI’s work. And where the data comes in is NACIQI’s
assessment of the appropriateness of accreditation standards,
particularly with regard to student achievement.

So under student achievement, NACIQI makes an
assessment as does the staff regarding the appropriateness of how
the accreditors assess student achievement of its institutions and
that includes as appropriate: state licensure exam pass rate,
placement data and as appropriate NACIQI has in the past years
asked for data to inform their analysis of these issues.

So that’s the big compliance bucket that NACIQI’s
work falls into. There’s also I guess another bucket, a policy
bucket, where NACIQI does have the authority to forward
recommendations to the Secretary regarding the eligibility and
certification process of institutions and the relationship of the
eligibility and certification process of institutions of state licensing
responsibilities.

So in trying to move that discussion forward
naturally you know, data, big data -- I know the conversation that
NACIQI has requested information that’s how the dashboards
came to be and we recognize the limitations of those data.

Nonetheless, it has been an explorative process and
inquiring from the agencies what kind of information data they
receive from institutions, trying to get a better handle and grasp of
that as well as using the dashboards and the information about
institutional performance to -- in light of the limitations, to inform
the work that NACIQI does, both in the compliance realm as well
as in the policy realm.

CHAIRMAN KEISER: Thank you Jennifer. Now
we would like to move from the collection of the data -- so what do
we do with it. And in fact Ralph if you remember many, many
years ago you and I had this big argument over bright lines. I
don’t know if you remember but I certainly remember it.
And it was two administrations ago and our role with that has evolved as have many of the agencies evolved in establishing bright lines. And you know, the question is should we require it, should we encourage or require agencies to make a determination of when have they made an evaluation of institutions that are performing versus those that are not performing and what is it that they want to measure?

Is it the outcomes or is it the learning outcomes which you know, as I think Claude just said, very different in terms of, you know, what are the questions that should be asked. So even I find myself yesterday questioning one of the either the biblical or the pastoral -- I don’t remember, the 25% and in my mind if you have a 25% graduation rate you therefore have a 75% failure rate which just doesn’t play well with me.

But that is not the role I should play and it is an interesting problem that we need to have. And what do we do about bright lines? We have held agencies accountable for them although not all agencies have them. And is it fair to hold an agency accountable for them when we don’t require them even to do that?

So I’ll throw those questions out to you. Now come on Ralph I can’t believe you didn’t raise your hand -- well then
Susan and then Frank.

MS. PHILLIPS: I’m going to just start with the reminder that there is a current prohibition against bright line holding -- bright line assertions on our part. But the larger question that has come up in the last couple of days is sort of a newer concept, not so much a bright line but a fuzzy line. A foggy line, a -- there’s a line around here somewhere line that folks are curious about, asking about and that captures I think what is one of the problems with bright lines in that there has to be more nuance than one set of graduation rates or one set of licensure rates.

There has to be a bigger understanding and that has to make that whatever line is considered fuzzier in all directions. I think in our discussions over the last couple of days there’s been a fair amount of understanding about the importance of nuance and even though there is a great appeal to having a single metric I think all of us understand the number of different variables that go into a particular equation for an institution and that it is in fact all of those variables that have to be taken into consideration. So whatever line there is has to be fuzzy.

CHAIRMAN KEISER: Frank?

VICE CHAIRMAN WU: Two quick comments.
The first is everyone likes bright lines until they are on the wrong side of the line.

CHAIRMAN KEISER: Agreed, absolutely.

VICE CHAIRMAN WU: So you know, we should just bear that in mind. In advance it is easy to talk about oh let’s have standards, let’s be rigorous, let’s be serious but then somebody is going to come along with a compelling story. This always happens. This is what happens in the law.

Second, my own view is we should talk about this issue with concrete examples. Talking about it in the abstract is just too difficult because until you see what the consequences are of applying the bright line, it doesn’t make sense right?

We can talk all we want bright lines versus no bright lines versus fuzzy lines versus standards. But until you actually see what does it do to accrediting agencies, what does it do to institutions and most importantly what does it do to students? It’s meaningless. It’s just abstraction. So I would prefer that when we talk about this we think about specific examples such as -- and bear in mind the two levels. So there’s us -- should NACIQI have bright lines with respect to accrediting agencies?

Then there is the level below us -- should the
accrediting agencies have bright lines with respect to the institutions? So we could have bright lines with or without requiring that the next level down have bright lines.

But I will just give you an example of a bright line rule. We could say if we were permitted to do so, and I am not sure if we are, but we could say that any accrediting agency that has more than 5% of institutions that have a graduation rate of lower than let’s say 25% is in trouble with us, right?

So that’s two levels of bright lines. So that’s the other complication with everything we do that we have to be mindful that we are talking to the accrediting agencies, we are talking to the institutions who are then talking to the students. So we are just inherently several levels removed from where the students actually are. But the point is I would prefer that we talk about it in real terms with examples than in the abstract. I just think that’s useful for how we have a conversation.

CHAIRMAN KEISER: Jennifer then Ralph then Claude.

MS. HONG: I agree that we cannot compel an accrediting agency to have bright lines under student achievement under the current statute. What we have done is to encourage them to articulate and to defend how they assess institutions under
student achievement and if appropriate how they look at state licensure exam pass rates, completion, and job placement -- that is spelled out in the statute.

Where agencies do rely on bright lines like trigger points is in their approaches to monitoring. So for example they might have identified points at which they will investigate further or inquire further of an institution why it has fallen below a specific bright line or trigger point.

So, you know, those are things that we have inquired about and encouraged with accrediting agencies in trying to understand more about and get to the nuance that Susan has talked about earlier.

CHAIRMAN KEISER: Ralph, Claude, Kathleen, Simon and Federico?

MR. WOLFF: A little piece of history. I was involved in negotiated rule-making -- I believe it was 2006 and Secretary Spellings as very interested in bright lines and proposed a regulatory provision that required each institution for each program that it offered to establish a bright line for achievement and failing to do so would require the accrediting agency to establish that bright line.

That led to other issues -- I believe there were 17
Senators writing a letter challenging that. And to the introduction in the Higher Education Act the following language that I continue to find confusing but intent it clear, “Nothing in paragraph 602.16 which is the student achievement, restricts an accrediting agency with the involvement of its members from applying standards to institutions or programs that seek review.”

So accrediting agencies can set one type of standard -- “But restricts an institution from developing and using institutional” and I’ll add its own standards “To show its success with respect to student achievement, which achievement may be considered as part of any accreditation review,” and that this was a very specific effort to limit the establishment to legislate bright lines.

Secondly, 602.16 and it makes it a little more challenging itself is, “Written success with respect to student achievement in relation to the institution’s mission.”

And there are -- so a bright line therefore has to take -- so I want to withdraw the term bright line. “Any effort to address student achievement needs to take into account the institution’s mission,” -- which accrediting agency also means not only mission but who its student population is and you would have a very different approach to a highly selective to an open
Yesterday we tried to differentiate the language between retroactive accreditation and setting the date of accreditation. I think bright line is the wrong term. I think the issue is -- are there appropriate benchmarks for addressing issues of completion, pretention, persistence and completion? And I think when we start using bright lines we get into a slippery slope of a single number being used so I would just highlight that I think we have seen progress, not fast enough in my opinion, not substantial enough in my opinion -- but we have seen progress by institutional agencies to address setting benchmarks, whether it is one standard deviation or two in some agencies or just we are learning about it in other agencies.

I think we need to push forward about how are these benchmarks being set? I raised earlier and I think another critical question is one cannot move the needle on retention for certain student populations in a two year monitoring period or even in five years in some cases.

And I have known institutions that have struggled with this issue with considerable investment of resources for over a decade and have only been able to move completion rates by 5%. And so I think the challenge is that in the legal context at what
point is a determination made that an institution -- let alone an
accrediting agency is non-compliant?

At the institutional level at what point is it non-
compliant with a standard and if a bright line were set -- I mean it
is being done by professional agencies with licensure exams, but
with an institution with 50 or 100 degree programs at the
Bachelor’s level, a single bright line is not to characterize non-
compliance with the accrediting agency standard should be done
very carefully and cautiously I would say.

It is not to say it shouldn’t be done. But I do think
then to say when that determination is made the institution only
has -- or for a Baccalaureate program two years for an Association
program one year to make a change, to demonstrate a change or
even an extension for a good cause. It can only go for a very
narrow period of time.

This is a major cultural issue, higher Ed culture and
societal culture issue. I think we should continue to press for
benchmarks based on better data and I agree with you there are
some levels that on their face look too low, but I don’t think it is
our role to set the standard or to require that we have the right
answer for any particular agency but to require that the agency
really exercise due diligence in how they set the benchmarks, how
they set standards, how their teams evaluate how they are getting the right kind of data to make informed judgments and how they are making decisions around these issues and how they are following up those decisions.

So I just think we can do a lot more but I don’t think bright lines is the right approach to take.

CHAIRMAN KEISER: Claude?

MR. PRESSNELL: Yeah I would want to affirm everything Ralph just said. I mean a lot of it was what I was going to comment on about institutional mission differentiation, complexity of overall programs. And I do believe that there should be benchmarking and I think if anything, holding institutions accountable for benchmarking against peers for institutional improvement and best practices is a really, really good way to go.

And obviously there are going to be some academic programs that are given over licensure programs -- I want to be careful here but there is this difference between training and educating that we need to understand and a lot of those majors that give over toward -- we are always really super impressed with nursing programs completion rates, occupational therapy -- those are very narrow intense programs which leads me to my other point on student self-selection into those programs.
So there is a self-selection that takes place as well.

And one thing we don’t talk about and I don’t know how we control for unless we just try to take a look at larger comparative analysis is just life happens with students and so students are going to choose to come in and out for which institutions have absolutely no control over.

We can put together early warning systems, intervention systems and so forth to help mitigate that but still you know, some of that is going to happen.

The other thing that -- and I mentioned this I think it was yesterday, that I think is somewhat problematic and if we -- we need to differentiate between full-time, part-time but also are they truly degree-seeking?

I think institutions are in the habit, because of Title IV issues, check the box that you are degree-seeking when they have no intention whatsoever in seeking a degree. And we have got to -- if we can work with that, actually it would help the community colleges in a very significant way because a good number of the students who go to the community colleges have really no intention of getting a degree.

And that’s okay. That’s okay. They are going in to get a particular in depth view on a particular area of study or
something but they don’t want to get a degree. They just want to
go get retooled up or something.

And we need to consider that a success but we are
going to have to as a hiring culture, allow for that to be possible
and right now we don’t do that well.

CHAIRMAN KEISER: Kathleen, Simon, Paul,
Brian, Frank. I was going to take a break my goodness. Go ahead
-- no, I want to kill this topic.

MS. ALIOTO: To me this is kind of a semantic
discussion because we do have benchmarks or bright lines. The
regulations are that. That’s what the regs said -- that’s what 602,
that’s what all of these things are.

And our response we have been appointed because
of our leadership in education and our expertise. So -- and we are
passionate about wanting to improve American education. It is not
in good shape. So if we come in and say whether we call it a
bright line, but if we are saying that we would like to see data that
leads to student achievement and we would like to have agencies
provide us with accreditors let us know how they are helping their
institutions to improve student achievement.

And I think our time here is well spent. And

whether we call it a bright line or a benchmark or a regulation, to
me it is semantic. We are creating by our request that an agency
provide us with certain things -- provide NACIQI with certain
things, we are creating standards for people.
We are helping people to look at how to improve
the situation. I mean I just keep thinking though when you have
these gurus who are really doing a great job, I’m so impressed with
what you have to say. If that could be put into what we send out to
accrediting agencies I think it could be very helpful for America.

CHAIRMEN KEISER: Simon?

MR. BOEHME: Well thank you and I didn’t chime
into the first part of the conversation because I agree with and
Ralph said it well, we need better data and I think I have been
fairly consistent in most of my remarks and my positions here on
NACIQI and I am eager to see how the federal and national
systems come about.

But in terms of the bright lines and I don’t want
Susan’s point to get lost about these fuzzy lines or foggy lines or
you know, if we are going to have these bright, bright lines or
bright lines. I think that’s a really insightful point and I agree with
Susan.

And I wanted to just focus about student
achievement at the regional level and what accreditors are doing
and I know with CRAC starting to look at with their press release I believe it was last year starting to look at graduation rates.

But agencies are not necessarily focused on whether completion at the college is good or bad relative to other colleges at the regional level. Just that it is measured and used for improvement.

And following Frank’s recommendation to use specific examples, HCL and of course WASC is the one exception which collects its own data on completion, using its own graduation rate to overcome deficiencies in the IPEDS graduation rate.

But if we look at HCL institution has defined goals for collects and analyzes information and makes improvements using information on student retention, persistence, and completion that are ambitious but attainable.

NEAC’s institution goals for retention and graduation rate reflect institutional purposes. And I believe in bright lines and I understand although given our narrow constraints within NACIQI and our ability to encourage accreditors to move in a certain direction or encourage us to set our own bright lines with accreditation -- I think we should maybe expand the conversation and kind of where Kathleen was going is the specific benchmarks.
And the standards vary so much on how we treat these student outcomes but how can we start to again, throughout many of our NACIQI policy conversations have these common definitions but I would believe how can we be more aggressive at the NACIQI levels with the accreditors and really pushing them to create these fuzzy or foggy lines.

CHAIRMAN KEISER: Federico were you next?

MR. ZARAGOZA: Yes. To me the discussions yesterday or the day before were very trenched in terms of some of the organizations that came before us with bright lines that were clearly defined at 70% standard for example. And the purpose was to send messages and to critical peer performance so I think there is a place for bright lines yet we also heard the 25% on the other side of the extreme. But to me a consideration is it is a proven mindset how is it framed and what really is the story that the bright line is telling us?

CHAIRMAN KEISER: Paul?

MR. LEBLANC: I think bright lines make our life easier. I think they rarely lead us to the most interesting insights about institutions and thus the agencies that accredit them. So we could have a bright line for example in Boston that tries to apply both the Harvard and Roxbury Community College which are
about four miles apart.

But I don’t know what bright line would allow us to sort of look incisively at those very different missions, student populations they serve, particular programs they offer. You would have to get it at the next level down and as Susan said look at the more complicated context.

But I think there are ways to get at that. So again, if we have a student unit record that allowed us to drill down to the programmatic level we could at least say at the programmatic level this is how your program is performing against all other like programs in the nation, in the region, in your area.

And then it would get more interesting when we could then say and for these particular students how these programs perform and how you are performing. And if you are at least below the national average, that’s an interesting question the accreditor can have and say why, what’s going on here and how do we improve it?

But I think in some ways so much of this discussion feels to me like we are arguing about the right data system for a 20th Century model of education. And to Claude’s point you have a lot of people coming through the system now who are not degree-seekers.
We are having outside of this room -- energetic conversations about micro-credentials, Nano degrees. We have built a system that really is designed with the idea that people will take a 2% -- as we think about lifespans approaching 100 years which it is for digital natives under the age of 21, why would we think that a 2% slice of their life at age 17 for Associate’s Degree or a 4% slice would be adequate?

We know they are going to go in and out of the higher education system all of their life. A financial aid system isn’t built for it, now we are getting into stuff we can’t handle I know, but nor are we arguing for a data system.

Even in the current arguments around student unit records that that is adequate to describe the reality of what is happening already. Not what is going to happen in 10 years, in 20 years, what’s happening already -- I would hope we will continue this discussion but also bring some of the best thinkers at the national level who are thinking about not only how do we better serve the system we have, but how do we serve and understand and have optics into the system that is rapidly emerging?

CHAIRMAN KEISER: Frank and then we will --

VICE CHAIRMAN KEISER: Briefly I say something as an enthusiast for data which is we also just have to be
mindful of how clever people will game the system. And I’ll give
you a concrete case study in this.

When people start to publish and assess and track
airlines and whether they were on time -- and this isn’t just my
sense I actually did some quick research to confirm this has
happened.

What airlines did -- they just increased the length of
their flights. So if you have been flying the same route you may
have noticed that your flight went from 59 minutes to 1 hour 15
minutes. The reason it went up to 1 hour 15 minutes the flight
didn’t change at all but if it is listed at 1:15 the likelihood that the
airline is going to make it on time just shoots up.

So it is not a reason not to get data, it is just every
time we talk about data we have to be mindful that the more
pressure we put on people and I’m not talking about cheating --
I’m talking about legitimate interpretations where they start to
fiddle with this or fiddle with that in order to present just better
looking metrics when the underlying performance has not changed
one bit.

So as an enthusiast for data I also want to caution us
not to have a fetish for data because sometimes the data has been
gamed in a very clever but ethical way to make things look a
whole heck of a lot better because people understand that
consequences will flow, good and bad, from whether this data
presents a pretty picture.

CHAIRMAN KEISER: Brian and then we will end
with Steve and I think everybody has spoken.

MR. JONES: Alright well Paul stole my thunder
but I want to endorse everything that he just said. I also agree with
Claude and Ralph here that I do fear that the bright line discussion
really is a discussion for a higher Ed system that was built for a
different era.

And I think the concern I have about bright lines is
that it -- I think risks us burdening accrediting agencies in a way
that I think does not reflect where higher Ed is heading and in part
where our economy is heading.

I do think that there is one stakeholder in all of this
discussion that I haven’t heard mentioned once and that is can the
employers? And the fact of the matter is what we do know is that,
at least according to the recent UCLA survey, 85% of freshmen
say that the reason they go to college is to get a better job. And we
know that employers match our higher education spend dollar for
dollar -- there’s about 500 billion dollars spent annually on
employer training.
And I think what that suggests is that there continues to be a disconnect between higher Ed and employers. And I think Paul is right that the future really is I think in part around micro credentials, skills training -- we are seeing more and more students who are not looking to earn a degree. And so I think what that requires is for accreditors to be much more open to innovation, to new models and to thinking about outcomes in more diverse ways than we may be prepared to embrace today.

So for that reason while I, too, totally support better and more data like Paul I look at the Scorecard and don’t recognize my institution. I still think that we also have to use that data, collect that data in a way that allows the higher Ed system to evolve.

CHAIRMAN KEISER: Steve?

MR. VAN AUSDLE: The thought I had was maybe a better way of thinking about it would be raising the bar on student achievement -- that we are not satisfied with where we are, we want to look at strategies in our role as defined could help others do that. So how could we work with the accrediting agencies to make this a priority and get the discussion going as what can you do?
If you look back I think there’s been progress. We have got a lot more institutional researchers today on staffs of colleges and universities we had in the past. There is much more of an orientation to a data-driven system.

It is the experiences that I have had. The whole community and technical college system had a major planning effort here just two years ago and they are talking about raising the bar, more than doubling the graduation rate with specific strategies to do that.

So we are feeling a need to do that. We can’t legislate that I don’t think but I think we could create a culture where this becomes a very high priority in the education community -- that we have expectations, we have aspirations of a much higher level of educational attainment and ask each accrediting agency how they can do that for the people they are serving.

We might be surprised by the results if we raise our expectations.

CHAIRMAN KEISER: Thank you. Just a couple of comments and observation over the years I have seen that the agencies have become much more attuned to creating bright lines. I think this particular time we have seen three or four of the
agencies we have reviewed.

Although we do not require it, we seem to have sent a message to the agencies that a bright line is preferable than not having, you know, more and more kinds of accountability measures.

So we have to be careful because I think at least most of you felt that bright lines were not the answer, that benchmarks were certainly a method of improving, attaining a higher performance in the institution is and that bright lines are not necessarily the answer.

But we are at least, and I caution staff that we don’t send the message that that’s what we require and that’s I think at least my take on it.

We are going to take a 10 minute break if that’s okay with you because if it is not I have to leave for a few minutes and then we will come back and we have four more topics, but I think they will all be shorter and certainly less interesting.

(Break 10:16 a.m. - 10:27 a.m.)
SUB-REGULATORY DIRECTIVES

CHAIRMAN KEISER: Members of the Committee could you please sit down, we’ll do the rest of the topics. Okay we don’t need a quorum I don’t think do we, to have our discussions because we are not making decisions?

MS. HONG: No decisions.

CHAIRMAN KEISER: Right one of the things that popped up at this last meeting was questioning the staff on sub-regulatory directives that Commissions take as at least certainly if they come to our meetings and they listen to some of the things we ask and some of the things that the staff asked for.

I’m not sure they are driven by the regulations or we use some of the regulations and we kind of shoe horn in a directive and we want to come and have that discussion. I think a couple of those yesterday we had obviously the issue with CCNE and we had it earlier in the day on Tuesday.

So anybody like to discuss that and tee it up?

Herman -- go ahead.

MR. BOUNDS: Yeah thanks and I know this is the Committee’s day but just a couple of things on the guidance. You know we in the Department there are a lot of sub-regulatory guidelines that come out.
You know we have had -- one of the big issues was the regulation and substantive interaction, a guidance letter that came out a couple of years back where the regulation didn’t really say what that was so the Department had to go in and define it.

You know even our focused review was done through a policy letter out to the agencies. There’s nothing that says, you know, the regulation says you review agencies based on all 95 criteria, you know, based on the folks in charge at the time. They said well we want to focus on some certain things.

So there are examples of these things that happen all the time. A couple of other things that just we do internally just so you know when we get to a staff decision that’s you know, that we think is -- yeah I think it could fit here, a lot of times we look at past NACIQI decisions and we say, “Well we’ve made that decision in the past and that decision has gone through so we will make that call again if it is applicable.”

So I just wanted to let you know there are tons of things that were not done but there is a lot of guidance that comes out because sometimes the regulations, you know, the regulations aren’t specific.

And we had to get another guidance letter come out it talked about the requirement to submit decision letters. The reg
just says they have to put a brief summary on their website. So
those things happen quite a bit based on, you know, how to get,
you know, maybe better information or how to better track what
accreditors are doing, but again that stuff happens all the time.

For me it happens when there’s a decision that’s
kind of bigger than I think I need to make it and I will bring it up.
And then sometimes those decisions come from top down. So I
just wanted to kind of explain how it works for us.

CHAIRMAN KEISER: Thank you Herman and
please do not take this as a message from us that we are not happy
with the work that you are doing because you are doing
phenomenal work and it is just that it makes it difficult for us and I
think the other question that was really a big one was whether a
member of the Commission who would go on a visiting team
would have to recuse himself during the meeting of the decision-
making when he serves on both the decision-making and the
visiting team.

And that was again -- I don’t know if we have clear
cut written --

MR. BOUNDS: We don’t and when we follow suit
with that I think Jenn sent around -- the Committee has made that
call in the past so when this came up again we made the same
determination of the Commissioner serving on site teams. That’s one that has been through the process before and we have seen some complaints come in with that same issue. So when it came up this time we made the same call.

And we could have judged whether it was under the conflict of interest or the composition of the site team but the basic subject of that discussion had come up before in several meetings, not just one meeting so that’s why we made that call again.

CHAIRMAN KEISER: I guess we are more kind and gentler. Frank?

VICE CHAIRMAN WU: So let me recap to refresh our memories in case people weren’t here or missed it yesterday. The two and a half hour conversation we had in 30 seconds. But let me preface it with an echo of what the Chair just said. This is no disparagement of staff.

Indeed I want to make sure that we maintain the wonderful collegiality we have enjoyed on NACIQI and between NACIQI members on the one hand and staff on the other hand, but there were -- it was a robust discussion and ultimately what passed was a recommendation from NACIQI that differed from the recommendation that staff made in a very significant way with considerably more language than usually goes up to the senior
Department person to look at.

So the issue was and just the very word you pick signals your view on this. When an accreditor sets an effective date or makes a decision retroactively. So saying effective date frames a very positive -- it’s just about the effective date. Saying retroactive sounds like there is something sneaky, not quite above board, you know a little fishy going on.

So what we learned is for one of the nursing agencies and for many others apparently over a period of time. So various agencies have come before NACIQI and neither staff nor NACIQI has flagged this issue in the past.

Those agencies have set an effective date that’s earlier than the date of the decision or retroactive. In other words, what they are doing is saying that students who graduated, enrolled and graduated in the first cohort are coming out of an accredited program.

Now why does this matter? Even if the institution already has Title IV eligibility it matters because of licensure. So let’s take an example of nurses. You go in and John Hopkins came in front of us and said we are the number one nursing school we started a new type of nursing program.

And we even at number one had difficulty
recruiting students into the program because students said, “Well you are not an accredited program, why would we come -- there is some risk you won’t get accredited? So they were credited with an effective date or retroactive to a year earlier. That means the people who went through that cohort can sit for the licensing exam. If that hadn’t happened they would be gambling that the whole process would be completed on time. Now in some instances it might be completed on time but in other instances just because of the normal amount of time it takes for these decisions, these things can take 18 months, 2 years -- you might finish the program, come out of an accredited program and have a problem. So thousands of students are affected and any institution creating new programs as Brian pointed out is also affected. So a lengthy discussion and a practice had been engaged in by many agencies, staff sent a “Dear Colleague” letter, NACIQI took issue with this and sent a recommendation that -- both the nurses and the general policy issue that was at odds with staff, sorry that was more than 30 seconds.

CHAIRMAN KEISER: I was counting.

VICE CHAIRMAN WU: Alright so now let me make three quick points about this issue of how staff offers guidance that isn’t the statute or the regulation because neither
NACIQI nor the staff can change the statute. The Higher Education Act is what it is -- Congress would have to change that and if it is regulatory there’s a whole process.

So what we are talking about now is sub-regulatory. In other words it is potentially changeable without Congress changing it and without the whole negotiated rule-making.

So the three issues I see here are number one -- notice. Should there be some notice to agencies so they can prepare and so that they can have some discussion? So number one, what type of notice ought to be provided to agencies and other stakeholders when something like this changes along the same practice.

Number two -- who decides? Is this staff? Is it NACIQI? Is it both staff and NACIQI? Does NACIQI have any role? What if staff does this and as in this instance NACIQI members say, “Whoa, we think this is a really bad idea.” And I am characterizing based on the vote. NACIQI said it’s a bad idea and that’s the first time since NACIQI was re-constituted that I can remember NACIQI saying something like that about something staff did.

So it is not about a specific agency, it’s about the whole thing of effective date. Staff said something and a majority
of NACIQI -- I don’t think it was unanimous but it was pretty overwhelming majority, said this is a real concern to NACIQI members. We do not think you should have done this.

So the second issue is who decides this? Does NACIQI have any role? Maybe the answer is no, maybe it is yes but it is worth discussing.

And the third is how do we ensure consistency on this stuff? Because with 75 to 80 agencies and with rotating membership, you know, we come on, we roll off and without case law, without some formal mechanism how do we ensure that when one agency is allowed to go through, you know, we do the same thing so it is fair and appropriate?

Because if we are doing different things with different agencies that’s just not right. We shouldn’t be doing that. So to sum up -- one, what type of notice ought to be given about the sub-regulatory changes; two, who makes these decisions and does NACIQI as distinguished from staff, have any role; and three -- how do we ensure consistency of this including when something hasn’t been articulated.

In other words it’s just a practice but no one has written it down and said this is our practice.

Alright, last as a side but related to all of this the
request to staff. I noticed that today in the Federal Register there is
a request for suggestions from the world about Department of Ed
regulations that might be amended or killed.

I wonder if staff could alert NACIQI to other stuff
going on at the Department that potentially affects our work
because there is lots and lots of stuff swirling around accreditation
all the time that isn’t directly formally on our agenda but it might
be good if somehow we got alerted to this, so I hope that’s useful.

CHAIRMAN KEISER: I’ll let Jennifer respond.

MS. HONG: So real quickly to your question about
being alerted about those issues. A Federal Register notice went
out and we want the alert that the Federal Register notice went out
for example. Okay I can do that.

CHAIRMAN KEISER: Claude?

MR. PRESSNELL: Frank, thanks, that was a great
summary I believe of where we are. So a couple of things, one you
know we are an advisory Committee and what we were advising
on was guidance that was given and we are basically -- our advice
is and our subsequent action was that we believe that it should
have been thought through a little bit differently.

And that again is not a disparaging remark about
staff. I think staff is doing just yeoman’s work, phenomenal work
on all of this and I think it is pretty remarkable that since the
reconstitution this is probably one of the first times that we thought
well you know, we don’t think so and here’s why and I think we
did a good job on that Motion.

And I think it’s our role to do that you know,
because as in the advisory capacity. So here is now my question. I
mean obviously the senior Department official will make a
decision on this, what will then happen to the email or the letter
that went out, the memorandum that went out to all agencies?

Because we need to address that because it is not
just this one agency it went out to all the agencies and so what do
you think might happen with that letter? Because our thinking is
based on our decision was that you know, if the preponderance of
the accreditation decision is made through the site visit and if they
were in compliance at the point of the site visit therefore the
agency should have the right to say the effective date was when
you were compliant you were compliant at that point.

So anyway, I’m going to leave it at that.

CHAIRMAN KEISER: Jennifer go ahead.

MS. HONG: So or Herman I was going to respond
to him about the letter, go ahead.

MR. BOUNDS: So a couple of things and not to
drag this out too long but I really do want to reiterate. We had
discussions with other agencies. So I want to make it clear there is
nothing here saying that the preponderance or a more than average
amount of agencies were doing this, were you know practicing this
retroactive accreditation.

We talked to some -- I know we discussed this
yesterday but I just have to make sure I get this on the record. We
talked to some agencies and they about fell on the floor that some
folks were doing it.

So it was a -- so I just want to make sure that
everybody knows that not everybody was against the practice.
And secondly, I can’t speak for Sally, but this was really not a --
that decision was not sub-regulatory guidance that was a legal
interpretation of the definition of accreditation.

So that was not sub-regulatory guidance. That was
us looking at a situation, me saying that Herman Bounds cannot --
I cannot defend that to anyone who would question the Department
because of the way the definition of accreditation is written.

So that was not sub-regulatory guidance. So that’s
why I went to our legal folks to get that interpretation and then to
protect the Department I said this needs to be looked at by other
people.
So I just want to make clear that was not sub-regulatory guidance -- that was a legal interpretation of the definition of accreditation.

Now to answer the other question depending on how the SDO rules if the SDO finds in favor everything rolls as it is. If the SDO does not find in favor of the NACIQI decision then of course that decision letter will go out and of course I would get with leadership and try to figure out how we then send out another letter.

But again, I don’t want to re-talk this yesterday but I want to make sure everybody is clear for the record that that was not sub-regulatory guidance, that was a legal interpretation of accreditation and we had talked to other agencies. I just want to make that clear.

CHAIRMAN KEISER: Paul?

MR. LEBLANC: Herman that is a legal interpretation and there is certainly room to read that language differently.

MR. BOUNDS: And that’s why I agree. I didn’t want to get railroaded, not railroaded -- I just didn’t want to get fenced in saying that that was a --

MR. LEBLANC: I don’t think anyone was
suggesting that you all came to that conclusion in a capricious way.

There have been tons of good consultations I think you made that abundantly clear. You guys did everything you needed to do. I just think and if I could channel John who is not here, I think you could read that language differently.

I sort of went to battle with the OAG on regular and substantive and they would argue that they have a legal interpretation. I said no it is a legal interpretation.

MR. BOUNDS: I mean we won some and lost some, I mean they have some stuff in there too.

MR. JONES: And the Department’s organic statute is the General Counsel’s Office that owns those legal interpretations not us.

MR. LEBLANC: I think we are still open to making the case against the interpretation, we could do that.

VICE CHAIRMAN WU: And should they have consulted with us? So I get that maybe they could have asked us our views on the effect of it in advance because that might have shaped how they have interpreted it.

CHAIRMAN KEISER: Jennifer?

MS. HONG: I just wanted to address Frank’s question about this Committee setting policy. This Committee is
an advisory Committee. I think Brian elucidated it very clearly for
us what this Committee’s role is and absolutely disagree with an
interpretation but it is the Department’s interpretation and to your
question about consultation with this Committee -- I don’t know
that it is practicable for this, for the Department -- nor is it required
for the Department to consult with this Committee before it makes
a policy decision.

So yes, so you all make recommendations on -- you
advise the Secretary, there’s a very formal mechanism by which
that occurs that takes months in advance to prepare for. So it is not
that we can you know, call you guys -- there’s a formal mechanism
in place to make sure that the public gets their input heard, that the
advisory Committee gets their input heard, that the agency gets
their input heard.

There’s due process built into this system and it is
not this Committee’s role to be setting Department policy.

CHAIRMAN KEISER: We understand but it is to
advise the Department and then the second part and again this is a
problem I have is -- if they just wanted lawyers’ interpretation we
would all be lawyers.

And when lawyers look at something as -- and in
this particular case as you put it the definition of accreditation
which I am not sure this is the definition of accreditation they are establishing that in a vacuum without understanding institutional practice and policy.

And the purpose of our group is that we have institutions represented, we have public members represented, we have community colleges, you know, for-profit, non-profit, public -- we are a really represented group.

So if the Department and the lawyers decide to ignore us that’s their choice certainly. I think it is not smart but that’s an ever -- my definition, go ahead Claude?

MR. PRESSNELL: Yeah just real quick. I hope you don’t view it as us trying to set your policy -- we are not trying to do that at all. As a matter of fact I love this. I mean I think we are doing exactly what we wanted you guys have done this now we are giving you our advice based on our actions. It is going to go to the Department and whatever decision is made.

There was a comment yesterday I think or maybe the day before that said you know, the Department needs to see our decisions. Our decisions need to be final. No, they are not we are an advisory Committee and I am fine with that. But as a result you are going to get this rich discussion about very important issues that should be considered deeply by the Department so.
VICE CHAIRMAN WU: So may I try the softest
version and the friendliest version of this statement? And, I am
just speaking for myself but I'll bet that this captures the sentiment
of many NACIQI members which is -- since we were picked
because somebody believes we have some expertise and we do
have a formal role to advise it would be welcomed if our advice
were solicited from time to time before things happened rather than
after.

So that’s -- I know we don’t set policy, we can’t
force it, we are not trying to grab power it is just if you fly all of
these people to Washington, D.C. who do a lot of work on
accreditation and think about this stuff and are immersed in it and
something changes that will affect significant numbers of
accreditors and this is totally friendly, maybe somebody could ask
us -- bearing in mind the practical problems, maybe we would like
to offer input before the decision is made.

CHAIRMAN KEISER: Jennifer -- the next issue
which is probably right along the line we are talking about.

MS. HONG: I think your point is really well taken.
And I think all the deliberations you had yesterday was captured
on transcript. I know the senior Department official will
thoroughly review those materials and come to a decision.
Again, I can’t understate the value that we have in this Committee and its advisory role to the Secretary. That being said I just want to be very direct that it is not practice for you know, if the Department takes on a policy decision we have a process set up for the Committee to solicit comment so it -- I can’t promise you that we can, you know, consult with you in the interim.

Anything that we provide to this Committee we also provide to the public. So all of these deliberations as governed by the Federal Advisory Committee Act compels us to share the deliberations, the information, everything is open and transparent to the public.

So we would not be able to consult back and forth with this Committee behind closed doors. However your point is very well taken. I think it is captured, I think it has been underscored and highlighted and bolded and I do think that the folks in the Department are listening, thank you.

CHAIRMAN KEISER: We will make that the last work on that topic.
NACIQI - FINAL AUTHORITY

CHAIRMAN KEISER: Let’s go to the next topic which has probably the impact that Arthur would have liked --

Arthur Rothkopf. And that is that we had made in two different presentations to the Secretary in terms of our position regarding the Re-authorization of the Higher Education Act that NACIQI instead of being purely an advisory Committee it would change and become more like the Advisory Committee on Foreign Medical Schools which would be a final authority on our actions.

So certainly open -- Arthur wanted to bring that up and put it on the agenda for discussion. It really ties in the last point which is what is our role, what leverage do we have to impact the process?

I think the accreditors right now outside are very confused about us because we have evolved over the years and I’m not sure they would be happy with us being the ultimate authority, I’m not sure they would be unhappy but it’s an interesting question.

Does anybody want to comment on that for Arthur’s purpose?

MR. BOEHME: I’ll comment not because he asked me to but I do believe in this. It is actually while I do believe
NACIQI should be the final decision-maker it actually I believe Frank mentioned something that has always stood out to me and most things that Frank say stand out to me. But we had a prolonged conversation about how and to Jenn’s point, how we can go beyond making NACIQI’s recommendations and these policy discussions go beyond the transcript. And Frank I think it was during one of the chiropractor discussions or something that said how can we -- you know there are so many lessons to be learned from this and maybe this is a question to the Chair as well. We have had such a rich conversation I would be disappointment if, you know, having a white paper from this conversation is probably unrealistic and I know publishing within the Federal Register we have put the pilot questions in which I think is a great addition but maybe on top of that -- and Jennifer you have indicated when Frank brought up this point is that the Federal Register is really our primary mechanism of communicating to the broader public in addition to the transcript which I would argue, aside from the senior Department official, not many people go through and read the transcript which I was corrected on before that the senior Department official does go
through and look at that particularly to the decision, which I
comment them for that.

But maybe in terms of building on what we can add
to the Federal Register maybe from today’s discussion we can pass
a serious of Resolutions in lieu of a white paper that says you
know, we had this conversation or we voted on NACIQI members
-- there was a quorum and we said these are some things we would
like to look at and maybe we don’t have a quorum anymore.

But NACIQI is so rich with different perspectives --
I know recently we have been accused of being political which you
know, people are paying attention to accreditation and
accreditation is rightly being scrutinized.

And so I think we are in such a unique position
where we have camaraderie respect for one another with diverse
political opinions and a rich knowledge and perspectives which
puts us in this position and I would encourage Jennifer and the
staff and everything that you do is terrific and well-received and
maybe we could have a conversation of how we could expand and
share this information to other people.

And I know we are very limited in that but given
the Federal Register and our white papers should we try to have
shorter iterations of the white paper or build on what can be said in
the Federal Register?

VICE CHAIRMAN WU: The whole point of having an advisory body it would seem is to take the advice that is offered, especially when there’s a real consensus where we are not split. Every now and then we are split but I will say generally that the Department has -- the track record here other than on a few outlying cases when we have advised something the Department more or less has followed what we have advised.

And I just want to say quickly it is not partisan either because as I look back and think about it and who appointed us is in the public record for all of us but the appointing authority that put me on this panel made some decisions that I would look at and say that was not a good decision.

And I’m sure that that’s true of every one of us so it has I think, nothing to do with partisan politics. There have been some recommendations -- I’m thinking of one in particular, made a few years ago where this body was clear. If it wasn’t unanimous it was absolutely overwhelming and our advice was not taken and that’s too bad.

But usually it is and that’s good. So we should bear that in mind that by and large our advice has been taken but we are not just here to talk to ourselves in a conference room and for a
few dozen observers, we are here to actually do something useful
in the world which means it has to be disseminated beyond the
hotel conference room.

CHAIRMAN KEISER: Okay I think we covered
that with what Arthur wanted.
MILITARY APPROVAL PROCESS

CHAIRMAN KEISER: The number five issue is to give Jennifer a couple of minutes to talk about the military approval process. I think some of the folks were a little confused yesterday on that process and why we do what we have to do.

Jennifer the floor is yours.

MS. HONG: Okay great. Just real quickly -- I think someone referred to, you know, was confused about this Committee playing a role in accrediting these military degree programs or programs of other federal agencies.

We are in the position to recommend authorization.

So and this is stipulated again in 1954 by letter so this pre-dates NACIQI’s Constitutions so it doesn’t even name NACIQI, it names a group of advisors to the Commissioner of Education to recommend degree appropriable for degrees offered by federal agencies.

And on top of that it requires accreditation. So the accreditor is required, the degree authorization is required, and so in many ways it is like playing the role of a state-wide plan authorizing a degree -- it’s even more limited than that because it stipulates four areas by which this Committee needs to look at these degrees.
And a couple of them overlap but in general it is to assess the uniqueness of the degree. They want to make sure it is not something -- a degree that could be offered at another higher education institution. So you are really looking at the uniqueness of the degree, the need for the degree for the Agency to fulfill its mission as well as the protection of academic freedom which somewhat overlaps with things that the accrediting agency looks at.

And that’s it. So I don’t want to, you know, we are not going into these agencies and their degree programs and doing a full on review. The site visit is really just to get an idea on the ground what the program looks like but it is for criteria and that’s it, thanks.

CHAIRMAN KEISER: Any questions for Jennifer?
MAKING RECOMMENDATIONS TO THE SECRETARY

CHAIRMAN KEISER: The final issue was brought up based on a couple of the actions that we took in where much of what was de minimis but certainly issues such as turning in CV’s or things that might have been just paperwork that were not included in the final review or the final draft by the staff to force an agency to come back after 12 months and then have it reviewed again, most of the documentation because of a few missing documents seemed at least to one of the members, excessive and felt that we could do and maybe -- I don’t know if it is our role to create processes, but a process that I certainly have used when I was on the State Licensing Board, license upon receipt of the materials.

So you know a similar process. Ralph would you like to speak on this please?

MR. WOLFF: Yes I’m the one that made the recommendation. As I understand we can renew but if there is a finding of non-compliance than the agency is required to successfully address that area of non-compliance within 12 months and it is a limitation on the agency’s recognition.

It requires a finding of non-compliance. There are some areas where documents are not supplied or missing or there
is confusion that if led to a recommendation of non-compliance for
failure to submit the document such as a resume or a CV of Board
member which is simply not a non-compliant issue and can be
resolved readily.

And therefore, it seems to be using the wrong
remedy because to characterize the failure to submit certain kinds
of documents does not rise in my view to be an area of non-
compliance.

In a sense we were a bit inconsistent -- I don’t know
if you can be a bit inconsistent, we were inconsistent in that with
SACS our action was to say just submit those resumes and those
documents and do that right away and grant it recognition without
a limitation.

And I can’t recall which other agency -- Middle
States, the secondary school Commission where they did also have
documents but did have the required data -- the 12 months and we
made no distinction between substantive documentation and if you
will, non-substantive or administrative.

So what I am asking for is -- is there not some way
short of requiring a finding of non-compliance when in the
interchange between the staff and the agency. The documents
have not been fully provided but where they could easily be
provided and assured that they address the concern and for me
such areas would be like missing resumes because it takes several
months before the senior Department official actually rules on the
final decision and so there is that interim period.

And it requires the agency to come back and were
the only issue that submitting documents they would need to go
through a process, maybe it would be a consent agenda but it just
seems to be extra work and an inappropriate use of the limitation
on an agency’s recommendation.

So I am inviting consideration -- is there some way
of granting or recommending the granting of recognition with the
submission of the necessary documentation that has been found by
the staff to be lacking within 30 days or less following the
Committee meeting that is not a limitation on the Agency’s
recommendation and could that be developed is what my request
is.

CHAIRMAN KEISER: Herman?

MR. BOUNDS: Yeah you know our rules are
pretty clear. If you look back in the part of the regulation there’s
not like from 602.10 to 602.28. If you look back in the 30’s you
know it says the agency must submit the documentation that
demonstrates the application.
I mean that’s pretty clear to us. Now we work with agencies, sometimes we upload stuff the day before the meeting if we can get it. I have certainly no objection to the Committee recommending that they turn it in the 10 days or shortening the period. I mean that’s great and I mean you all can do that. We are somewhat limited in, you know, limited in what we do and it prevents us from having to determine okay well what’s more important, do I get these resumes or do I get application demonstrated over sub-change which we didn’t get which we know they probably have done.

So it just prevents us from having the general apples and oranges but I have no objection and I think it was maybe a good idea in some instances where you guys can recommend that. The 12 months was originally given because we didn’t want to cut an agency short.

If they needed to do a policy change or something like that to get it through their processes but, you know, I have no -

MR. WOLFF: Let me make sure I understand there are two things you are saying and I want to make sure I clarify them because I’m not sure agencies operate under this assumption. The first thing I am hearing you say is that after the staff issues its final report --
MR. BOUNDS: After the final we can’t do anything.

MR. WOLFF: Okay what you were saying that you could upload documents until the last day, what does the last day mean -- before this meeting?

MR. BOUNDS: Yeah it depends upon -- the last day before we send out the final but it also depends on the workload of my guys. If they are struggling with two or three agencies we just may not have time to get to it. So we like to have that stuff -- you know we like to have it in the draft. With SACS for instance, we had so much documentation to get loaded up, we couldn’t -- you know they identified that they missed putting in some information -- we just did not have time to go back and get that information in because we have to get you all the report on the 7 day.

And you know, I have sent them out from my house sometimes, you know 9 o’clock at night but that’s not really preferable.

MR. WOLFF: Let me clarify because I appreciate you have the legal requirement of 7 days in advance.

MR. BOUNDS: That’s right.

MR. WOLFF: After the 7 days is the Department --
is the staff open to receiving any documentation in response to the final staff report?

MR. BOUNDS: No, there is a 10 days provision where you can submit but I have to read it again and it is very, very specific of what we can receive or what the agency can submit after the 10 day period. And during that 10 day period what falls under that purview of that window.

MR. WOLFF: And then it would be helpful if you could let us know next time. And then the second thing you are saying is you would have no problem if it was just a ministerial admission of documentation or what the right term is, that we could recommend re-recognition with the follow-up that they would submit the documentation in a limited period of time.

MR. BOUNDS: So for me I don’t have any objection to you all doing that it’s just for me, we couldn’t do that because I don’t think that’s what our regulations allow for us to say you meet the requirements but you still have documentation. So for us if we don’t get the documentation and if we don’t see demonstration of application for our rules the agency is really -- they are non-compliant because they didn’t get the information in and they haven’t demonstrated the application of that policy.
So they really are non-compliant. Some things we will do if say for instance, if it is under sub-change and if an AG has never had a sub-change they just need to be real clear in their policy and say we haven’t had one and then we can say they haven’t had the opportunity to demonstrate that. But you know those things, you know agencies have to step up and make sure they tell us that when we get -- you know, before we get the analysis because we don’t expect you to demonstrate application on something that may not ever occur. So those are some of the differences.

MR. WOLFF: I would just if I understand that you can’t, as a staff, recommend that but we as a Committee could, it would be --

MR. BOUNDS: I mean yeah -- I don’t think, Jennifer could probably answer that question.

MR. WOLFF: So let me just say if we were able to do that it would be helpful to know what the language would be for resolution that we could make to be somewhat consistent in the language and what kind of determinations we might make to be consistent. But I do think it’s hard -- there is a line between compliance and non-compliance when it is just around certain
kinds of documentation, particularly that which can be readily
provided. There is a big difference between that and the need for a
new policy or you know -- some demonstration of implementation
of the policy.

So for the next meeting it would be helpful if we
could do it to know how we would go about doing it.

MR. BOUNDS: Well I think Jennifer can explain
it.

CHAIRMAN KEISER: Jennifer, go ahead.

MS. HONG: I want to take that back because I am
hesitant to answer that right now. This seems like the same
problem. It is a disagreement with what compliance means. So
the staff has indicated that -- not having a complete documentation
of the evidence that they stipulated is a finding of non-compliance
when that hasn’t been received.

And you are disagreeing that that constitutes non-
compliance so I think it’s the same issue that we have previously
so let me get back to you.

MR. PRESSNELL: Mr. Chairman on that -- and
here’s I guess my question because I serve on the SACS Board and
so I wasn’t here for this but you know when we make reviews of
institutional compliance our decisions have to be made based on
the material given on a date certain which is what you are saying
Herman right?
And so in reality -- and I guess you know the
recommendation would have been to continue the Agency’s
current recognition and require the Agency to come into
compliance within 12 months and submit a compliance report 30
days after the 12 month period.
Is that your only option on language? For instance
is there a -- continue the Agency’s current recognition that requires
the Agency to come into compliance within 3 months period and
leave it at that because it is such a small thing.
Because for instance we debate on an institutional
issue whether or not they should come into compliance within 6
months or 12 months and when you really think about it the 6
months is really only 2 months because they have to submit a
report ahead of time, blah, blah, blah, blah, blah.
So do you have options in your language that would
make it look soft? And let me ask one more question -- is that --
what is the implication of that recommendation on that Agency?
Because we try to be really careful on institutions back at the
SACS level and if we are sending out a public sanction that has
very negative impact, potentially on the institution to raise funds,
to attract students and so on and so forth. So can you help me understand that as well?

MS. HONG: This was a deliberate attempt at the last rule-making to be very clear on what constitutes compliance.

So I don’t know if any of you -- maybe you remember Art, previous to that we would give the grant of recognition and require what we called an interim report for those issues, but they were not -- we didn’t call them non-compliance issues, and that was problematic from a regulatory perspective.

So in order to address that problem and to assure that we purport with the statutory requirement that if there is a non-compliance issue, agencies must come in compliance within 12 months.

And the only way that we could assure that, because we couldn’t assure that in the previous regulatory scheme, the only way we could assure that is to be very firm on what compliance means.

And so to answer your question no there is not a process for that, so agencies are either in compliance --

MR. PRESSNELL: No I am not arguing that because my point is they were not in compliance. I’m not arguing that point.
MS. HONG: Is there any option for us --

MR. PRESSNELL: So can you say can you come into compliance within 3 months? Can you adjust that date or also when they -- let’s say they come into compliance within 3 days because they gave you all you needed, do you issue a public statement saying SACS is now in full compliance?

MS. HONG: No, so that’s what I mean. We don’t have a process. So when we require a compliance report, we require all compliance reports to be reviewed by this Committee is the thing. So that will come back, so everything has to come back to this Committee and then up to the senior Department official for a decision.

Because that process has to be in place you notice that we don’t go -- we don’t have short terms for agencies to come in. Like three months probably would not be possible, I think we have done 6 months before because they have to submit their information, staff has to review it, gets teed up to this Committee, this Committee has to look at it.

MR. PRESSNELL: Okay but for instance on SACS you could have easily done 6 months and not required them to submit a compliance report 30 days after the 12 month period.

You could have easily shortened that time to get us to the
December meeting and been done with it.

MR. BOUNDS: Sure and it would have still been, you know, they always get the 30 days numbers in there after the 6 month period so they can do that.

The issue is and we may not have been able to get them back in December, it just depends on -- it kinds of depends on our scheduling and who is in the pot so we just give that, you know, that 12 months as Jennifer said is the maximum, you know is the maximum time.

And then sometimes the agencies will call us and say hey we got this done can you get us in and if we can you know we will.

MS. HONG: And sometimes we give the shorter timeframe as a punitive measure.

MR. BOUNDS: Right.

MS. HONG: Right because sometimes yeah, so we will say 6 months we really need this, you know. But if agencies call us and say hey I’m ready to come up at the next meeting and if there is room on the agenda for them we will honor that request.

CHAIRMAN KEISER: Susan?

MS. PHILLIPS: Could NACIQI in its recommendation recommend that it not come back to the
Committee, the compliance report not come back to the Committee?

MS. HONG: No.

MS. PHILLIPS: Why not?

MS. HONG: Because it is spelled out under sub-part C you know, what the procedures are.

MS. PHILLIPS: That the compliance report has to come back.

MS. HONG: Yeah what review --

MS. PHILLIPS: So NACIQI can’t decline to receive and review a compliance report?

MS. HONG: No but again we have the consent agenda right, for compliance reports so that would kind of expedite that review.

MS. PHILLIPS: Yes.

CHAIRMAN KEISER: I think that’s the type of rules that we may want to comment on if the Secretary asks for our comment today and the Federal Register.

MS. PHILLIPS: I’m mindful in this process that it creates for the want of two resumes, it creates a staffing issue for the accreditation group, it creates a time issue for this group without adding value.
CHAIRMAN KEISER: Value.

MS. PHILLIPS: Substantive value and if there were some way to function in an expedited way within the regulation that would be really useful to find, I think all around. Then you wouldn’t have the staff who had too many things that they were juggling to be able to respond to somebody else.

CHAIRMAN KEISER: Claude?

MR. PRESSNELL: Yeah just the question -- my other question was not answered. In terms of the implication of this 12 month piece on an Agency, like you said we are very cognizant of what it means to an institution when we do it to them.

What would that have meant to SACS?

MS. HONG: So those regulations were effective in 2010 so I think initially the community had to get used to it because everybody was getting compliance reports in 12 months you have to come back. I think they are used to it, they recognize that so if you have an issue, even if it is one issue, you have to come back in 12 months. I don’t know that’s necessarily perceived as punitive so much as inconvenience -- it is inconvenient.

And I do agree that this is a consequence of us trying to address, you know, trying to come into compliance with a
statutory requirement that agencies come in compliance with
within 12 months.

MR. BOEHME: Are we preparing another -- is this, what is this conversation ultimately leading to Mr. Chair?

CHAIRMAN KEISER: I think it was to answer questions which I think the questions have been answered and the limitations that we have in terms of the things that we can do or how we respond to agencies. So I think that was pretty clear from the staff.

That is written it is not just --

MR. BOEHME: Sorry I meant for the series of six questions, is this going to evolve into a white paper, are we going to take a vote at the end of this in you know, 20 minutes to make a position?

CHAIRMAN KEISER: That’s your decision. As I said the Secretary today issued an announcement that asked the public to present rules that they felt were wrong or were burdensome or certainly not productive, that could be something we do. I don’t know if that is what you to do?

MR. BOEHME: So would the Chair potentially later entertain a Motion for us to kick-start the process of forming a Committee to write a 2017 white paper -- potentially?
CHAIRMAN KEISER: We have 10 people so we have a quorum and therefore I would entertain any Motion on anything that you would like to say.

MR. BOEHME: I would like to make a Motion if the Chairperson views it to be appropriate given the announcement from the Secretary that NACIQI forms a Committee or begins a process and I’ll let the Chair pick the language which we will vote on to commence a white paper writing process.

CHAIRMAN KEISER: Is there a second? Okay now we can discuss it.

MR. PRESSNELL: So now we can discuss it, a white paper for what? For de-regulation for what, what are we writing a white paper on?

MR. BOEHME: Right so I think given today’s conversation we have come away with a lot of things, not necessarily conclusions but certainly jumpstarted a conversation where in previous white paper conversations we have been able to have conference calls in between different NACIQI meetings where we are able to wordsmith and formulate language that we could ultimately vote on recommendations if we do have a December meeting.

And maybe it would take more time but we could
maybe use these six questions that Art has asked and we can start
to formulate questions in terms of the specific, in terms of if we
take a position on should there be a federal -- a student unit record
system, we would discuss that within the Committees on
conference calls between the NACIQI meetings which there is a
precedent for that.
I’m not saying we make these decisions now but I
think we start to work together on these issues because I think we
would regret not turning this substantive conversation into
something.

And ultimately we may not agree on the student
unit recommendation and that won’t be in the white paper -- but
maybe there is a recommendation for us to be the final decision-
maker and again maybe not.

CHAIRMAN KEISER: Frank?
VICE CHAIRMAN KEISER: I would ask Simon
and my colleagues if we could break the student unit record piece
off because I think that’s too big and ask if Simon would accept
the following revision to the proposal which is that:

NACIQI write a white paper, specifically
responsive to the Secretary’s request published today in the
Federal Register for ways to be more efficient and for potential
changes that would do that.

So it is very targeted, very responsive, just that --

not the more controversial stuff.

CHAIRMAN KEISER: Would you accept that?

MR. BOEHME: I consider that friendly.

VICE CHAIRMAN WU: I would bet that across

the board without respect to partisan politics, there will be 3, 4, 5, 6

of these little finicky administrative things that all of us will say it

is silly to have people come back after a year for two resumes.

So I’ll bet we would identify a handful of small

victories and even maybe some big ones.

CHAIRMAN KEISER: Paul?

MR. LEBLANC: I worry about taking the SUR off.

We may not finally be able to come to agreement or consensus on

it but cleaning up and streamlining is sure we can do a white paper

but why squander the opportunity to weigh in on the most

meaningful thing we talked about in my view today.

My question for you Simon was the process you

described. I mean I still think we need to hear from people that are

doing work on this on the topic of national level SUR’s to inform

our thinking.

I don’t know how your timeline accounts for that
but I would urge that we keep it in and if we decide we can’t come
to a conclusion then we can’t come to a consensus or a conclusion
about it.

MR. BOEHME: And well two things -- so for one
white paper there was a minority report. Art you were there and
you can discuss that, but there is so if we do come to an agreement
or a disagreement we could write potentially two white papers.

But I think in order -- I agree with you, the most
interesting and substantive and given the College Transparency
Act which is my understanding is being discussed we should
contribute to that.

But I also hear that we should hear from federal
experts in this area. So maybe my Motion still stands that we
focus on the current call but then in December which hopefully it
wouldn’t be too late, we could then make another Motion to write
a white paper on the student unit record.

But I am not sure, Paul --

MR. LEBLANC: So if I may there is no restriction
on how many white papers we do. We could do one on all of the
sort of streamlining that I think we probably would get to quick
agreement on to Frank’s point and then reserve second focus on
this to see if we come to consensus on this.
MR. BOEHME: I agree.

CHAIRMAN KEISER: And Paul I will work with Jennifer to tee up that discussion at the next meeting. I think that’s a very good suggestion because it is a critical issue. I’m not sure we have the resolution but it is a critical issue, Ralph?

MR. WOLFF: Could I just ask timeline? Is it to be done in preparation for discussion at the December meeting? If so I would like to -- I mean if that’s the case then I would like to include that in the resolution if you would be willing in the sense that we say that there is a specific timeline for it.

MS. HONG: I just want to address real quick. There is no -- in planning for the Student Unit Record Panel that was something that was brought quickly at the last meeting. There was no intention to exclude anybody from the discussion.

It could be the first of many panel discussions but the intention was to bring people that have been working on this stuff in the states and see what we can learn from them -- best practices. See what, you know, these interchanges are like and the exchange of information. There’s certainly -- I assume that you all would take the discussion to the federal level, but yeah.

CHAIRMAN KEISER: I have a Motion and the Motion is to set up a Committee to provide a response to the
request for simplification or un-burdensome regulations which could help us streamline our meetings. And then of course I think it was taken in agreement that we will continue the discussion with the student unit record at the next meeting by inviting some presenters but that is not part of the Motion but that is an agreement separate from the Motion, any further discussion on the Motion, Frank?

VICE CHAIRMAN WU: Just a question. What is the deadline for the Secretary’s request because I’m just worried for practice purposes because if she set like a 60 day deadline or something before we vote, what is the time pressure here?

CHAIRMAN KEISER: I don’t know -- we would take that into consideration.

VICE CHAIRMAN WU: Okay fine.

CHAIRMAN KEISER: Obviously it doesn’t make any sense if the timeline is before December. We would have to have the Committee meet -- do we have to publish in the Federal Register a task force meeting to discuss this?

MS. HONG: I think so I would have to go back.

CHAIRMAN KEISER: Okay so we would probably get that up pretty quickly. All in favor of the Motion raise your hand? All opposed -- Motion carries. Is there anybody
that would like to volunteer to serve on that?

MR. BOEHME: I made the Motion so I will.

CHAIRMAN KEISER: Okay we have Simon and we have Kathleen, yeah Streamline Committee and Paul and Claude. Okay great. We are finished with my agenda.

NACIQI RECOMMENDATION

To set up a Committee to provide a response to the request for simplification or un-burdensome regulations which could help us streamline our meetings.

CHAIRMAN KEISER: Is there anything for the good of the order from members of the Committee? Yes?

MS. ALIOTO: Arthur I would like to thank you for your leadership of the Committee and Frank the two of you moving us along in a great way so thank you very much. And Jennifer, and Herman -- it’s a great meeting, thank you.

CHAIRMAN KEISER: And just on the side I thought we, as a Committee, came together very nicely. I thought there were a lot of meaningful discussions.

VICE CHAIRMAN WU: And we like staff.

MR. BOUNDS: I would just like to say we enjoy this, this is great for us and this is the way the process is supposed to work. We are all passionate about what we do and there are
definitely no issues with staff, and you know, with the Committee.

CHAIRMAN KEISER: Sensing no more business

for the Committee I would recognize a Motion to Adjourn by

Claude, all in favor? Aye we don’t need to vote for that.

(Concluded at 11:29 a.m.)