UNITED STATES OF AMERICA
DEPARTMENT OF EDUCATION

OFFICE OF POSTSECONDARY EDUCATION

NATIONAL ADVISORY COMMITTEE ON
INSTITUTIONAL QUALITY AND INTEGRITY

MEETING

THURSDAY
FEBRUARY 8, 2018

The Advisory Committee met in the National Ballroom of the Washington Plaza Hotel located at 10 Thomas Circle, Northwest, Washington, D.C., at 8:30 a.m., Arthur Keiser, Chairman, presiding.
MEMBERS PRESENT

ARTHUR KEISER, Chairman
FRANK H. WU, Vice Chair
SIMON BOEHME
ROBERTA DERLIN, PhD
JOHN ETCHEMENDY, PhD
GEORGE FRENCH, PhD
BRIAN W. JONES, PhD
RICK F. O'DONNELL
SUSAN D. PHILLIPS, PhD
CLAUDE O. PRESSNELL, JR., PhD
ARTHUR J. ROTHKOPF
RALPH WOLFF
STEVEN VAN AUSDLE, PhD
FEDERICO ZARAGOZA, PhD

STAFF PRESENT

JENNIFER HONG, NACIQI Executive Director
HERMAN BOUNDS, Director, Accreditation Group
ELIZABETH DAGGETT, Staff Analyst
NICOLE HARRIS, Staff Analyst
VALERIE LEFOR, Staff Analyst
STEPHANIE MCKISSIC, Staff Analyst
SALLY MORGAN, Office of the General Counsel
CHUCK MULA, Staff Analyst
ALSO PRESENT

SHARON BEASLEY, Accreditation Commission for Education in Nursing
BARBARA BRITTINGHAM, New England Association of Schools and Colleges
ANNE COCKERHAM, Accreditation Commission for Midwifery Education
ANTOINETTE FLORES, Center for American Progress
BARBARA GELLMAN-DANLEY, Higher Learning Commission
RONALD HUNT, Accreditation Commission for Midwifery Education
PETER JOHNSON, Accreditation Commission for Midwifery Education
CHERYL JOHNSON-ODIM, Higher Learning Commission
DAWN LINDSLEY, Oklahoma Department of Career and Technology Education
MARCIE MACK, Oklahoma Department of Career and Technology Education
BETH MARCOUX, Commission on Accreditation in Physical Therapy Education
HEATHER MAURER, Accreditation Commission for Midwifery Education
CATHERINE McJANNETT, Accreditation Commission for Education in Nursing
PATRICIA O'BRIEN, New England Association of Schools and Colleges
KAREN PETERSON, Higher Learning Commission
MARSAL P. STOLL, Accreditation Commission for Education in Nursing
SANDRA WISE, Commission on Accreditation in Physical Therapy Education
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CHAIRMAN KEISER: Well, good morning to everyone. Welcome to the second day of our National Advisory Committee on Institutional Quality and Integrity's meeting.

Today will be a very interesting day. And we hope to wrap up the meeting today, as I'm not sure if the vote has happened on Capitol Hill so our staff can be here tomorrow.

We're not sure. So, we're going to try to get everything done today.

First, I'd like to have the panel introduce themselves, and the staff. Would you start, John?

MEMBER ETCHEMENDY: I'm John Etchemendy, Stanford University.

MEMBER O'DONNELL: Rick O'Donnell, Skills Fund.

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

MEMBER JONES: Brian Jones, Strayer
University.

MEMBER ZARAGOZA: Federico Zaragoza, Vice Chancellor Economic and Workforce Development, Alamo College in San Antonio.

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

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

CHAIRMAN KEISER: Arthur Keiser, Chancellor Keiser University.

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

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

MEMBER PRESSNELL: Claude Pressnell, the President of the Tennessee Independent Colleges and Universities.

MEMBER PHILLIPS: Susan Phillips, University at Albany, State University of New York.
MEMBER BOEHME: Simon Boehme, student member.

MEMBER WOLFF: Ralph Wolff, Quality Assurance Conveyance.

MEMBER FRENCH: George French, President of Miles College, Birmingham, Alabama.

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

(Off mic comments and introductions.)

CHAIRMAN KEISER: Again, welcome everybody. We're glad to have you here.

The first part of the meeting, first hour is going to be a discussion on a continuation of the discussion on student data.

We're going to do it a little differently this time. And I'm going to invite our third-party commenters to speak first.

Which will allow our panelists to be able to discuss their -- the discussions that they have, rather than vice versa.

So, if I may call Kim Dancy, the
Senior Policy Analyst for the New American Education Policy Program to the front. And Kim, you have three minutes.

Anyone. Just push the button.

MS. DANCY: Thank you for the opportunity to comment today on a Federal student level data network.

My name is Kim Dancy and I'm a Senior Policy Analyst at the New America Foundation Education Policy Program. Our organization uses original research and policy analysis to address the nation's critical education program problems.

And through our work New America has found that consistent, accurate data on higher education are vital for students, families, and policy makers. That's why we're here today.

To speak to the importance of a federal student level data network. And to explain how it relates to the goals of NACIQI.

In addition to these comments, we have submitted a written statement and cosigned comments from the postsecondary data
collaborative supporting a federal student level
data network.

NACIQI has found that comparable and
reliable data on student outcomes are critical to
its mission of reviewing and making
recommendations about accrediting agencies that
serve as arbiters of institutional performance
and gatekeepers to over 130 billion dollars in
federal student aid.

Over the last year NACIQI has taken
significant and important steps to hold
accreditors accountable for the performance of
their institutions. And we commend you for that
work.

However, NACIQI has often run into
complaints from accreditors that federal data are
incomplete or otherwise not representative.
These challenges can and should be addressed by
federal policy.

Abandon the Higher Education Act on a
federal student level data network prevents the
Department of Education from collecting data that
are truly reflective of the needs and population of postsecondary students.

Repealing that ban and replacing it with a federal commitment to building a privacy-protected, secure data system would ensure that better data are available to students, to colleges, to accreditors, and to federal policy makers, including those of you who serve on NACIQI.

A bipartisan, bicameral bill called the College Transparency Act has already been introduced to fulfill this promise. A secure federal student level data network is necessary to ensure accrediting agencies are meeting the needs of students and policy makers, and will support NACIQI's promising work in this field.

To that end, we strongly encourage NACIQI to join the call from over 130 organizations, for College to pass the College Transparency Act.

NACIQI will offer an important and distinct voice to inform Congress' consideration
of transparency in higher education. And it is important that your voices are heard by law makers.

Thank you for your time today.

CHAIRMAN KEISER: Thank you very much. Oh, yes. Kim if you'd like to come back up, does the Panel have any discussion or questions? Frank?

MEMBER WU: So, I do have a question. There are some who are concerned that a student unit record system could be abused or put to nefarious purposes.

What sort of safeguards would you propose?

MS. DANCY: There are a number of safeguards already built into the College transparency Act. And we're also not necessarily advocating that any new data elements be collected.

But rather that the data that we already have is able to be combined and used in a way that is helpful to students.
MEMBER WU: Could you describe the safeguards?

MS. DANCY: I am not actually the best person to talk about the privacy elements.

MEMBER WU: That's fine. I'll ask someone else.

MS. DANCY: Thank you.

MEMBER WU: Thank you.

CHAIRMAN KEISER: Thank you Kim. Oh, did we have another question? I'm sorry.

MS. HONG: We have someone on the panel that can speak specifically to privacy.

MEMBER WU: Okay. Right.

CHAIRMAN KEISER: Okay. The second commenter is Bernard Fryshman. I'm not sure he's here.

That's a first. I think he's always at our meetings.

The third person who would comment is Katie Berger from the Education Trust. Katie?

And on deck is Allie Aguilera.

MS. BERGER: Good morning. My name is
Katie Berger. And I'm here on half of the Education Trust, a national advocacy organization committed to advancing educational opportunities for students of color and low income students.

At Ed Trust we believe that if given the right tools and support, institutions are capable of serving all students better. And closing the access and completing gaps that contribute to persistent inequality and limit inter-generational mobility.

I'm here today to make the case of establishing a national student level data network. It would greatly advance the work of policy makers, advocates, institutions, and creditors, and improving the quality and equity of our nation's education system.

Since the enactment of the original Higher Ed Act in 1965, college going rates have climbed for students from all economic and racial groups. Yet despite this progress, low income students and students of color continue to lag behind their peers in terms of college
enrollment, completion and attainment.

In fact, low income students today enroll in college at the same rate that high income students did in the mid-1970s. Black adults earn degrees at half the rate of white adults.

And the attainment rates among Hispanic adults are even lower. Just one third that of white adults.

As we've learned in K-12 policy, the things that measure are the things that count. And it's imperative for equity that policy makers have access to nationally representative data that reveal how student experiences and outcomes vary by race and income.

Ed Trust Research demonstrates that a rising tide frequently does not lift all boats. And we've identified a number of institutions that have improved overall graduation rates while leaving low income students and students of color behind, as well as those that have successfully closed gaps and improved outcomes for all
students.

Student level data allowed decision makers to evaluate how effective individual programs and interventions are at improving educational and workforce outcomes. Including for students from historically under-served communities and for those who are most in need of support.

Comprehensive, disaggregated, high quality data are a prerequisite for responsible policy making, and a fundamental necessity for constructing effective accountability and oversight systems.

In order to hold institutions accountable for the success of all students, federal data must be disaggregated by race and income, include part time returning and transfer students, and track a range of outcomes, including retention, transfer, completion, loan repayment, employment, and earnings.

The federal student level data network that would be established under the bipartisan
College Transparency Act would provide such data, which reducing the administrative burden placed on institutions and increasing the utility of data that is already being collected by the Federal government.

Accreditors would gain additional benefits from student level data, as it would enhance their ability to implement risk-informed and data-driven approaches to accreditation, recognize early warning signs of institutional failures, and expand existing accreditor data dashboards.

I therefore urge you to join Ed Trust and more than 130 organizations representing students, institutions, employers and veterans in supporting the creation of the student level data network. Thank you.

CHAIRMAN KEISER: Thank you very much. Are there questions for the presenter?

(No response.)

CHAIRMAN KEISER: Thank you very much Katie. Allie Aguilera? Did I get that right?
MS. AGUILERA: Yes.

CHAIRMAN KEISER: Ah-hah. Allie is from the Young Invincibles.

MS. AGUILERA: Yes. Good morning. My name is Allie Aguilera. I am the Policy and Government Affairs Manager at Young Invincibles.

We are a nonprofit and advocacy organization dedicated to expanding economic opportunity for young adults. Including improving accountability and transparency in American postsecondary education.

Thank you all for the opportunity to speak to you this morning. I hope to summarize the student perspective and support for overhauling our postsecondary data systems in order to properly evaluate the quality of programs and institutions.

So for the last three years Young Invincibles has been conducting on the ground, in person workshops, listening sessions, and roundtable discussions with current and aspiring college students across the country. To better
understand their perspectives on how to reform our postsecondary data system and to develop the student agenda for data reform.

This platform that is student-based, calls for overturning bans on federal data collection, building a student level data network that connects student records to workforce outcomes, protecting personal and sensitive student information, and empowering students to make more informed decisions when considering postsecondary education.

Thus far, organizations representing more than one million students have signed onto this agenda. You all know that a college education requires investing significant time and money, and it carries major ramifications for an individual's financial future.

With so much on the line, students and parents need reliable information to make smart choices about which college to attend, what major to choose, and how to pay for it. Unfortunately, college and career information across the country
right now is disjointed, unreliable, or completely unavailable.

Right now we can't answer some basic questions about the value of higher education, like which programs lead to jobs that students want, which groups are able to pay off their loans, and even whether students are graduating on time or successfully transferring.

With a lack of specific information about colleges, students and families look to the seals of approval given by regional or national accrediting bodies for legitimacies they place their trust not just in the institution, but in these bodies that they can expect a reasonable return for their significant investment.

To rectify the situation, we urge the members of this committee to formally recommend that Congress create a student level data network allowing already existing data sets at the federal level to talk to each other so that we can answer some basic questions about the value of these programs and institutions.
We believe that this is the only way that accreditors can accurately measure the quality and value of the institutions that they're tasked with evaluating. Developing a student level data network is truly the only way that NACIQI can perform its function regulating accrediting agencies.

Please consider us a resource for the student perspective on this issue. And thank you so much for having me.

CHAIRMAN KEISER: Thank you Allie. Is there -- Frank has a question.

MEMBER WU: Sure. If it's something you're comfortable answering. What do you think about the potential for abuse or lost data?

MS. AGUILERA: Sure. So, as the previous speaker said, there are built in safeguards not only for student identity and non-identifying information to be the basis of kind of that overarching data.

But there are also safeguards in place for the data itself requiring schools. And we
can get you more information on this based on the bill text about requiring schools, institutions, the IRS, et cetera, to put in fairly strict standards for how that information is shared and disseminated.

And students themselves would be non-identifiable in the aggregate.

CHAIRMAN KEISER: Ralph?

MEMBER WOLFF: Yeah, thank you. I'm very interested in the student perspective since we hear from all the data wonks in a little bit.

MS. AGUILERA: Sure.

MEMBER WOLFF: But, first of all I want to know is there a document or anything that does communicate what the student views are? I'd like to read more of it if that's available. If that could be made available to the committee.

In your testimony you mentioned something about workforce outcomes. And I don't under -- I don't believe, maybe others could address that too when they make their testimony.

Under the College Transparency Act or
whatever suggestions have been made, since we don't recommend legislation, would workforce outcomes be made available? I don't believe that would be part of the data system that would be created.

But I'm curious to know if that's one thing you're focusing on? And how would that be provided?

MS. AGUILERA: Sure. So, I think we are able to provide you just aggregated data from our roundtables that is broken down by survey responses and, you know, personal responses from students.

So that is something we can provide. The sample sizes we think are diverse and fairly large enough to be reflective of the current college population.

In terms of workforce outcomes, the goals from YI's perspective are not only understanding before you go to college what your investment is, but really understanding what your repayment options will be, and what your
likelihood of being able to repay will be after completing a degree.

Workforce outcomes, if we're able to overlay that with program value and quality, data would allow us to know what students are repaying, when and how. So, it wouldn't necessarily be a straight line from a history major to a job on Capitol Hill, it would be a straight line from having graduated to this institution too not defaulting on loans, to being employed within six months, 12 months, of having graduated.

That would be the idea. And we can get you more, you know, formal language on that.

MEMBER WOLFF: Thank you.

MS. AGUILERA: Um-hum.

CHAIRMAN KEISER: Arthur?

MEMBER ROTHKOPF: Where within the government or the quasi-government agencies would this responsibility lie? And do you think there's the capacity either within the government or as I say, within quasi-governmental bodies to
run this really major, major addition to information gathering?

MS. AGUILERA: Sure. So I would let the authors and sponsors of the CTA specifically to speak to their own administrative and regulatory, you know, base lines that would be in the bill.

I would say it would live in a joint Department of Education/Department of Labor venture. And would certainly need resources to support it.

But, isn't requiring any sort of new data to be collected. It's just requiring a connection of existing data.

MEMBER ROTHKOPF: So you don't see it as a big problem to, you know, put this burden on say the Department of Education maybe in conjunction with some others. Not a problem?

MS. AGUILERA: I think that to be able to analyze their own data is a capacity that's important for them to have.

MEMBER ROTHKOPF: Thank you.
CHAIRMAN KEISER: Yes, thank you. And we will have the panelists, who are the experts, coming up before. Thank you very much.

And the final presenter is Bryan Wilson from Workforce Data Quality Campaign. Mr. Wilson, you have -- Dr. Wilson? You have three minutes.

MR. WILSON: Thank you Mr. Chair and members of the Committee. I am Bryan Wilson, Director of the Workforce Data Quality Campaign, the data arm of the National Skills Coalition, a non-profit, non-partisan policy organization based here in Washington, D.C.

The Workforce Data Quality Campaign operates at both the Federal and State levels to improve the quality and availability of workforce data that can be used to equitably advance the skills of America's workforce and meet employers' skill needs.

I'm here this morning to urge the committee to add your voice to the over 130 organizations that support the creation of a
secure federally held student level data network. Your support for an SLDN would be important addition to your efforts to encourage better data use among accreditors and to strengthen the accreditations focus on student outcomes.

Of particular importance to the Workforce Data Quality Campaign, the creation of an SLDN would greatly enhance the availability of labor market data to assess student success.

While increasing employment opportunities certainly is not the only reason students pursue higher education, it is the most common reason. Yet, as a nation we do not know the answer to basic questions as to how many graduates of a program of study at an institution are employed, and what is their average level of earnings.

An SLDN would enable us to know the answers to such questions, and enable us to know the results for subpopulations of students while protecting student privacy. With such data, policymakers, accreditors, institutions could
implement policies and practices that better align postsecondary programs with the labor market. They could achieve better and more equitable results for students.

While some States have stepped up to create their own versions of SLDNs, and in a previous life I oversaw such an effort in a state, such State efforts are limited. States generally do not have access to employment information for students who move out of State, become self-employed, work for the Federal government, or enter the military.

Moreover, States do not use consistent metrics, making it impossible to know how well programs compare from one State to another. A national SLDN would address these shortcomings.

Currently before Congress is the College Transparency Act that would amend the Higher Education Act and authorize the creation of a Federal SLDN. On behalf of the Workforce Data Quality Campaign, I urge the committee to support this effort.
Thank you for your time. I'll be happy to answer any questions you may have.

CHAIRMAN KEISER: Thank you very much. Are there questions? Federico?

MEMBER ZARAGOZA: Thank you. So, we heard a little bit about the data integration components that maybe possible. The Department of Labor versus Office of Education, and as you probably know, placement and wage information is not consistent across the country and even within States that have data systems to support, give you some placement information.

Have you all looked at the possibility, I say maybe, using UI, which is not self-reported data, kind of as the driver for this alignment? So that we know if students are working, kind of the wages they have.

And then basically the configuration across walking that between kind of the Department of Education systems and programs, versus the wages and occupation kind of terminology that is in the Department of Labor?
MR. WILSON: Yes. The vision is that employment information would be measured by administrative record matching.

The College Transparency Act assigns administrative responsibility to the Commission of Education statistics who would work out with stakeholders and other Federal agencies the precise methodology.

But the options included in the Bill do include the employment insurance wage records, either through the U.S. Department of Labor or through census, which is collected, the UI wage records from almost every state.

There's also the new hire database for child support. And there's also of course, the tax records held by Treasury as other possible sources of data.

MEMBER ZARAGOZA: Thank you very much.

CHAIRMAN KEISER: Again, I want to thank the presenters for all keeping their comments under three minutes. That was pretty remarkable.
And now I'd like to invite the panel to come up and continue this conversation. Andrew Gillen from the Independent Higher Education Researcher, Michael Itzkowitz, Education Consultant and Senior Fellow for Third Way, Elise Miller, Vice President of Research and Policy Analysis for the Association of Public and Land-Grant Universities, Christopher Sadler, Education Data and Privacy Fellow at New America, and Mamie Voight, Vice President of Policy Research, the Institute of Higher Education Policy.

Again, I think you have organized your panel. But please introduce yourselves when you begin your presentations. Thank you.

MS. MILLER: We're just waiting. We have slides that we've provided. So we're just waiting to see if they are going to come up.

Do we have a clicker by chance? Okay. Thank you.

Well, I can go ahead and introduce myself while that comes up. Again, I'm Elise
Miller for the Association for Public and Land-Grant Universities. I'm Vice President for Research and Analysis there.

Thank you so much for the opportunity to speak to you today about student data -- student level data networks.

I have a history, I actually started my higher education career at ICU, the Independent Colleges and Universities, before becoming head of the IPED's data collection for six years. So, I've been working this space for a long time both as a data user, but also then the data collector at the Department of Education.

So, when speaking to the other panelists about the different perspectives we wanted to provide today, we decided that I could give a little history and context for the conversation.

So, bear with me as I give a bit of a history lesson. I probably won't be the most exciting panelist today. But we think it's
really important to have that context when having this discussion.

Just a little bit more about APLU. We represent over 200 public and land-grant universities, both in the United States, and outside in Mexico and Canada.

That represents 4.9 million undergraduates, and 1.3 million graduate students. We award about 1.2 million degrees a year.

One of our main pillars of our establishment is that we want to expand access and improve student success, to deliver the next generation workforce. We also focus on research and discovery as well as supporting vibrant communities.

So, I meant it when I said I'm going to give you a history lesson. Because we're going back to the 1800's right now.

What is now the Department of Education actually was established for the purpose of collecting data and statistics to
report on the condition and progress of education. So this has always been one of the core duties of the Department of Education.

It started collecting data in 1869 on enrollments and degrees. And so if you've ever looked at the Digest of Education statistics and you've wondered how they have data going back that far to track trends, that is why. They started that early.

In 1974, NCES, the National Center for Education Statistics was created. And they were assigned this duty.

And it's really important to note that statistical agencies, Federal statistical agencies are held to some very high standards around data quality, methodology, privacy and security requirements. And so housing the data in NCES is really important to ensure its quality.

The main higher education data collection for many years, from the '60s to the '80s was HEGIS, the Higher Education General
Information System. It was not required to be reported.

But it was used to get basic information on enrollments, degrees conferred, finances, faculties, and salaries. That encompassed about three thousand institutions.

It did not include the less than two-year institutions that are not part of the data collection. Because those institutions receive Title IV aid.

So there was kind of a shift in things in 1990 when the Student Right to Know and Campus Security Act was passed. Because it really moved to this consumer information movement.

And this is when the current IPEDS or Federal graduation rate was created. This is the graduation rate that reports on first time/full time students.

And so that was added to the IPEDS data collection at that time. And in the 1992 reauthorization of the Higher Education Act, reporting to IPEDS became a requirement if you
gave out Title IV aid.

And that's enforceable through fines on institutions that don't report. Or ultimately they could lose their Title aid. Although I don't think that's ever happened.

In 1998 there was an expansion of the data required to be collected and made available to students. And Congress specifically said, you need to make this available in a way that's easy for students and parents to understand.

So you see this consumer information movement starting to grow. And just a throwback for those that might remember, the very earliest generation of one of these college score cards or college navigator tools was called COOL, the College Opportunities Online Locator.

And I'm just kind of excited. I had that logo in my archive to share with you today.

So, the institutional versus student level reporting is not a new way either. It's been out there as a discussion point for many years.
The National Postsecondary Education Cooperative is an entity that serves as a national advisory group on how to improve the national data and quality of date for postsecondary education.

So you can see, they were having working papers and discussions of this going back to 1998. So this debate that we're having now has been going on for a long time.

But it really started to heat up around 2005 when the Spellings Commission had started. NCES engaged in a feasibility study.

They had been hearing from many that the data in IPEDS was not sufficient. The first time/full time graduation rate didn't describe the current students or their mobility through the system.

It left out part time students and transfer in students. And it didn't look at what they did if they left the institution before graduating.

Also of interest, was college
affordability measures and a net price at the
time. Institutions are saying, you can't really
judge us by our sticker prices because we give
out a lot of aid, and students receive a lot of
Federal aid. And so they're actually currently
paying this net price and we need more
information about that at the time they didn't
have.

So, they did a feasibility study that
basically said, we could collect a small number
of student level data elements that would allow
us to generate what's currently being reported to
IPEDS, and also improve a lot.

That was followed by the official
report out of the Spellings Commission that
concluded that because data systems are so
limited and inadequate, it is hard for policy
makers to obtain reliable information on
students' progress through the educational
pipeline. Basically we need better transparency
and accountability.

Well, that stirred up the debate a bit
more, resulting in the ban that is currently placed on the student level data network that was in the Higher Education Act of 2008. And kind of leads us to our current state today.

So our current state is that we still have the IPEDS data collection. The official graduation rate is still only for first time/full time students.

Which again, only tracks students who -- through what they achieve at their first institution. Not whether they transfer and get a degree somewhere else, which a lot of students do.

It also leaves out part time and transferring students. There's also a lot of other data in IPEDS, both on students and on institutional characteristics.

There is a process for changing the data that's collected in IPEDS. NCES uses something called the technical review panel, where it brings stakeholders around the table to discuss different ways that it might improve the
data collection.

And once there are proposed changes, there's a process that the Department has to go through to get approval from OMB. It's called -- it's through the Paperwork Reduction Act, which says -- basically goes through comment periods and it will ask stakeholders to weigh in on whether the value of this new data is worth the burden to report it on the institutions.

So there is a pretty thorough process in place to try to make improvements. But that's limited to institutional level data collection because of the ban.

The Department of Ed in most recent years, and Michael will speak more about this, I'm sure, has tried to leverage the current data systems that are in place. So while there's a ban on creating a data system that would include all students, there is data in the Federal Student Aid office that is used to administer student aid.

And so the Department has leveraged
that data to create the scorecard and report on outcomes of Title IV recipients. But that leaves out about a third of students.

In response to all this APLU has tried to have been at the forefront of providing better information. In 2014 we started the student achievement measure initiative along with the other major Presidential Associations.

SAM attempts to get better outcome data on more students by reporting on part time and transfer in students. And also on what happens to them once they leave the institution, or if they are still enrolled after the time period of tracking.

SAM currently reports half a million more students than the Federal rate. And we have over six hundred participating institutions.

The SAM initiative was also accompanied by a public campaign in 2016 about counting all students. To really say, we went out and found students who aren't captured in that Federal graduation rate, and told their
stories about how they're not -- their stories aren't being told through that data.

SAM allows us to tell that story. And we believe it should be -- replace the Federal graduation rate.

We are also strong reporters, as you've heard, about the College Transparency Act. We're one of the 130 groups that are supporting it.

And it was introduced in May 2017, a bipartisan, bicameral bill. We believe it collects the appropriate data at the -- to report at the program level on student and workforce outcomes.

It does report on earnings by doing matches from the data that the NCES would house with other Federal agencies, as you heard earlier. We do believe it's important that it is administered at the National Center for Education Statistics, which you saw since 1974, has a track record of collecting data both at the institutional and at the student level.
They do have sample surveys that track student level data. And are able to report at the sector and national level. So they have a strong history of managing these large data collections.

So, the other point I want to make is a lot of times we do hear about consumer information and how we need this information to get in the hands of students and parents. But, from our perspective at APLU, it is also critical information for institutions.

Our institutions want to know the outcomes of their students. They want to know how their programs are performing. They want to be data informed in their decision making so they can best serve their students.

And so I want to just emphasize and end on the point that this information in CTA would allow it to be provided to all these different stakeholders. And institutions are especially important in that conversation.

Thank you.
MR. ITZKOWITZ: Thank you. Good morning everyone. Thank you so much for having me here today.

My name is Michael Itzkowitz. I'm the former Director of the College Scorecard at the Department of Education. Worked at the Department for six years.

Most currently I work as an Education Consultant and Senior Fellow at Third Way, which is a centrist think tank in Washington, D.C.

Just to tell you a little bit about Third Way, we're a multifaceted think tank. We cover a number of different issue areas, including we have an economic team and an energy team, national security team, and social policy and politics.

Higher education falls under social policy and politics, which is where I work. We're committed to creating a higher education system that ensures that all students leave with more opportunities then before they started.

And we're also aiming to shift the
conversation and create demand for new policy ideas that better target taxpayer dollars, use them more efficiently. And improve student outcomes, which I think is one of the reasons why I'm here today.

So, just to give you a general sense and an overview, as you all are probably very well aware of how the Federal government has been thinking about outcomes over the past couple of years, is, I think it kind of boils down to a basic question of, are we helping students graduate as we know that we need more students with degrees for the 21st century economy?

Are they able to earn at least a modest living after they do attend a college? And then ultimately, if they've taken out loans, are they able too then actively repay their educational debt after they attend an institution?

So, as Elise has talked about a little bit, there a couple of different ways that the Department can currently do so, and that they
have been doing so through the College Scorecard and College Navigator over the past number of years.

So with graduation rates, as you know, we've been -- the statutory graduation rate defines it as first time/full time students that are graduating within 150 percent of the expected time to degree.

Post collegiate earnings on the College Scorecard, we have a -- we look at the number of students who have entered a college, who are federally aided students, who earn more than the average high school graduate.

And which the Department has calculated to be over 25 thousand dollars. So to see if they're making a modest living after they attend an institution.

Loan repayment rates is a newer development over the past couple of years, to address some of the shortcoming and default rate. That looks at the percent of students who are actively able to repay down at one dollar on
their loan principal within three, five, or seven years after leaving an institution. It's currently three years on the College Scorecard.

And for a while we've had cohort default rates as well. Which look at, this is the worst of the worst case scenario for students, students who are defaulting on their student loans.

But with the influx of income-based repayment plans and students moving into deferment and forbearance, the Department and others have seen this measure as a less useful loan repayment metric. Especially over the past couple of years when looking at institutional quality and effectiveness.

MEMBER PRESSNELL: Excuse me. Mr. Chairman, can we ask clarifying questions? Or do you want to wait?

CHAIRMAN KEISER: Let's let them make their presentation until we --

MEMBER PRESSNELL: Okay.

CHAIRMAN KEISER: Ask questions.
MR. ITZKOWITZ: Glad I read your mind.

So, right now this Federal data is incomplete, as Elise said and others will talk about today.

The Federal graduation rate that covers first time/full time students only covers 47 percent of all students. It leaves out transfer students. It leaves out part time students.

We know that part time students specifically are a huge part of our student demographic now a days. And NCES reports that they'll continue to increase over the next decade.

Our earnings data only covers 70 percent of students. It leaves out about a third. This only covers federally aided students and it doesn't include students that did not take out a Pell grant or a loan to attend an institution.

Also what we're limited in a sense right now in that it doesn't include earnings by program level. Which we've seen have been --
have more variance then actually at the institution level.

So there have been some recent advances over the past couple of years. In October, I believe, of last year the Department made an effort to include additional students within graduation rates through something that they call outcome measures.

And this includes part time students. And it also includes students who have transferred into an institution.

Now there are still some limitations with this advancement, although it's fantastic. And we're very pleased the Department has made a great effort to put out this data.

It still ultimately treats the students who transfer out as non-graduates. And as we can see just within a recent analysis that I ran for predominately certificate associates and bachelors' degree institutions, out of the 4.8 million students within that data set, we could see that there were about 1.1 million
students that had transferred out of an institution at some point in time.

So this data also, while it's a great improvement, it also does still leave out a number of students who ultimately do transfer, as we don't know the outcomes of those students at any sort of subsequent institution.

There's also been the House bill for reauthorization, called the PROSPER Act that was recently announced. Now, this asked for -- this codifies an effort to get program level data, earnings data specifically.

But it doesn't touch on graduation rates. And it ultimately still continues to leave out a third of all students who did not receive Federal student aid.

This is something that the Department has the capability to do right now. But this is also something that would put it into law and make sure that it continues further on.

Then there's also been the bipartisan, bicameral College Transparency Act, which is a
system that would allow for information on all students who attended the program that's approved by the Federal government to receive grants or loans.

It also helps provide an infrastructure for complete graduation rates and earning rates. Which would also allow for information on full time students, part time students, mixed enrollment students, and also would allow to help us understand the success for students who transfer to other institutions after leaving the first institution that they did attend.

So, I think being at a couple NACIQI meetings in my life, I've heard, you know, how does this -- how does the data that we have right now compare to the data that we might get?

And I think that one of the issues is, is that we have some clues. But we don't have a full picture right now.

So, looking at graduation rates, doing an analysis on the outcome measures data that
just came out, what we saw is that when including part time and students who have transferred into an institution, we actually saw that that rate is lower then when just including first time/full time students.

So, looking at an analysis of certificate-granting institutions, associate-granting institutions, bachelors degree-granting institutions, first time/full time students graduate at about 51 percent of the time.

When including all of the students that are included in the new outcome measures data, we saw that number drop to 45 percent.

But as I mentioned, there are still limitations within this data set. And that this is something that the Department is currently limited in.

When putting out the College Scorecard there was internal analysis. And a lot of thought about what do non-Title IV students look like in comparison to Title IV students?

And while they had differences in
incomes, you know, significant differences in incomes, they look somewhat similar across the distribution of institutions in terms of characteristics like ACT/SAT, race, ethnicity, age, dependency status.

And I believe that there is internal analysis to run to say that the earnings numbers wouldn't vary by much. But ultimately this is something that we still don't have full and complete information on without a student level data network that would help us gather all of that information.

Now as I mentioned, we also -- the Federal government has also been moving towards a repayment rate as a measure to indicate if students are effectively repaying their loans over a certain period of time.

Now this is a strong data point because it's only measuring students with loans. The Department has this information on all students, as they're the lender.

And we're able to get a full sense of,
if students that have taken out loans are actively able to begin paying down that loan within a certain time period.

So last year we ran an analysis using the Performance by Accreditor Database that you all have been using, to get a sense of sort of what's going on around the country in terms of outcomes.

So I just wanted to give you a brief overview of sort of how we're looking at the full spectrum of institutions across the nation and the outcomes that we're seeing in terms of whether or not students are doing these things that we've talked about. Which is whether students are graduating, whether they're able to earn a modest living, and whether they're able to repay their loans after attending an institution.

So here just looking at four year institutions, we can see that there are 219 institutions that are displaying graduation rates above 75 percent for their first time/full time students. And there are six hundred -- however
there are still 692 institutions, four year institutions that continue to graduate less than half of their first time/full time students.

Additionally, there were 20 accredited institutions that show fewer then nine out of ten of their first time/full time students finishing the degree at the institution where they started.

Now looking at post-collegiate earnings at the typical four-year college, we can see that most students are earning more than the average high school graduate, after attending. However, for many that's also still not the case.

Out of 1570 four-year institutions with earnings data available, there were 222 that see the majority of their former loan holding students still earning less than 25 thousand dollars a year, six years after they enrolled. And only 260 of these institutions have more than three quarters of their students earning above that threshold.

For repayment, we can see that there
are 23 percent of institutions that have at least three out of four students paying down at least one dollar towards their loan principal. However, there are also nearly the same amount, 385 percent of institutions, or 24 percent of four-year institutions that are leaving less than half of their students able to begin paying down their debt within three years of leaving.

Now looking at two-year institutions, and while definitely serving a different student body population and having different missions often then four-year institutions, we can see that graduation rates for first time/full time students, which could be not often the students that are attending two-year institutions, only 146 of these institutions graduate more than half of their first time/full time students at the institutions where they started. While there are 811 of them that still do not.

Additionally, there are 67 two-year institutions that graduate less than 10 percent of their first time students. While only 27
percent of two-year institutions graduate more than 75 percent.

For earnings, as shown here in this slide, there are 578 two-year institutions that see most of their former loan-holding students earning less than the average high school graduate after they enrolled. And only 38 institutions that have over 75 percent of their former students earning above that threshold.

And for repayment rate, while we're hearing a lot of talk in the news about students with big loan balances, we're seeing a lot of struggle at two-year institutions for students that are actively trying to repay their loans.

In fact, only 21 percent of two-year institutions see the majority of their students being able to pay down at least one dollar on their principal within three years of leaving that institution and entering repayment.

Now looking at certificate-granting institutions, which are mostly shorter in length, we can see that graduation rates of these
institutions, they look stronger then some of the
other -- then two-year institutions, some of the
other institutions that we've reviewed.

So, there are 160 -- so while they do
look stronger, there are still 160 institutions
that are graduating less than a quarter of their
students.

But graduation rate here isn't
necessarily leading to other strong indicators of
effectiveness after students do earn a
certificate at those institutions. So even with
substantially higher graduation rates, we can see
that at one in five of certificate-granting
institutions there are at least 75 percent of
federally aided students who continue to earn
less than the average high school graduate.

And that 77 percent of these
institutions the majority of their students are
unable to begin paying down their loans within
three years.

So now I know that we're looking at
these metrics separately, but we made an effort
to say, well what if we combined these metrics. And we looked at schools that fell below a certain indicator of what we would consider strong outcomes after they attend college.

So looking at institutions to where most students don't graduate, they earn less than the average high school graduate, and they struggle to pay down their loans, we can see that there are 1221 institutions to where less than 50 percent of students are earning more than the average high school graduate. And more than 50 percent of students are unable to repay one dollar on their loan after graduation.

And we can also see that there are billions of dollars that flow to these types of institutions every single year.

Now, in addition to looking at these separately and combining two, you know, we also said well, what if we look at all three together? What if we mesh all three to look at institutions that fall below all three indicators of effectiveness and ultimately graduate less than
half their students, have poor college outcomes --
have earnings below the average high school
graduate and are unable to repay their loans.

We found that there were 680
institutions within the accreditor database from
last year that fall below this threshold. Those
institutions serve 3.4 million students. And
they received a tremendous amount of 14 billion
dollars through federal grants and loans last
year.

So a couple takeaways from my
presentation is that there's a tremendous Federal
investment in higher education. Over 120 billion
dollars that flow to institutions, accredited
institutions every single year.

And we need better data. Our current
data continues to leave a lot of students
invisible. We only have first time/full time
students, which only covers 47 percent of all
students. Earnings only cover 70 percent.

However, the data we have now, we can
see it provides some hints and it's still
actionable. And as we work towards better information for students, I ask NACIQI to continue to use this data within their evaluation and recommendation process.

Also as mentioned, we have a number of institutions that we can see not only fall below one of these metrics, but they fall below all three. And I use the cutoff of 50 percent. You could use different cut offs to think about institutional quality when it comes to Federal data.

But we ask that there are billions of dollars that students are taking out every single year that ultimately leave them degree-less, under employed, and unable to repay their loans.

So, I ask NACIQI to continue to keep a focus on these institutions moving forward as we continue to ask and hopefully obtain better data on all students. Thank you very much.

CHAIRMAN KEISER: Well, we're going to put time at the end to ask the speakers. Because we're -- actually, I was going to ask the
speakers to please stay in closer time to what
was allotted for them.

And Jennifer, you have something?

MS. HONG: Yes, real quickly. These
presentations are available online. If you want
to pull them up they are on the NACIQI website at
sites.ed.gov/naciqi.

You go to archive of meetings. And
then you pull down February. Under February 7-9
so you can follow along as the presenters
present.

CHAIRMAN KEISER: Thank you.

MS. VOIGHT: Thank you and good
morning. My name is Mamie Voight. And I'm with
the Institute for Higher Education Policy, or
IHEP. And I appreciate the opportunity to talk
with you today.

IHEP is a research, policy and
advocacy organization that works to promote
college access and success, particularly for
under-served students. So, students of color,
low income students, and other disadvantaged and
marginalized groups.

And at IHEP we recognize the value in data and using data in order to promote college access, success and equity. And so with that realization of the value of data, we also lead the postsecondary data collaborative, or PostsecData.

PostsecData brings together organizations that are committed to the use of high quality data to promote student success and advance educational equity. And I want to really highlight the fact that we are focused here, very clearly, on student success and educational equity.

We at IHEP do not enter the data conversation for data sake. We are not just seeking data to have data.

We're seeking data because we know that it can really drive improvements for students. And make a difference in their lives if it's used effectively.

In particular, it can help to identify
and develop policies and practices and solutions for closing equity gaps that separate so many low income students and students of color from their classmates. And so this is really the perspective with which we enter this conversation.

And right now we recognize that a variety of different stakeholders need better answers to key questions about our higher education system. Students and families, policy makers, including NACIQI, accreditors, and colleges and universities all need answers to questions about things like college access.

Who's going to college and where? College completion. How many students and which students are succeeding in college?

College costs. How much are students investing, and how much are taxpayers investing in our higher education system? And outcomes. How do students fair after they leave college and enter the workforce.

Right now however, we don't have
sufficient data to adequately answer many of those questions about our colleges and universities. There are many unanswered questions.

And I won't go through each of these. It's just a sampling of the types of things we can't answer. For example, we don't know the completion rates for part time and transfer students of color.

We don't know representative information about workforce outcomes across all colleges and all programs across the country. And critically important, we don't have data that are disaggregated by race, ethnicity, and income on all of the key metrics about our higher education system.

So I want to break this conversation into sort of two pieces around data. First in thinking about the metrics that we need.

So answering that question, of what data are actually necessary. And then getting to the question of what infrastructure do we need in
order to populate those metrics and answer those questions. In other words, how should those data be collected?

So to address the first question, we have taken a careful look across the field to try to identify what institutions and States think is important to measure in terms of college access, completion, and outcomes. We've done that research by examining a number of voluntary data initiatives.

States and institutions have recognized that the data currently available at the Federal level is insufficient to answer their questions. And so they've tried to fill these gaps and plugs these holes in data by entering these voluntary data initiatives.

Elise discussed one of them, the student achievement measure. But there's a whole host of others and I haven't even listed them all here on this slide.

These various initiatives have tried to plug these holes. And so what we did at IHEP
is we took a look across all of them that have been developed over the course of the last decade or so.

We went through code books. We went through instruction manuals to try to understand what exactly do institutions and States need in order to do their work of improving access and success for students?

And what we found is that there is quite a bit of convergence and agreement around what we should measure. We identified a core set of about 30 metrics here that we present in a metric's framework that's really field driven and informed by the work that institutions and States have been doing to identify a set of metrics that answer those key questions about access, progression, completion, costs, and outcomes.

So with that understand of what data are necessary, we can then turn to that question of, how we go about collecting those data so that the data are complete and accurate and reliable.

And this is an example of what our
current data infrastructure looks like. It is messy. It's incomplete. It's duplicative. It's disconnected.

And worst of all, it's not providing answers to those questions that we talked about in the beginning. And I would not even presume to say that this graphic includes every arrow of data moving within our system.

But institutions -- different types of institutions are reporting information to a variety of different entities. They're reporting to their States. They're reporting to their accreditors.

They're reporting to the Federal government. And sometimes multiple places within the Federal government. But these various data are moving around and aren't being matched in ways that can answer those questions.

But a better solution exists. And you've already heard just some discussion about this solution this morning so far.

A secure, privacy protected, student
level data network at the Federal level would be able to provide better aggregate information to answer those questions at the institution and program level. And the College Transparency Act is a bipartisan, bicameral solution that would implement this Federal student level data network.

The College Transparency Act, or CTA does a few things. It would create this type of student level data network and house it at the National Center for Education Statistics, which is critically important as Elise explained, because it is held to such high statistical standards and such rigorous security and privacy protocols.

The Bill would make sure that institution and program level information is made available to students, to policy makers, to families, to accreditors, and to the public so that the various constituents can answer these key questions about our higher education system.

Importantly, it would replace student
components of IPED. So this would not be one additional collection or one additional system, it would be replacing existing systems.

So to the question of capacity that came up earlier, the National Center for Education Statistics now spends resources on the IPEDS collection. This system would replace large components of that system.

And so the Department or NCES should be able to shift some of those resources over to this type of more efficient and effective collection.

This system would produce more complete information then what we have now. So Michael identified many of the gaps that exist in the current metrics that we have to rely upon at the Federal level, this system would help to round out those metrics, complete them and count all students, all institutions, and all outcomes.

Importantly, it would incorporate workforce outcomes into the types of information that we have available to policy makers and
students to inform their decisions. And make sure they can make evidence-based choices.

And finally, it will adhere to best practices in protecting student privacy and securing the data. And I think we'll hear more about that from one of my co-panelists.

The Federal government is uniquely positioned to compile this data for a number of reasons. It is the one entity in the triad that oversees all institutions.

So it can count all students, all institutions, and all outcomes. It also is the only entity with comprehensive employment outcome information already, because of the data that the Federal government already holds.

Existing workforce outcomes that we have to rely upon now omit either non-Title IV students, like Michael was discussing, or the State data that are available, omit Federal employees, members of the military, the self-employed, and people who cross State lines to work.
So there are gaps in those existing systems. But the Federal solution would be able to close those gaps.

Also, many State longitudinal data systems that we rely on now to answer questions about workforce outcomes, earnings and employment, omit private institutions. And so especially for accreditors that are accrediting public and private institutions, they need access to information on all institutions, not just the publics that are included in State longitudinal data systems.

Finally, we've mentioned this already, so I won't harp on it too much. But NCES is the statistical agency at the Federal government that is held to those rigorous standards in terms of securing data, protecting privacy, and they have a long history of working with large data sets and managing them carefully.

So I want to give a quick analogy here as you think about the role of the Federal government. You can consider the weather app
that you have on your phone, which is in many cases, a privately developed app.

It's using data from the Federal government. It's using data from the National Weather Service in order to populate that. In secure ways the data are transferred but made useful to people who need to make decisions.

And students' decisions and policy maker decisions about colleges and universities are certainly much larger decisions then whether to bring an umbrella in the morning or wear a hat.

So, I think that we can use this as kind of a way to think about the structure of data to inform really important decisions about students' lives.

And just to finish up, I want to discuss why this is so important for NACIQI and for the conversations that you all are having here. You have been moving towards more data drive, accreditor reviews, which is absolutely the right direction to be moving.
You're using the information that's available to you, which is critical to make evidence-based decisions. However, the information that you have, the data dashboards that you have to rely upon, are incomplete. They're missing many students. And they're giving inadequate answers to the types of questions that you are asking.

A better solution would help to plug those holes and make sure that you have the information you need to do your jobs. It also should help accreditors to have better data.

Right now accreditors have to go to individual institutions and try to plug some of these data holes on their own. They have to figure out what the problems are with existing data and try to fix those problems by working with the individual institutions that they accredit.

Accreditors should be spending their time doing the really important and hard work of quality review. Doing those site visits and
working through quality issues.

And working with institutions to help them improve. As opposed to trying to scramble to figure out what the best data point is.

If we had a student level data network that was able to provide more quality information, accreditors could use that to inform their process that they go through. And then spend more of their time doing what they are really experts at.

So I will close there. And look forward to any questions at the end of the panel.

MR. SADLER: Hi, I'm Chris Sadler. I'm a fellow at the Open Technology Institute, which is part of new America. OTI works at the intersection of technology and policy to ensure that every community has equitable access to digital technology and its benefits.

I'll be talking about privacy and security in a student level data network, SLDN. That's the preferred term for me, rather than what it used to be called, student unit record
database system. I'll talk more about why I prefer that in a minute. Obviously, security and privacy are a big topic.

I wanted to focus on a few areas that I think are receiving a lot of attention. There's been some high-profile breaches of various institutions over the past couple years. Then I'll talk about how these areas apply in the context of the College Transparency Act.

Data minimization, essentially the idea here is if data is not collected or used in the first place, then it can't be breached or compromised. At one time in my career, I worked in epidemiology. I was more on the researcher side of the table. We would often be wanting to get every piece of data, thinking if we have this piece of data, we might be able to do this analysis. Wouldn't that be cool? There's a much stronger resistance to having a grab bag of data that you might potentially use for something in the future.

Instead, these days, you need to be
pretty strict about what data you're collecting, exactly what you're going to use it for, and why. Part of this, also, part of data minimization is data retention. We've been in the digital age for a while.

Companies and institutions have collected quite a bit of historical data. These large repositories of data have essentially become a big target. Also, most of don't want data on us hanging out there forever. There's much more of a focus, too, on data retention as part of this data minimization.

You need to have a policy in place for how long you're going to retain data, and why. Secondly, access control and access management. This has been a culprit in a lot of data breaches recently. There's just too many people that have too much access to data. In a lot of these breaches, it was a contractor whose credentials were compromised, who had too much access to the system and had retained that access for much longer than they should have.
Usually, in security and privacy world, you follow the principle of least privilege, meaning people should be strictly restricted to only being able to access the absolute minimum data they need to do whatever their function is, and to allow that access only for the limited amount of time that they need to do their work.

Lastly, and I think most importantly, as an area of focus, is this idea of moving away from traditional databases. This was one of the recommendations that came out of the Commission on Evidence Based Policy, which issued their report this past fall.

They urge getting away from this idea of centralized databases, which is kind of how, traditionally, things have been done, and instead bringing together limited amounts of data for a limited time, for limited purposes, so temporary matching of data. The Commission on Evidence Based Policy has made a bunch of recommendations on that. There's a bill, actually, that they've
introduced that would lay some of the groundwork for some of their recommendations. I want to talk about some of these things in the context of the College Transparency Act and how the College Transparency Act handles privacy and security.

As we've heard, it would be housed at NCES, which is one of thirteen government statistical agencies. NCES has a long track record of responsible management of data. I think also important to note is that NCES is politically independent.

This is not an agency staffed by political appointees. I think that's important. Something that's come up in discussions with the CTA has been that this data might be repurposed or reused in certain political purposes. I think that's something of a safeguard there, too, having that at NCES.

Also, having it at a statistical agency would provide an opportunity to apply CIPSE, the Confidential Information Protection and Statistical Efficiency Act, which is a law
that provides very strong confidentiality protections, including restrictions and prohibitions on the use of data. It prohibits the use of data for law enforcement purposes. The Privacy Act actually has some exemptions for that, so CIPSE provides an even stronger level of confidentiality protection. It also applies harsh penalties, too, for any disclosures or misuse of data.

The College Transparency Act, I think, is also strong on minimization and restrictions, itself. It would prohibit the collection of a lot of types of data, including grades and health data and a number of other classes of data, restricting it only to the purposes of its reporting, which it outlines in the bill.

It kind of strictly details which metrics the system would produce, and the actual use of the data elements would be governed by a body of stakeholders. It would be reviewed once within every five years. Importantly, it would include privacy advocates at the table.
I think that's important. Probably most important, again, with the College Transparency Act, is it does follow this idea of matching, instead of creating a repository, so in line with the recommendations of the Evidence Based Policy Commission. How this would work is there wouldn't be some huge database sitting out there somewhere. Instead, it would be temporary matching. Just as an example of what might happen is school program-level data would go to the IRS.

The IRS would calculate aggregate data on the programs and return that to NCES. There would not be any central database of student-level earnings records, which would be something of a honeypot, a big target.

I just want to briefly note that there is a second bill that's been introduced this past fall, the Student Right to Know Before You Go Act, which would similarly accomplish creating a student-level data network through this matching type of temporary connections.
The big difference is that it mandates the use of a technology called secure multi-party computation. It's a cryptographic technology that's a little too complex to get into right now. It's something of an emerging technology. In terms of costs and timeline, it's not clear -- there's a lot of question marks. It's not something that's been used very much, so this would be a very large-scale implementation of it, and it would be at the federal government. I think there's potentially a lot of roadblocks and obstacles there. As I said, this is a pretty broad topic. I'm happy to take questions here, or please feel free to email me after today. You can reach me at sadler@opentechinstitute, or it may be easier to remember, I also have an email at sadler@newamerica.org. Thank you.

MR. GILLEN: Thank you for having me.

The role that I have today --

PARTICIPANT: Your name?

MR. GILLEN: My name is Andrew Gillen.

I currently work at the Charles Koch Foundation
and Johns Hopkins University. However, I am not representing either of those institutions here. Everything I'm saying is on my own personal cognizance, and neither of them provided any support to any of my work here.

The role that I'm going to focus on today is trying to explore what the potential implications of the student level data network or student unit record system would have on accreditation, specifically. I think there's really two aspects of the student unit records that would really impact accreditation. The first is that the data usage is going to be much more complete, more relevant, and much more frequently updated than we're used to. The second is how that is going to be used.

It's basically going to be used to compare colleges in ways that is not currently being done. Both of those are going to have really, really big implications for accreditation. What I'd like to do is just run through some possibilities.
These are just potential changes that might be on the forefront for accreditation as a result of these student unit records. My colleagues did a good job of laying out the basics here. I don't want to spend a whole lot of time on any more background on the student unit records, so we'll skip over that one.

What are the implications for accreditation? The first implication, I think, is that much more emphasis can be placed on outcomes. One of the critiques of the accreditation system, for a long time, has been too much focus on inputs, or too much focus on process and governance and the recipe for a college, rather than the results of the college. A student unit record will allow for outcomes data to be matched to specific institutions much more thoroughly and completely than has been possible in the past.

What that means is that a lot of the emphasis that's currently placed on inputs, process, and governance, can now be replaced by
an emphasis on outcomes. This could potentially unleash a lot of innovation. If we're currently mandating a certain set of inputs and processes that need to be followed, we're basically mandating a recipe for college.

All new colleges are going to look sort of like the existing colleges, in that case. Whereas, if we are no longer forced to mandate inputs and processes, then people can come up with new recipes for colleges. That could potentially unleash a lot of innovation.

Second potential implication for accreditation is the use of data from third parties, so earnings data from the IRS or the Social Security Administration. You could use exam data from discipline associations, such as American Bar Association. This is something that accreditors might be able to do as they focus more on outcomes, rather than inputs. I also think that there's a lot of potential to improve accreditation. For a long time, accreditors, themselves, have wanted to move away from the
current binary -- you're either accredited, or you're not.

There's a recognition that there's a vast range of quality among institutions in higher education, but accreditors have been stuck saying accredited or not. Once there's outcomes that are more reliable and more complete, it becomes a lot easier to justify differentiating among those institutions.

If you have a really high-quality institution, maybe their accreditation process looks a lot different than a really risky and new institution. That's a lot easier to justify it, when it's based on outcomes, rather than inputs.

The other thing that you can do, which accreditors have already started moving in this direction, is to adopt risk-based or risk-informed reviews. Two international examples that are out there right now are Australia's TEQSA, and essentially, they have risk indicators in four different areas. If institutions trip those flags, that triggers
follow-up investigation by the review council. A similar thing happens in the United Kingdom's Higher Education Funding Council, where they are essentially trying to focus the equivalent of their accreditor's attention on the institutions that need the most oversight and the most help in improving.

That's really a method of making sure that accreditors are really focused on the institutions that need their help the most. Another potential implication for accreditation is that once this outcome data has been analyzed, it may actually lead to changes in what Congress mandates, in terms of what accreditors are required to do.

This is the current list of areas where accreditors are required to have standards, but it's very conceivable that after this outcome data has been analyzed, this list will change. We might take away some of these things. We might add some things. We might modify some things. I don't think that this list is
necessarily going to be written in stone for the next decade after a student unit record is available. Another implication for accreditation is the timeline. A lot of the outcomes data that will be used, such as earnings or certification and exam data, that can be released much more frequently than we're typically used to, so annually, at least, if not more frequently.

In that context, if we are moving to a more outcomes-based accreditation using earnings and exam certification data, it doesn't really make sense to have ten-year re-accreditation, at that point, so re-evaluating the timeline for accreditation, possibly in combination with risk-informed re-accreditation triggers, would make a lot of sense in that context.

Another aspect of accreditation that might undergo a lot of change is more of an emphasis on programmatic accreditation, as opposed to regional and national. One of the key strengths of a student unit record system is that
you can actually get really good data on programs, each program within a college. If that's the case, you don't really need to accredit the entire institution anymore. You can accredit the accounting program at Community College X, or you can accredit the sociology program at State University Y. The notion that the entire institution will just have blanket accreditation may not survive a student unit record system when we've got program level data.

I think those are the main data usage implications for accreditation. In terms of how that data's going to be used, a lot of it's going to be used to make comparisons among colleges. To the extent that accreditors move away from binary decisions, they're going to be making those comparisons, too.

Those comparisons, if they're done well, they can really help improve the quality-improvement aspect of accreditation. There's two examples I threw up here. One is from a Dutch newspaper that started ranking the
secondary schools in the Netherlands.

What they found was that the schools that were doing a poor job just didn't know that they were doing a poor job. Once these rankings came out, they figured that out because they were at the bottom of the list. They contacted the schools that were doing a good job, figured out what they were doing differently, and started improving themselves. Schooling in the Netherlands improved as a result of this Dutch newspaper releasing this data. Going in reverse, the Welsh government actually started withholding performance metrics on some of their schooling.

Researchers were able to determine that actually hurt outcomes. Schools then started to slide and deteriorate in quality. Comparisons can help, but comparisons can also make things worse.

Particularly within the context of how higher education institutions compete, a lot of the way you distinguish yourself is by recruiting a very successful class to begin with, so you
bring in the best students.

Right now, the indications are that if colleges are able to select their students based on ability, that could actually lead to stratification by parental income, increased transmission of income and equality, and reduced student effort. This is referred to as the anti-lemons effect. The key for accreditation, and for anybody using a student unit record system, is to make sure that you avoid rewarding schools for selectivity or ability-based sorting. One way of doing that is to take into account, essentially, the starting point of the students when they came to you. We often refer to this as value-added contributions to whatever the measured outcome is.

The final thought I have here is that I really do think that once we have a student unit record system, the comparisons of outcomes that that's going to enable is going to be really superior to anything we've got on the accountability front right now.
Right now, we're forced to use things like graduation rate, retention rate, cohort default rate. These are very rough outcome measures. Whereas, student unit record will give us much, much better access to outcome measures. That will really replace a lot of the accountability efforts right now.

That really gives the accreditation system a choice. Accreditors can either take the lead in making use of that data, or they can use this to pivot away from the quality assurance role and really focus on the quality improvement role. There's that big tension between the quality improvement role of accreditation and the quality assurance role. Maybe that tension doesn't need to be there if there's other entities out there that could do the quality assurance job with the help of a student unit record system. Thank you.

CHAIRMAN KEISER: We have a few minutes for questions. Frank first, Claude second, Arthur third, Susan fourth, and then
John. Actually, John, you were first.

PARTICIPANT: No, I was first. You told me not to --

CHAIRMAN KEISER: If you'd be polite, John will be last. Go ahead, Frank.

MEMBER WU: I actually have three questions, and it's for any of the panelists who want to speak to these. The first is -- I want to take seriously the concerns that people raise.

There are folks on the other side of this who think this would be terrible, would produce bad consequences that we can foresee and bad consequences we can't foresee. Each of my questions is about a concern someone might have. The first is what if someone said there isn't an issue because if you want to do comparison of School X to School Y, then we don't have good data on transfers, people who go to graduate school, people who go into the Army for School X and School Y, so it all evens out. You can still compare.

I understand several of you to be
saying -- and I just want to tease this out to make it explicit -- that you can't do a comparison because are disparities among communities.

What I mean by that is different communities, different demographic groups display different rates of transfer and different propensities to do different things, and there are differences among institutions, meaning some institutions produce lots and lots and lots of transfers, some institutions produce far fewer, and that's sometimes by design.

So with transfers, in particular, if we can't track them, you can't actually compare School X and School Y because they might be fundamentally different. That's my first question. Is that true? On privacy, I hear you say saying something else, which is if you're really paranoid -- and maybe there's a good reason to be paranoid. The IRS could use this information, or it could be used to try to deport people, etc. The data's actually already out
there; it's just bad data and disconnected data. If someone were really determined to do bad things, they could already do bad things with the existing data.

Getting better data doesn't increase the risk of bad things; it just gets us better data. I see some nodding. I just want to test that. That's what I'm hearing you say. The last, though, is something that the last of the slides brought to mind, which is several of you want to see better access, something I want to see, helping people who traditionally haven't had access.

What if all this data works the other way, though? What if it causes stratification? Nobel Laureate Kenneth Arrow once posited that the American higher education system is just one giant sorting system. It's like in Harry Potter, the sorting hat. We get sorted into different institutions, with different life prospects. What if, with all this data, what happens is not that consumers make better choices, because many
of their choices are constrained, but instead, people with options all gravitate to these set of schools, and people without options are all relegated to this other set of schools, so the data just accelerates this sorting? That might make us unhappy. Those are questions for you to address. Thank you.

MS. VOIGHT: I can jump in and I'll try and go backwards on your questions. To the point of stratification, we have a very stratified higher education system now. That's a huge concern of ours. Right now, a high-income, low-achieving student has the same chance of getting a bachelor's degree as a low-income, high-achieving student. There are enormous inequities in our system now.

We believe that data will help to shine a light on some of those inequities and identify them in ways that we can then develop solutions to improve upon them. Institutions can use the data to improve, and policymakers can use the data to improve. Also, you get at this point
of student choice and the fact that some students have limited choice because they're place bound or for any number of reasons, especially students who tend to be low income. But the data made available through this type of system would provide program-level information, which is incredibly important in informing choice. Because even if a student only has one institution in their area, they do have a choice between programs within that institution, so having good outcome information on those various programs can help them make comparisons. To the point about privacy and existing data, you're right that we have a lot of data now.

We're not necessarily talking about a lot of new data; we're talking about better data. We have a lot of data, but we need to turn that data into information, so that people can use it. The College Transparency Act does that in a way that very thoughtfully considers privacy and security. We need to be able to protect
students' right to information, while also protecting their privacy and securing their data. There are a number of provisions in the Act that get at that. In particular, it prohibits the collection of especially sensitive type of information, like immigration status. To your point about deportation, that information wouldn't be in the system, so it wouldn't be an option to be used. It also prohibits the use of this data for law enforcement purposes. It would also protect students in that way.

Then to your first point, I think it's important to keep in mind that what the research shows is that what institutions do really matters, in terms of student success. These various outcomes are not predestined. They're not predetermined.

Demography certainly is not destiny, in terms of who will complete and who will go on to be successful in the workforce, but rather what institutions do, what programs do matters a great deal, and having better information to be
able to compare. Students compare, policy makers can compare, will help to understand which institutions are doing a really great job and what we can learn from those institutions.

There are, to your first point about the disparate impacts of this inadequate information, we've heard that the earnings information leaves out 30 percent of students. That's actually very different at different colleges. For example, the California community college system, only 25 percent of students in that system get federal student aid, so three quarters of students in the California community college system would be totally left out of workforce outcomes metrics. We know that the quality of the data is actually even going to vary across institutions and programs, making it difficult to make those comparisons now.

CHAIRMAN KEISER: I just want to discuss the fact that we have a guest coming sometime in the next few minutes, and I will interrupt the discussion to introduce our guest.
Arthur, it's your turn.

MEMBER PRESSNELL: That's what happens when you know you're a little -- I'm the little troublemaker in the corner.

PARTICIPANT: Were there others who were going to speak to any of the --

MR. ITZKOWITZ: Just to think about the role of accreditors as continuous improvement entities, I'm actually hoping that it would have an opposite effect for accreditors and for students, by having better and more complete data. By having this data, it would provide less doubt on the information that students and consumers are looking at to get a better understanding of if they would like to attend an institution and transfer, how well their likelihood is to ultimately be able to enter and transfer and complete an institution.

I also hope that it would shine a spotlight on institutions across the country that are doing these things really well, that would add to the complexity and knowledge of the
accreditation and continuous improvement process, so to look at institutions that are high-access institutions, that are serving low-income students very well, and to help understand what strategies they're doing. I think and hope that it would help better shine a light on those institutions that are beating the odds.

MS. MILLER: Can I add one more thing, just on the first question -- it'll be short, I promise. I think the better data -- the institutions do have different missions, and they're serving different students. Some of them are trying to help them transfer to another institution. Some are purposely serving part-time students and older adult students. I think that it's important to make the point that institutions will have the ability to better explain their mission and how they're achieving it through having this data. Having data only on first-time, full-time students actually assumes that all institutions have the same mission in serving these traditional students. I think
it'll be very good for institutions to have the additional data to explain the diversity of institutions and the students they serve in the system.

MR. GILLEN: Go ahead.

MR. SADLER: Sorry. I just wanted to make a brief point on the privacy question. I think it is a good point that a lot of this data is already out there. One example is the IRS already does get education data via 1098-T. However, a student level data network does create a new instance of this data.

In terms of concerns about misuse for immigration purposes, which has come up a lot, just to reiterate what Mamie said, I think the best approach to that is the prohibition on the collection or use of that data, which the College Transparency Act does stipulate, and then also protections at NCES, both its political independence and its strict prohibitions on the reuse/repurposing of any data for law enforcement purposes.
CHAIRMAN KEISER: I know this is a
very important topic, but we are way over
schedule, so if we can keep our questions short,
and our answers even shorter.

MEMBER PRESSNELL: Okay, I'm going to
jump in, then. I do want to reiterate, I think
stratification is an issue that we need to take a
look at as we analyze the data because if we're
looking at the value of a degree just based on
how much you earn after six years that you
enroll, then you're going to choose to go to an
urban institution that is in a city that pays a
whole lot more for the same job than in a rural
community.

I think we need to be careful on how
we cut the data. That leads me back to the
question I had about an hour ago, that I didn't
ask, in respect to the Chair. Mike, with your
analysis on -- you came to some just real quick
conclusions about graduation rates at two-year
institutions, four-year institutions, earnings at
two-year institutions, four-year institutions,
pre-degree. The question is are you talking about 150 percent time on each of those institutions, so a two-year institution is three years?

MR. ITZKOWITZ: Correct.

MEMBER PRESSNELL: It's three years for a two-year institution. After six years of entering -- was it after six years of entering for all of those institutional types and --

MR. ITZKOWITZ: On the graduation rates?

MEMBER PRESSNELL: No, earnings.

MR. ITZKOWITZ: Earnings, yes.

MEMBER PRESSNELL: It was six years after you entered a two-year institution, six years after you entered a four-year institution, and the high school students were contemporary to after six years, they left high school? Here's why I'm asking.

Because if you're saying the high school student was in the job market for six years, being compared to a four-year graduate
who, at best, could only be in the job market for
two years, most likely less than two years, and a
two-year degree person who had been in the market
for maximum of four years, you see the disparity
of that?

MR. ITZKOWITZ: You can talk about how
to cut the data. I think $25,000 a year equals
about $12 an hour. Thinking about this is an
indication of whether students are able to earn a
modest salary after entering an institution.
That was the attempt. This is in comparison to
using median salary.

I believe that this is a much better
metric than using median salary because you would
have a school like Harvey Mudd in comparison to
another institution, that serves a lot of social
workers.

They could both be doing a really good
job, but the percentage of students that are
earning more than some sort of minimum salary --
we used $25,000. You could think about other
ways to measure that. I think it gives a good
indication of whether or not students are able to earn a reasonable and modest --

MEMBER PRESSNELL: Right. That's not my challenge. My challenge is you're saying that a person with a four-year degree cannot get into the job market until they complete the degree. You're saying after entering. Are you saying entering the workforce or entering college?

MR. ITZKOWITZ: Entering college.

MEMBER PRESSNELL: You see the problem? I hope you do. Not only that --

MR. ITZKOWITZ: These are two different metrics. Ultimately, I think we would all want and hope someone who's going for a four-year degree would ultimately finish in four years.

MEMBER PRESSNELL: Ultimately, but the data don't indicate -- at best, they were in the workforce for only two years. Most likely, they were not. The Census and Labor data indicate that you've got to take a long view.

The biggest demarcation in salaries
happens at about age 30-31, with four-year degree graduates earning significantly more. Here's my concern. I think we need better data, but I think that we need to be honest in how we cut the data. I think that is an inappropriate approach. That's just my opinion.

MR. ITZKOWITZ: It's a fine line, and I understand your concerns because you also want to be able to measure students soon after they've entered an institution. Because if you measure someone 10 or 15 years out as a judge of institutional quality, it's actually a judge of institutional quality for someone who attended that institution 10 or 15 years before. I totally understand your point, but it's kind of a fine line of where do you cut that data, as you mentioned, and what year after a student entered is most appropriate.

MEMBER PRESSNELL: I think it's better to evaluate it based on when -- after the year the leave their educational career, not when they enter the educational career.
MS. MILLER: I would just say, Claude, that having this better student level data network would allow those better comparisons of better metrics. It's an argument for the College Transparency Act because then we'd have the data to measure out further and to develop better metrics.

MEMBER PRESSNELL: I'm not going to argue for any one particular legislative package, but I am going to say let's just make sure, as we move forward and we get better data, that we be fair in how we kind of --

MEMBER ROTHKOPF: I want to express thanks to the panelists. They've all supported an opinion I've had for at least ten years. I was a member of the Spellings Commission, and we strongly urged better data. We didn't, obviously, go into the details of this, but we felt we were somewhat helpless with the data that we had to try to draw conclusions.

Secondly, and I may or may not be right on this, Susan and Jamienne Studley, who's
in the audience, could confirm this or not, I thought in the two reports that we did on policy, we tended to support -- I don't know that we were outright supporting the need for the kind of data that you talked about, but I think they were very much leaning in that direction of saying that we needed to go there.

I won't call on them now to try and recall exactly what was said in those two reports, which were voted on by NACIQI. I guess I have two questions. Elise, let me ask you because I think you're either located in Dupont Circle or part of that group there. What are the other major associations saying? Are you unique in your position? That's my question for you. What are the other big six, or whatever number they are these days, saying? Secondly, a question for NACIQI and for Art, is this an issue on which we expect NACIQI to take a position, either at this meeting or at some future meeting?

I, personally, would urge we do it now because the train is moving along in the
Congress. I guess that's my question as to what are we doing? I guess my question for you, Elise, is what are the other people on Dupont Circle saying?

MS. MILLER: I'm happy to answer that. We're not actually located at 1 Dupont, but yes, we're a part of that group. There's still not complete agreement across all the associations in the big six. The public ones, AACC, the community colleges, AASCU, APLU are really at the forefront of support of this, really, really want to get a student level data network.

The independent colleges are still resistant to it. They have been since the beginning. They have been since I used to work there many, many years ago. They still have concerns about privacy and are very strong in their opinion against this. Claude might know a little more, working close with NAICU. There's not complete agreement, but there definitely has been movement, particularly among the public institutions, in support of this.
MEMBER ROTHKOPF: Has ACE taken a position on this?

MS. MILLER: I think ACE has remained sort of neutral. It hasn't taken a public position on it, given that it represents both sides, public and independent. I'm not for sure about that, but I think that's the case.

MEMBER ROTHKOPF: Thank you.

CHAIRMAN KEISER: I seem to keep cutting you off, but I do want to take a break for one second to introduce a guest who came into the room, a friend, a fellow Floridian.

I'd like to recognize Frank Brogan, who's been delegated the authority to perform the functions and duties of the assistant secretary of postsecondary education. Frank is the former chancellor of the Pennsylvania State system of higher education. He will supervise the Office of Postsecondary Education higher education programs, international and foreign language education policy, planning and innovation units. He will continue to serve as acting principal
deputy assistant secretary of OPEPD, overseeing
the Department's planning, evaluation, policy
development, and budget activities.

Frank Brogan has previously served as
chancellor of the State University System of
Florida, president of Florida Atlantic
University, near where I am. Weren't you the
superintendent of schools in Martin County? He
was. Most importantly, he was the 15th
lieutenant governor of the State of Florida.

Please welcome with me Frank Brogan.

(Applause.)

CHAIRMAN KEISER: You can go now, John.

MEMBER ETCHEMENDY: My turn? Okay.

Thank you all for a great presentation. I think
I've been, at least as long as Arthur, an
advocate of a student unit data system of some
sort. That's with my hat on as a researcher, my
hat on as an accreditor, and now my hat on as a
NACIQI member. I have recently, actually, been
worrying more about that. I kind of wish the
panel had a hardcore privacy advocate to give us the other side of it. I understand -- it really makes me feel good, some of the safety features you've talked about, like the fact that it's not going to be a single database, and so forth and so on. But if you can do record matching to create these meta-databases, then really, the information is there.

It's just not as easy to get at. I'm now a little bit uncertain where I stand. I still am a researcher and an accreditor, and so forth and so on. At least three quarters of me really would like to see exactly what you're advocating. But I do wonder; do you have any thoughts about whether there's a private way to solve this, rather than the federal government?

For example, we have these various private organizations that are going about collecting data, and it's not sitting in the same place, and so forth and so on. I could imagine the regional accreditors, for example, insisting that their colleges become a member of one or the
other of these, so that we did have access to that. It just wasn't sitting at NCES, or wasn't sitting at some place where the federal government has access to it. I don't know if I'm really worried about this enough to go down that route, but are there alternative ways of approaching this that would give us the kind of information that we really need to compare institutions, which I'm entirely in favor of?

MR. ITZKOWITZ: It's kind of been proposed to use the Student Data Clearinghouse, to convert that into kind of a student level data network, which is interesting to me. We're taking a very hard look at the privacy and security concerns of the government doing this. Meanwhile, the Student Clearinghouse is already out there. I don't think there's ever been a third-party cybersecurity audit of it. I guess I'd be concerned about --

MEMBER ETCHEMENDY: But they don't have the IRS data, as well. The government has a lot of data.
MR. ITZKOWITZ: I was about to make that same point. The government already has all those data.

MS. MILLER: Just adding to -- you're right. They don't have access to the earnings data. They also don't have a track record of releasing any data at the institutional level because of the arrangement they have with the -- they're working as an agent of the institutions. Those are the limitations that we see. It's unclear that would be a solution.

CHAIRMAN KEISER: Susan, and then Bobbie, and then I'm going to cut it -- Ralph. I'll try to cut it off. Susan.

MEMBER PHILLIPS: Thank you, and thank you very much for really nice, comprehensive presentations. Anybody can answer this; maybe all of you can answer it. In your view, what is the most persuasive, worrisome reason not to move forward with this?

MR. SADLER: I think it's the privacy concern. As everybody's mentioned, all of the
data that we're talking about already exists somewhere already, but what a student unit record fundamentally does is allow those data to be compiled together.

Whenever you're doing that, that makes it a more valuable thing to have. I was a government employee when the OMB hack happened. I've been hacked, I guess. It's definitely a concern. I'd say that's the most worrisome concern out there.

MEMBER DERLIN: Thank you for these presentations. I'm just one step above taping my password to my computer, so this was very enlightening for me. Not underestimating concerns for security and privacy, I want to ask a question about the voice that different entities will have in the construction or the decision making about comparisons.

Institutions, accreditors, and perhaps, most importantly, students, who are the original providers of information, do these entities have a voice in determining how the data
is used in any way?

    MS. VOIGHT: Any data system should be governed by strong governance policies, which gets at that point about the stakeholders being engaged in the process. The College Transparency Act calls for a strong governance process, as well.

    Some key stakeholders, in addition to the ones you mentioned, like students and institutions, states should really be part of these conversations because they stand to benefit from this data and this information, as well, so they should be brought into the conversations, and accreditors and the accreditation community should be part of those conversations. That's key for protecting privacy and securing the data, as well. Privacy and security advocates and experts should be at the table to make sure that it is designed in really effective ways, too.

    MR. ITZKOWITZ: Which I think is how it has not often been done, having privacy and security advocates at the table. I think that's
very important.

    MR. SADLER: I think a useful way to think about it is a student unit record, it enables you to have a new tool to analyze data, basically. But it doesn't tell you what you're going to do with that data. NACIQI, accreditors, they can use that tool and the data that it enables them to now view in a different way than, say, Congress would to impose some sort of accountability mechanism on cohort default rates.

    Different entities can use the tool in different ways to accomplish their unique goals. That's one of the great things about the student unit record is that basically, all it does is make more data available. How that data is used is going to still be subject to all the same constraints and deliberative processes that it is right now.

    CHAIRMAN KEISER: Ralph, then wrap it up.

    MEMBER WOLFF: Yes, thank you. I learned a lot, and I realize how much more I have
to learn. My concern is that we're not going to take a position on specific legislation. I think it's really important for us to be aware of the limitations of the data that we're working with. I appreciate, Andrew, the comments you made about the implications for accreditors over time.

I'm worried about the disconnect. Are we getting good data on which we're making decisions? We are getting a data dashboard, but if it's only based on 47 percent of students there with different pieces, are there better sources of data that we can use?

The NACIQI regulations that we operate on and the staff reviews don't look at the data, but we're looking at the data independently. No. I think there's a real disconnect that we're relying upon the data dashboard, but it's not part of the regulatory regime, nor is it something that the staff are really necessarily using. My question is really while you all are working on whether it's the College Transparency Act or whatever, are there other data sources or
ways in which we might improve the data that we're using, such as the data dashboards that we're getting or ways of using the scorecard?

I'm concerned about misrepresenting and miscalculating the data. As you can see from the questions that we ask, we tend to focus on a very small number of institutions that have low graduation rates. Michael, your data seems to show, rightly or wrongly, that there's a whole wider range of issues to be addressed.

In a way, for me, the question is as we do our work, as we rely on data, what more could we be relying on? I've seen that C-RAC has just issued a report. They're using National Clearinghouse data.

The more we focus on outcomes, the more we focus on low-performing institutions, if we're not focusing on the right datasets, or we're not using more comprehensive data, we're not using our time well. I'm just wondering what can we do to improve our work while the legislative process works?
MR. ITZKOWITZ: We talked a little bit briefly about the outcome measures data that incorporate part-time and transfer students. That adds a number of different sub-groups that are often missing, a very growing sub-group.

Within the dataset that I was looking at, part-time students make up about 25 percent of all students within that dataset, and nationally, they graduate 24 percent of the time after eight years of entering.

That's a national sample across all institutions. That would be a step forward, I think, within your current deliberation process, to look at outcome measures when you're thinking about different kinds of institutions.

Also, as I mentioned, loan repayment rates are a very strong measure if you're thinking about are the students who have taken out loans at this institution ultimately able to -- I think some employment indication, as well, are they able to get a job that ultimately allows them to repay their educational debt, or do we
have a very high percentage of students who are unable to do that after a certain amount of time? Those are the two recommendations that I would look at. In terms of earnings, like we said, we're sort of limited right now by the 70 percent of students that are covered. I mentioned a six-year rate. That's on the College Scorecard. That could also be cut in eight years, or ten years, if you're thinking about longer-term outcomes. I do caution, though, that you're looking at students who entered that institution a long time ago when you're thinking about institutional quality and improved time.

CHAIRMAN KEISER: Steve, Simon, I'm sorry; we are way behind our schedule. We're very behind our schedule. I want to thank the panel. You can ask them individually because we're going to take a ten-minute break. We do appreciate your time. We do appreciate the knowledge that you provided us. Thank you, again. We will reconvene in ten minutes.

(Whereupon, the above-entitled matter
went off the record at 10:24 a.m. and 10:39 a.m.)

CHAIRMAN KEISER: Okay, we are going
to be reviewing the Renewal of Recognition for
the Middle States commission on Higher Education.
We have some recusals. If -- they are?

PARTICIPANT: Susan and Brian.

CHAIRMAN KEISER: Susan and Brian.
Brian is gone, Susan is gone, so we can get
started. Let me go over what our process is so
we you will understand it and make sure that we
follow it.

First we will have the -- The primary
readers will introduce the agency applications.

FEMALE PARTICIPANT: Arthur Rothkopf
as well, sir.

CHAIRMAN KEISER: Oh, and Arthur
Rothkopf also has recused himself. The primary
readers will introduce their Agency application.
The Department staff will then provide a
briefing.

The Agency representatives then will
provide comments about their petition. The
primary readers will then question the Agency, including the standard questions adopted by the NACIQI for initial and renewal applications.

Questions by NACIQI will be followed by response and comments from the agencies. We will then have third party comments and we do have a third party commenter.

The Agency will then respond to the third party comments. The Department staff will respond to the Agency and the third party comments.

We will then have the discussion and vote and the final set of standard questions on approving the institutional program quality for initial and renewal applications, however I think usually that has been covered in the presentations.

So our primary readers are George French and Bobbie Derlin. Bobbie Derlin?

MEMBER DERLIN: I am right here.

CHAIRMAN KEISER: There you are.

(Off microphone comment.)
CHAIRMAN KEISER: No problem. Who is doing the introduction, George?

MEMBER FRENCH: Thank you, Mr. Chairman. The Middle States Commission on Higher Education, this is a petition for continued recognition.

They currently accredit 528 institutions in five states, the District of Columbia, Puerto Rico, and the United States Virgin Islands.

Recognized since the first recognition in 1952, they were last reviewed for recognition in December 2012, at which point a compliance report was required.

There was only one-third party comment. And with that I will turn it over to staff, Mr. Chairman.

MS. MCKISSIC: Good morning, Mr. Chair and Members of the Committee. For the record my name is Stephanie McKissic and I will be presenting a summary of the petition for continued recognition submitted by the Middle
States Commission on Higher Education, or MSCHE.

The staff recommendation to the senior department official for the agency is to renew the agency's recognition for a period of five years.

Based on review of the information in the Agency's petition and observation of a committee on follow-up and candidate activities and a commission meeting, both held in November 2017, Department staff found that MSCHE is in compliance with the Secretary's criteria for recognition with no issues or concerns.

The Department received one written third-party comment and has received two complaints during this review cycle regarding the agency.

One complainant did not avail themselves of the MSCHE complaint process, therefore it was not reviewed by the Department. The other complaint was reviewed by the Department and the Department found no evidence that MSCHE did not follow its policies and
procedures or fail to meet regulatory requirements.

Therefore, as previously stated, the staff recommendation to the senior department official is to renew the Agency's recognition for a period of five years.

There are Agency representatives present today and they will be happy to answer any questions you may have at this time. Thank you.

CHAIRMAN KEISER: Thank you. Are there questions for the staff?

MEMBER FRENCH: Mr. Chairman, I don't have any questions for the staff. I would note that the staff appears to have done a very thorough job in this review and I applaud them and appreciate them for that.

MS. MCKISSIC: Thank you.

MEMBER FRENCH: Bobbie?

MEMBER BOEHME: I have one question. Thank you, Chair. And just for the record I was planning to ask the panel a question that
actually the Chair did a great job asking when HLC was up is what is their definition of a graduation rate and I find it very concerning, as we have seen from the two previous regional accreditors that there seems to be a lack of a definition in a graduation rate, which makes our job quite difficult and frustrating.

During your exploration of middle states did you discover some sort of standard definition of what a graduation rate was that they use?

MS. MCKISSIC: I would also -- Yes, I did, that they used, they were consistent throughout their petition with their definition of a graduation rate, and I will let the Agency speak to you more about that.

MEMBER BOEHME: Thank you.

CHAIRMAN KEISER: Okay, thank you very much, and we'll see you soon. If I could call the Agency representatives to the table. I do want to recognize one of the members of the group as George, Dr. Pruitt, who is I consider the dean
of this, of the NACIQI.

If you don't know him, Dr. Pruitt served for over 20 years on this Committee, so, welcome, and welcome everyone else.

MS. SIBOLSKI: Are we all set to go?

CHAIRMAN KEISER: And please introduce yourselves.

MS. SIBOLSKI: Okay. Good morning, Mr. Chair, and Members of the NACIQI. It is our pleasure to be here this morning. I am Elizabeth Sibolski, President of the Middle States Commission on Higher Education.

With me today at the table are the following individuals, to my left, as you have already mentioned, Mr. Chair, is Dr. George Pruitt.

He is our Immediate Past Chair of the Middle States Commission on Higher Education and he is President of Thomas Edison State University in New Jersey.

To my right is Dr. Allen Richman. Dr. Richman is our Senior Director for Research. To
his right is Dr. Margaret McMenamin. Dr. McMenamin is Vice Chair of our Commission and she is President of Union County College in New Jersey.

And sitting at the end of the table to my right is Ms. Mary Beth Kait. She is the Senior Director for Accreditation Policy. And I would also add that we have several other representatives from the staff of the Commission who are with us today.

We are pleased to be here, as I said, and I would like to just take a moment to recognize and thank our two NACIQI readers, Dr. French and Dr. Derlin. We appreciate the work that they have put in on the review so far.

I also want to recognize and thank Dr. Stephanie McKissic, our Staff Analyst from the Department, for having taking the time to be with us in November and to work with us through the submission of the petition.

And, finally, I would also like to thank Dr. Herman Bounds and Jennifer Hong for
their assistance as we have prepared for this meeting today.

   Just very briefly in terms of opening remarks, Dr. Pruitt will provide a few comments for us and then Dr. Richman and Dr. McMenamin will comment, and then I will follow-up with a summary, a set of summary statements to conclude our presentation.

   We hope that during the course of these opening remarks that several questions that you might have concerning the pilot questions from NACIQI would perhaps be touched upon and hopefully answered. So, Dr. Pruitt.

   MR. PRUITT: Thank you, Beth, and thank you, Mr. Chairman, Members of the Committee, and staff. It is truly good to come back and be here again.

   I know other people say that because they are being polite, they really don't mean it. No one really wants to be here. You don't want to be here but you are serving your country and it's important work and all of us are grateful
for the work that you do.

But I did spend a lot of years behind
in the chairs that you sit and it's really tough
work but it's important work and we are really
grateful for the work that you do.

Mr. Chairman, we are all mindful of
the time and we know you have a long agenda and
we are going to try to be disciplined in our
comments.

We want to commend the staff for the
work. We concur, we think the staff work was
thorough and complete, and, of course, we support
and agree with the staff recommendation.

I just want to say a few brief
comments before my colleagues give you more data.
The common complaints about regional accreditors
are, there are basically three.

One is that they are process-centered,
that they are a rigid and stifle innovation, and
that they don't focus on student learning
outcomes and the quality of the student
experience, that's one you hear.
The second one you hear is that they are artificially harassed, strong institutions, and are lax and give passes to weak institutions.

And the third one you hear is that internally their communications processes are incoherent and inconsistent and many of the critics regional accreditation are from member institutions within the quality assurance community that regional accreditation associations are.

The fact of the matter is there is some validity to all three of those and, in fact, they are criticisms that I have personally made from time to time.

And when I left NACIQI and after a little hiatus I was invited to join Middle States and I was delighted at what I found, and I hope you will be pleased at what the result of their work has been.

When I got there I found a Commission that had also been listening to its critics and instead of being defensive wanted to inquire and
get better and it went through a listening process and in fact that it invited many of its critics to come and talk to Middle States about the things that needed to be fixed and improved.

And I am missing Anne, I enjoyed my report with her, both things that we collaborated on and we have debated all over this town, but Anne was one of the people that we invited in to hear from.

And as a consequence of that listening tour we did not update our standards, we threw the standards in the wastebasket and started from scratch.

And what we wanted to create and what I think we did create was a process that was a streamlined, more efficient, that is evidence-based and focused on student outcomes and the quality of the student experience. It is based on evidence and data.

Let me say a little bit about evidence and data and maybe in responding to -- Well that's another point I want to make. And while
we are uniforming the application of our standards our response to those standards is risk-based so that we have light touch for institutions where all of the evidence in the case that they are strong and robust and don't really need much of our assistance, and some much heavier touch if the data indicates that the institution needs intervention, more encouragement, and enforcement.

The other thing is we have been -- where the touch needs to be very heavy we unfortunately have had to withdraw recognition form some of our members because the times require it.

Accrediting bodies are low withdraw accreditation, not because they are lax or soft, because when they do that the consequences are horrible on the students and they are the innocent ones.

They had nothing to do with the abuses of the maleficence of the institutions yet they bear the burden more than anyone else, and that
has been an inhibiting factor.

However, that can't be a reason for perpetuating or allowing an institution to continue with an appropriate practice. It doesn't help the students, it doesn't help the society, it doesn't help anyone, and we have been much more robust in the enforcement.

We have also had the experience that in our more, I guess more, I don't know what the right word is, but more attention to enforcement, we have seen the delightful occurrence of good response and good institutional improvement as a result.

And we have seen an improvement in institutions that had been problematical for some time but as the enforcement became more serious they got more tentative to the improvement, which is the results that we wanted in the first place.

Also, we had been committed to a process of engagement of our institutions, particularly at the level of the presidents, so that there has been much more buy-in from the
institutions both in the new standards and the processes and we are measuring everything now and the polling data from our members is that the support and alignment between the standards, the process, and our members is very strong.

But let me get back to the evidence. The presentation that you heard earlier was very interesting and I think there is a consensus that the current data is bad and that we need good data.

I think there is a pretty strong consensus. There is debate about how the data is used, the conclusions that are drawn, the potential for abuse, privacy, but there is no -- I haven't heard anyone say we've got enough information to do our work.

But the trap and the key is to use evidence in a thoughtful and intelligence way. My freshman professor in statistics told me something that I have never forgotten and I wish people in government would hear it and people in the media would remember it, and that is
correlation does not mean cause and effect, and we continually confuse that.

Let me give you an example and let me talk about and respond to my colleague's question about graduation rates. If you are an adult working full-time and taking two courses a semester, which is kind of a heavy load if you are a working adult, that will get you 12 credits a semester and if you are working on a baccalaureate degree, just do the arithmetic, it will take you ten years to graduate.

So if you are an adult-serving institution that's serving working adults that are working and going to school to talk about a 2-year, 4-year, 6-year graduation rate is just, makes no sense.

But on the other hand, and what those numbers give you is they are, measures more of the demographics of your student body than the quality of your institution.

I will also tell you candidly that I have seen institutions use that argument to mask
behaviors of ineffective institutional work. So how do you tell? The numbers can be the same and the numbers don't give you the truth.

But the numbers will pull a trigger, it will raise a flag, and how do you know, how do you tell the difference between the institution where the numbers -- it's a good school, but these are the patterns of engagement of its demographics, or it's a school that may have similar demographics but it's not a good school.

You can't tell that by the dashboard. You have to investigate, you have to dig, you have to inquire, and you have to go in and find out what's going on at the institution.

So our data collection is about creating vital signs, just as you would go into a doctor and you get your blood pressure taken and your heart rate measured.

There is even variation of that. We use the data to flag institutions where we need to find to have a closer look at what's going on. So the idea of a red line, bright line,
graduation rate really doesn't make sense for an association that has diverse institutions dealing with diverse students.

I have a fairly strange institution. It's an adult-serving institution. I have 17,000 students. The average age of my student body is 40. We don't admit students under the age of 21.

So when I talk to my friend down the street at Princeton and she talks about the great class that she just admitted, and it's a great University, I am always quick to remind them that we would, their entire freshman class would be turned down at Thomas Edison.

We would take their parents, but we wouldn't take them. So none of my students are a first-time full-time freshman so none of my students are in IPEDS.

So we want to look at well then what's our graduation rate. Well graduation rate assumes a normative pattern of progress which is referenced around a fairly obsolete notion that today American higher education is for people who
graduate from high school at 18, they go to college full-time, and then graduate after four years.

It was that way in the '50s. It is not that way in 2017. So my students come in, they bring credits from other institutions, they take work with us, they leave, they come in, they come out. There is no expected normative pattern of progress.

So that's not the right question to ask for our institution, but there are other questions that are the right question. We are very proud of the fact that we have an accounting department and for the last six years our graduates have had the highest pass rate on the CPA exam of any institution in the State, and we have some pretty good schools in New Jersey.

So metrics are good, but they are only good if they are thoughtfully and appropriately applied for the right purpose and what Middle States is attempting to do is to create the dashboard that gets the metrics so that we can
stay in touch with our institutions, have flags go up when we need to have interventions, to leave institutions alone that are robust, but if we get a flag it's a flag that says we need to have a deep examination, it doesn't say that we kick you out, because at that point the metrics becomes the outcome and that's a misuse of metrics.

So I probably talked for a little bit longer than I intended, Mr. Chair, but as you know that is my tendency. And with that I would like to be quiet and let my colleagues respond to elaborate on some of this stuff.

MS. SIBOLSKI: And we are going to turn this over to Dr. Richman now.

MR. RICHMAN: So, Mr. Chair, Vice Chair, Members of the Committee, as already mentioned I am Allen Richman, Senior Director for Research.

What we would like to do is to provide a very brief overview of how MSCHE uses our data as a way to respond to the pilot questions.
So what we believe is a measuring institution performance is difficult and nuance, as much as George was saying. The historically available data on institutions can be useful but provides only a glimpse into the overall performance.

What we have here, I have a slide up here that will show you an example institution. Underneath of the blue where it says "percentage" it should have 43 percent, but technology.

So this is an institution with an average graduation rate of 50 percent. So in that what we know when we look at the graduation rate is that we know the story for 21 percent of the total student population because we know that 21 percent of the students graduated on time.

What we don't know about is what's happening with the other 22 percent who are in that cohort who could still be enrolled and continuing on.

We don't know about the 27 percent admitted in spring and we don't about the 30
percent who were transfers in or part-timers who are also part of that institution's population.

With this in mind what we believe is critical is an understanding of the performance of an institution is the required use of multiple metrics viewed over time in concert with the context of the institution further guided by peers reviewing the institution onsite.

These beliefs are about how we use the data and they are directly reflected in our procedures. The new standards are requirements of affiliation and standards for accreditation were approved in Fall 2014 and our revised procedures were approved in Fall 2016.

These revised procedures more purposely incorporate IPEDS data into the peer review process. What I have up here is a slide which shows a screenshot of just one template which we are using to provide reviewers with data trends during our self-study as well as during our mid-point peer review.

Our mid-point peer review is
specifically focused on a peer review of these data to aid in the ongoing monitoring of the institution's students achievement and financial health.

In addition to more purposely incorporating data into the peer review process we have also adopted the C-RAC benchmarks as a trigger to collect more information from our institutions.

Data collected from our institutions during the C-RAC project shows that institutions are aware of their performance and are engaged in a range of initiatives aimed at improving student retention and graduation.

Our results also indicate that the underlying cause of the student's performance as measured by graduation rate is often outside of the sphere of influence of the institution.

Most of our institutions that fall below the benchmark are open access serving non-traditional students and serving students with low socioeconomic status.
As one of our institutions put it, "Students with lower SES status are often disadvantaged by social and economic forces often resulting in more complicated and demanding lives."

These forces sometimes interfere with the ability of the student to complete their program and they commonly impact their ability to complete it on time.

Dr. Margaret McMenamin, President of Union County College in Cranford, New Jersey, will provide some perspective on our revised procedures and also on the importance of context when looking at the numbers. Dr. McMenamin.

MS. MCMENAMIN: Good morning. I am Dr. Maggie McMenamin, Vice Chair of the Middle States Commission on Higher Education. In addition to serving on the Commission I am also President of Union County College which is located about ten miles west of Staten Island.

Union serves a population that is characterized by high percentages of ESL
students, low income students, and students in need of developmental course work.

Union County College was part of the first cohort of institutions to evaluate itself using the Commission's more focused and streamlined standards and now we serve as a model and resource to other institutions undergoing the self-study process.

I am now well experienced in the standards and the more collaborative way in which the Commission expects institutions to conduct their self-studies.

I have served on both the Evaluation Committee and the Commission applying these new standards in the Commission's decision-making process and I presented about the implementation of the new standards at the Commission's annual conference and at Middle States training events.

While I am happy to answer your questions about our institution's experience with the new standards I want to focus on the fact that Union County College is an institution that
is much more than can be understood by the data using the college scorecard.

As an open-access institution Union County College admits high school graduates, those holding high school equivalency certificates, and anyone 18 years of age older.

Almost two-thirds of our first-time full-time students are enrolled in developmental education courses lengthening their time to graduation and more than six in ten of those first-time full-time students are Pell eligible.

As you are all aware financial issues are a major factor in students stopping out and dropping out. Unless you change the selectivity of the institution changing graduation rates, moving that needle, is a little bit like turning the Titanic, it's a gradual process.

In 2011 our 150 percent IPEDS graduation rate for first-time full-time students was 8 percent. Thus, Union was one of the institutions identified as needing further follow-up during the C-RAC project.
With a renewed emphasis on the student success that began back in 2011 Union County College implemented best practices initiatives that were identified through Complete College American GPS Initiative, Guided Pathways to Success.

Some highlights of the aggressive approaches that we use to address student success include developing an institutional effectiveness plan, identifying and tracking key performance indicators around student success, establishing mass success centers, implementing intrusive advising, requiring new students attend orientation, implementing a flat-rate tuition for all full-time students as well as a host of other initiatives.

As a result of this GPS model Union County College graduation rates doubled from 10 percent in 2014 using the first cohort in GPS to over 24 percent in 2017 which coincided with the year of our Middle States self-study and site visit.
We were able to make these improvements through leveraging data and through the Middle States self-study process which helped us to focus on the data and then need for continued improvement.

For years at Union County College we struggled with low graduation rates but we lacked the institutional focus, will, or incentive to make changes necessary to move this needle.

The Middle States Commission's emphasis on outcomes and accountability helped to validate our establishing our institutional priority of improving student success outcomes and the revised standards along with the more collaborative way in which the Commission expects institutions to conduct their self-study help to support our outcomes-based student center's focus and it was really the engine that helped drive our institutional renewal and improvement.

While we have chosen to focus on efforts that are improving our IPEDS graduation rate, I will repeat it again, the metric is this
measure of the success of only a segment of our population.

It provides information on completion on first-time full-time students. The metric doesn't capture any information on the success of our students who began part-time or transferred into Union from other institutions.

Furthermore, this metric ignores the possibility that some of our students enter the community college not to earn an associate's degree but to prepare for early transfer out to a 4-year university.

Our Middle States institutions will continue to focus on measures of student success for the diversity of the populations and missions in a region.

Now it my pleasure to turn it back over to Dr. Richman who will highlight other ways the Commission is leveraging data.

MR. RICHMAN: Thank you, Dr. McMenamin. One of the other ways that we are using data is by looking at information in
Again, if you will take a look at the slide we have here this is the performance of the MSCHE member institutions compared to all other institutions in the scorecard dataset. Overall MSE membership is above national averages on every metric here. In addition to the data collected on these key metrics we also regularly examine data created by the Commission actions and other functions at MSCHE.

I'll move to the last slide and you'll see a graphic of the actions taken over the last ten years. The trend of our negative accreditation actions have not been flat in recent years.

Indeed, over the last ten years over one-fourth of our institutions have had a negative action requiring them to make improvements specifically aimed at improving student success.

The observed peaks for warning and
probation on the graph largely reflect the Commission's higher expectations regarding an institution's use of data to improve their own institutional effectiveness, our Standard 14, and student learning, our Standard 7, and their institutional effectiveness, our Standard 14.

As institutions struggle to develop robust data and assessment processes MSCHE developed multiple focus workshops and training sessions to track these topics and to provide training at our annual conference.

Over time, as the graph shows, we have seen these non-compliance actions specifically around 7 and 14 decrease as a result. While MSCHE has always focused on monitoring the health of its member institutions the Commission has also added staff and technology to leverage the data specifically more moving forward.

The Commission has created three new research positions which adds a robust analytics unit to the operation of the Commission. This research unit will continue to dive into the data
to improve monitoring and risk evaluation by using new data field from IPEDS, like the part-time graduation rate, as well as data from additional partners like National Student Clearinghouse.

The Commission has observed and responded to the heightened need for leveraging data by creating these positions and incorporating data throughout our review process.

While a renewed focus on leveraging data will aid in identify institutions in need of more detailed examination, understanding the accuracy of those measurements and the cause of fluctuations will always involve engaging the institution through MSCHE staff and the peer review process to better understand the context in which they occur. We'll go back over to Dr. Sibolski.

MS. SIBOLSKI: Thank you, Allen. Before we conclude our remarks I want to note that what we have said so far here has really focused a lot on both the use of and leveraging
of data within our accreditation process and a little bit on some of the cautions that need to be recognized as we do work with data.

But I also want to to round out this presentation talk a little bit about the changes that have been made in the Middle States Commission on Higher Education since our last appearance before NACIQI in 2012.

Some of this has already been mentioned, but it's worth putting it all together because I think what you will see is that this represents a significant change in the way that we are doing business.

We have, in fact, renewed and revised, thrown out and replaced our standards for accreditation and, in fact, as Dr. McMenamin noted, the first group of institutions has had evaluations under those new standards.

We have, in fact, changed the timeline for accreditation cycle. Henceforth, we will be operating under a shorter 8-year cycle instead of the previous decennial timeframe.
Accreditation processes have also been revised. The annual data submission has been redefined and enhanced and will form the basis for a midpoint peer review at the fourth year.

We have increasingly been reaching out to institutions when issues come to our attention rather than simply waiting for the next regular review.

Supplemental information reports from our accredited institutions answer our questions and provide for ongoing monitoring. Further, MSCHE has invested in the infrastructure necessary to build, maintain, and sustain accreditation improvements.

We are developing new systems to provide the technology for institutions to communicate more effectively with us and with our reviewers as well as to provide us with the means of gathering, storing, and using data, in the accreditation process.

In 2017 we formed the new unit, the new research unit that Dr. Richman has noted
previously, and as he noted there are a total of three positions in that unit focusing on analytics and with a capacity to work toward predictive analytics as we are more ready to do that and work with the data a bit more.

Our participation in the C-RAC graduation rates project is an example of our current approach and commitment to the use of data in accreditation.

For example, in the way that we addressed the C-RAC graduation rates project we used trend lines. So we were providing five years worth of data to the institutions that were pulled for additional survey and inquiry instead of just a single point of data with a request for information.

That gives them and us a bit better perspective from which to base some conclusions.

Increased emphasis has been placed on training both our accredited institutions and our volunteer reviewers and commissioners.

Training programs are available both
face-to-face and in online formats. It is our goal to have everyone involved prepared and fully ready to participate in the accreditation process.

When institutions are placed on sanction and you have seen that we have placed a number of institutions on warning or worse kinds of actions we regularly work with those institutions through consultations and staff visits to help them to understand what would be necessary to return to good standing.

It is not our goal to remove accreditation from any institution but rather to assist and to educate. Still, when necessary and as Dr. Pruitt noted and as the data shows, we are prepared to place on any level of sanction institutions that are not in compliance with our standards.

In short, this is not at all the same accreditation that was in practice when I joined the Commission in the year 2000 and it is not the same accreditation that was in place when I
became the Commission's President in 2009.

It is an accreditation that recognizes the realities of higher education as it exists in the USA today. Thank you for your attention. We do stand ready to answer any questions that you may have for us.

CHAIRMAN KEISER: George? Bobbie?

MEMBER DERLIN: Thank you very much for a comprehensive presentation and a nice review of the change in your standards and your direction to leverage data.

There are some specific questions and a general question that I have. You do have some institutions that are still experiencing low graduation rates on the traditional measure and also some institutions that are under financial monitoring.

I am wondering if you could share with us a little bit more of the specifics of how you follow on those institutions.

MS. SIBOLSKI: Thank you, Allen. Well let's start with the financial issues. There are
within the NACIQI database notations that there are two of our institutions on HCM-2.

One of them is a difficult case for me to say very much about because we are in process with them, but yesterday morning someone noted that it is heartbreaking sometimes when it is necessary to work with an institution that has nobly served minority populations for a great many years.

Still, in all, if the standards are going to mean anything you have to do it, and so we are in a process with that particular institution which is currently on show cause with us.

They are required to submit reports and to have visits later this year and we'll see where it goes from there.

The second institution that was on HCM-2 is a small college of nursing, I believe, it's health sciences, actually, and this was an institution that was placed on HCM-2 by the Department because of some issues surrounding a
CIO issue and looking at the very most recent data on HCM they have cleared that with the Department and they are off the list at this point. So that's where we are with the finances.

In terms of institutions with graduation rates I'm going to try to focus this a little bit in talking about institutions with single-digit graduation rates because that's pretty much where everyone's most serious concern has been over the last day or so.

In 2012, or 2011, rather, there were 12 institutions that showed up on the database with single-digit graduation rates in our region. By now we have reduced that number to five, so a 58 percent reduction over the past few years, which is wonderful to see, but you still don't really like to see what's here with the five that are still left on the list.

However, what can I tell you about those, that a lot of what has already been said about the demographics of the institutions being served are true here.
Three of them, three of the five are community colleges, so public open access serving populations of students that are first generation probably needing remedial education courses before they can even engage in regular academic course work at the collegiate level.

A fourth institution is a very non-traditional institution. Only 10 percent of its students are first-time full-time so that's what is being counted in the statistic, and that is the University of Maryland University College, kind of similar to the description that Dr. Pruitt was offering about his own institution.

And then the last institution of the five is one that is also serving, well it's actually a fairly new institution and it is serving some non-traditional populations.

It is an institution that has been on probation with us and is still on monitoring and those monitoring requirements for the institution have been with regard to both finances and the assessment of student learning, so we are aware
of what's going on there.

I would say also that these would have been institutions, I believe, Allen, that we would have contacted with the C-RAC graduation rates project and that universally what we were hearing back from these institutions was a list of the projects in which they were engaged, that they were aware of where their graduation rate stood, and that those projects had been undertaken in order to try to bring them up above where they were currently resting with regard to graduation rates.

MEMBER DERLIN: Thank you. On a related but somewhat different topic, I understand your period for accreditation has been reduced, meaning touches are more often, and you have more frequent touches with the mid-point review.

But you have also spoken to sort of the distinction between the light touch versus heavy touch, you've talked a bit about some of the heavy touch strategies related to
institutions that are presenting particular challenges.

In your training with peer reviewers and your institutions how are you really introducing the light touch concept to your accreditation process?

MS. SIBOLSKI: Thank you for that question. Actually, we have already begun to talk with institutions and to try to focus them on how the accreditation process is going to work henceforth.

And for institutions that are strong we will be working with, as we said, and 8-year cycle that begins with the sort of traditional self-study and evaluation visit.

We also will be using annual reviews of the enhanced data submissions that Dr. Richman spoke of and when we get to a point where there are triggers, and we would not expect those of the strong institutions, we will inquire of institutions about what has been triggered and ask for some explanation.
At the midpoint, which is now going to be four years instead of the five that it has been, we will be doing trend analysis of the annual submissions of data.

So everybody is going to get that but it's partly a lighter touch because we have decided as a matter to reduce the burden on our institutions to use to a large extent data that is in the federal databases, and that was after a lengthy discussion with our institutions knowing that we were creating a series of tradeoffs by doing that.

So one the one hand by taking the IPEDS data, reducing the amount of work that the institutions would have to do to produce data that might have slightly different definitions or anything of that nature.

On the other hand, we will have to wait a bit so we perhaps can't get the data quite as quickly. Still in all the tradeoff seems to be a reasonable one.

MEMBER DERLIN: Thank you. Those are
my questions.

CHAIRMAN KEISER: George? Frank?

MEMBER WU: I have asked a number of other regionals this question, what is your sense of the potential out there for institutions to fail for fiscal reasons, that is they are no longer a going concern if you look at their balance sheets and how do you assess the risk and what are you doing about that risk?

MS. SIBOLSKI: Well, obviously, financial portions of our standards are important. They are important in annual reviews of data that is supplied by each college and university.

When we see something that looks unusual we will use a supplemental information report to ask what this looks like, and, in particular, we are looking very hard at anything in financial reports that makes us think that there may be very serious concerns financially.

Does it happen? Yes. Does it happen in Middle States? Yes. And over the course of
the last few years we have seen some of that come about.

It's heartbreaking when you see an institution let things go so long that they can't dig themselves back out of the hole that they have created.

But what we need to do is to as accreditors make them aware of what the requirements are, what they need to do to bring themselves back into compliance, and then it's really up to them.

In at least one or two cases recently we have had to go all the way towards a termination in part because of financial concerns.

So is the potential out there, yes, it indeed, it is, and it is out there partly because of the area of the country that we serve. It's also out there because of the nature of unexpected natural disasters. We serve institutions in the Caribbean.

CHAIRMAN KEISER: Rick?
MEMBER O'DONNELL: Thank you. I have a couple of questions, one partially building on what Frank just asked which is around admissions and enrollment practices, and I know that your standards have a number of criteria around those, but as some institutions, there are tuition-dependent struggle for enrollment, I am curious how you all look at their admissions practices and in my judgment of enrolling students they shouldn't be enrolling but so they can get the tuition revenue, as we heard a lot today about open-access institutions which have a very laudable mission, but do you look at when do open-access institutions become inappropriate access or predatory access?

And what I am getting at is I personally believe that the federal government's student loan program is very predatory and any private lender that leant money without regard to ability to repay use of funds would be, you know, the CFPB or state attorney general would go after, but colleges are the dealers of federal
student debt and when -- and with predictive analytics we're hearing a lot about data, are you all working with your institutions on, are they using predicative analytics to understand that they may be enrolling students who have a very low likelihood of ever completing?

Are you using your admissions criteria to help institutions for those types of students to make sure they are only using grant and institutional aid until they have hit predictive benchmarks, they'll be successful before they go into debt?

And so what I am trying to get out is I think there is, we have an admissions and enrollment challenge at some institutions, either because they have pressures for tuition or they are dealing with federal student loans that may not actually be in the best interest of students and I am just curious if you could speak to your criteria and how you have worked with institutions on admissions standards.

MS. SIBOLSKI: Let me start and then
perhaps Dr. McMenamin would want to add in terms of her knowledge and example for her institution in particular.

But, yes, as you noted there are provisions in our standards to work with us. I am going to answer this from the standpoint of someone who started out in life as an institutional researcher who was responsible for the college's predictions of enrollment.

And I know from that experience that it doesn't do colleges any good to simply open their doors without thinking about where enrollment is going to go. That just leads to churning and churning is expensive as far as what colleges have to do.

So any institution that is really paying attention is going to be looking at how to most effectively bring in classes of students who will stay through to graduation. That's really a general kind of an answer.

More specifically, do we ever uncover cases of suspect behavior, yes, we do, and when
that happens we deal with what we find when we find it and I would say it's more likely that something is going to come to our attention when we are not in the middle of a review with an institution and that is why at this point in time we have so many more requests for supplemental information reports from our institutions.

Right now we have got something on the order of just under 60 out there with our institutions. Remember there are only, by the number I most recently heard, because it never stays the same for very long, 525 institutions.

To have 60 or so out there where we are asking one thing or another, whether it's about finances or about something that we have read that questions whether there is fraud going on with enrollment of students, whatever.

We expect the institutions to answer, to answer truthfully, and that those reports will come before our follow-up committees and action will be taken. Maggie, do you want to add?

MS. McMENAMIN: Sure, thank you. This
has been a topic of conversation across not just the community college sector but throughout the Middle States region and it's one of the reasons why in our newly articulated standards, in Standard 2 on ethics and integrity there is a criteria as appropriate to its mission, because different institutions with different missions have a different lens through which they are going to look, they need to promote, not only promote affordability and accessibility but enable students to understand funding sources and options for funding, value received for cost and methods to make informed decisions about incurring debt.

So it's gone from a conversation among presidents, financial aid directors, deans of students, and the public to written into our criteria so that our teams when visiting are examining things just like this.

MEMBER O'DONNELL: Thank you.

CHAIRMAN KEISER: Simon?

MEMBER BOEHME: Great. Thank you so
much for coming and it's evident that you guys have been paying attention to at least questions I have been asking about the regionals, about single digit graduation rates.

As you all have pointed out accurately completion, while there is a great deal of talk in higher education about access and affordability I believe, as I think many other students do believe, that when students walk through the door it is equally important that they acquire their skill, their certificate, their diploma, once they leave.

And that is why from my position of NACIQI and why I have abstained on voting on regionals, for the record I have abstained, and put that for the record, is because I believe we are in such a deep crisis of completion rates and particularly when it comes to single digit graduation rates we have to do something, it's important, and accreditors are the watchdogs that have to bite.

So I do appreciate your guys'
presentation but most importantly I appreciate what seems to be a good faith effort into discovering the entire picture, because I do agree with you that IPEDS does not portray an accurate picture and so I am grateful for that and I appreciate your candidness of pointing out that five institutions, you are looking after them.

But my question is looking at the metrics and trying to get a greater picture it may also reveal some things that may not be so great, that actually maybe some of these institutions are doing less and they are falling below the C-RAC standards.

So with this project that you guys are working on and collecting more information about people who transfer and other things, can you share with us what you have learned and if there are other institutions at risk that you have maybe put on additional monitoring, I believe it was New England that has created a separate type of way of monitoring some of their 11 schools
that, you know, I think there were seven of the
11 that provided sufficient answers and three of
the 11 did not provide sufficient answers for
their graduation rates and they are under a
separate kind of monitoring, what have you
discovered when you don't just look at the IPEDS
data and you look at the data that the schools
submit and that maybe it's not so flattering in
how you examine them?

MS. SIBOLSKI: Let me start with this
and then perhaps, Allen, you'll want to chime in,
too.

For the C-RAC graduation rates
project, there were 42 institutions, I think
that's right, that were identified both in the 2-
year sector and in the 4-year sector, so that's
the total, so what are we talking about something
on the order of less than 10 percent of our
population.

We did a survey. As we noted we did
look at timeline data for this group of
institutions. It is something that is going to
require a little bit more thought process from us.

The ones that you become most concerned about are the ones that have steadily declining graduation rates. The others, and there are a number of cases that are like this in the population that we surveyed, the scatter plots, line graphs, rather, look like they are all over the place.

Some of them go up and you wouldn't be quite so concerned about them. Some of them are kind of up and down and so you don't really quite know what that means.

So we have done one round of surveying and we have asked the institutions to give us more background. That is just the beginning, and so this year we will be doing more with it.

One of the things that has come out of that, and it just dovetailed very nicely into a time when we are making changes in the annual data collection for our institutions is to ask questions in the annual data collection that will
start this year that are very much about what's in the dashboard.

So the items that are going to be in the student achievement piece of the data collection from here on out include not only the graduation rates, and those are using the IPEDS definitions, but we'll also look at retention, loan default rates, and loan repayment rates.

So we are going to be looking at that every year from our institutions and looking for places where we need to make further inquiry. Allen, do you want to add anything?

MR. RICHMAN: Yes. I will just add that I think that the C-RAC project was really just the beginning of what needs to be done to examine these institutions and their performance.

If we take, for example, one of the institutions that is one of our five looking at the standard graduation rate, but because less than 10 percent of their students are first-time they are primarily a transfer-in institution.

And so when we look at them through
other metrics, I mean there is over a hundred different graduation metrics in IPEDS, so if we look at some of those other graduation metrics, as in full-time non-first-time graduation rate, part-time non-full-time graduation rate, we see that actually 70 percent of those students who enter actually exit with a degree, and that's really what their mission is, is to take in students with prior experiences and to get them to the finish line.

And so I think that what we -- Moving forward, you know, we're starting with the graduation rate, we're looking at the 150 percent, we're looking at the 200 percent, but it really is going to be that moving forward what I see is we will continue to examine what metrics fit what institution, what mission, and that tells the better story about how the institution is actually performing in terms of its mission.

MEMBER BOEHME: Right. So, for example, the University of Maryland University College received hundreds of millions of dollars
in Title IV, they have an 8 percent graduation rate, 40 percent repayment rate, so are they one of the five and can you walk me through --

MR. RICHMAN: Now --

MEMBER BOEHME: Quickly, because I know we are on schedule, but just some of the things that you would work through that are they on a monitoring, are they on probation, or how heavy is the touch with this school, for example?

MR. RICHMAN: That is actually the school I am talking about.

MEMBER BOEHME: Okay, right.

MR. RICHMAN: So if you look at their first, their non-first-time students, which represents over 90 percent of their student population, 70 percent of those students exit with a degree in six years.

MEMBER BOEHME: Okay.

MR. RICHMAN: So, again, if you look at it in a way at a different graduation metric they've got a 70 percent performance rating.

MEMBER BOEHME: So it sounds like you
guys, unlike previous regional accreditors, have a definition of a graduation rate. What is that definition?

MR. RICHMAN: Right now we are using the IPEDS 150 as our main focus. Again, what I am saying those is going forward --

MEMBER BOEHME: But that's not what you just said though, right?

MR. RICHMAN: Well --

MEMBER BOEHME: It's because you use different metrics to assess that graduation rate?

MR. RICHMAN: We're looking at multiple metrics to evaluate their performance?

MEMBER BOEHME: So what's your definition?

MR. RICHMAN: So right now we are using the 150 percent graduation rate.

MEMBER BOEHME: So I will just reiterate to the Committee, I think it's really hard for us to have this conversation if we can't come up with some sort of common definition about what a graduation rate is and when different
regionals come up here and say they are looking at these different, you know, HLC is doing this, they're doing this, I understand it's a part of a broader system that needs reforming.

And I completely understand that University of Maryland University College, probably a great institution, many of them do end up with a degree, but in order for us I think as NACIQI members to effectively do our job, again, while I really appreciate this panel, we need some sort of better data to look at this but I think we also need to get on the same page of where graduation rates are.

MS. SIBOLSKI: Mr. Chairman, may I respond?

(No audible response.)

MS. SIBOLSKI: We used the IPEDS first-time full-time 150 percent for those first-time full-time students. We don't apply a metric about first-time full-time students to judge the entire institution when that entire institution is not first-time full-time, so we use it just
for those first-time, full-time.

CHAIRMAN KEISER: But just as a note that one of the former speakers talked about the fact that the use of part-time and other types of students entering into the data lowers the actual graduation rate, so that's just, that was an interesting comment that was made by a prior presenter. George?

MR. PRUITT: I just want to give advice, and I don't mean for this to be flippant or facetious, but there are ceratin things -- There was a wonderful book, and it's kind of obsolete now, but a great title, it's called "The Death of Common Sense."

It's a great book because it talks about the thirst for the template and the thirst to standardize. One of the definitions of a profession is the ability to bring about professional judgement.

It is important that professional judgement be applied. I just think we are all going to get frustrated if we ever are going to
look for the graduation rate.

   It's sort of like you know it's acceptable contextually when you see it but it has to be contextually defined. The University of Maryland University of College is one of the finest institutions in the country but it serves an exclusively adult population.

   Now if you put in the data you'll get the 70 percent completion rate, but the other question is for the 30 percent that didn't complete why didn't they complete.

   Is that an consequence of institutional effectiveness or does it fall in the category of other, of life gets in the way when you deal with adults.

   I am presuming this, I don't know about the University of Maryland or their data, but I know for our data, and we have very similar populations, and we would show similar graduation rates, but if you go out over time that graduation rate would continue to go up and then if you looked at well what happened to those that
didn't graduate, we have good data about, we want to know why a student doesn't graduate.

Was it something we did, was it something in their preparation? We know that 87 percent of the students that don't finish or don't come back it's over variables that we have no control over that are totally unrelated to us or the quality of the institution.

They got jobs changed, they got fired, they got laid off, they died, they lost a spouse. So the question is there is an expectation that when a student comes to our institution that they are looking for a successful experience and a lot of that definition of success comes in terms of their own aspiration.

So the University of Maryland University College, Thomas Edison State University, there are a couple others of us like that, we have got all kinds of data because we have to ask the right question and we can answer the question that we are a good steward of the public resources, that our students are satisfied
with the experience they have, aspirationally
they go out and they do wonderful things in the
world and we can back that up with evidence, not
just the nice language that says we want to do
the things to improve humanity.

But to come up with a standard, what
is the standard, or what even the definition of
graduation rate, that assumes a normative pattern
of progress and in American higher education
there is not nor can there be a normative pattern
of progress because we are too diverse of a
society, our institutions are too diverse, and
that's going to frustrate us. I just don't think
that's possible.

CHAIRMAN KEISER: John?

MEMBER ETCHEMENDY: So, I'm responding
directly to Simon, if that's okay. And I was
actually going to say almost exactly what Dr.
Pruitt said, but I thought a lot about graduation
rates, for various reasons, and I've designed
some graduation rate measures.

And I guarantee that it is impossible
to come up with one measure that makes sense at all the various different kinds of institutions that we deal with, that we have in the U.S.

And what does -- what you do want to see, actually, is multiple measures, looking at given institutions, can give you a good idea of what's going on at those institutions.

So, I just want to say that I disagree completely that NACIQI should come up with a single measure, because if we come up with a single measure, it will apply to 20 percent of the institutions and not apply to the other 80 percent of the institutions.

MEMBER BOEHME: So, can I respond? Well, and so, and I appreciate your comment and I have nothing but respect for you and my colleagues, and it's unfortunate, we -- and Anne Neal is not here, so we could all get into a big debate and argue about this.

And it's unfortunate you haven't heard me harp on this before, but it's -- and I think the biggest critique that I have of regional
accreditation, the fourth one that you're missing, is that oftentimes they have been asleep at the wheel.

And I really appreciate what, as your comment was, that the Middle States is very different than the one you joined in 2000 and when you took over in 2009. And I respect that change.

I think John is -- I do not think that there should be one absolute graduation rate, but for far too -- I think higher education is failing students right now. I think we have one of the greatest higher education systems, but that doesn't mean we can't do better, it doesn't mean we can't serve more students.

And accreditors, certainly regional accreditors have a role to play. And since 2013, and if my time wraps up here sooner, I will be proud that we are starting to push what I believe students care about. And, John, I hear you and I don't want to push for just one percentage or something, I think it should be a combination of
But I think a common definition can involve multiple different components of how we look at -- I was a transfer student, so I certainly didn't help the University of Michigan's rate, right?

So, I agree. And it shouldn't just be one percentage.

CHAIRMAN KEISER: Ralph?

MEMBER ETCHEMENDY: Let me know when Anne comes back and the three of us will go in the bar and we can talk about this for a long time.

(Laughter.)

CHAIRMAN KEISER: That's a great idea, Ralph and Rick.

MEMBER WOLFF: Yes, I want to change the topic, because I know you accredit over 500 institutions and this isn't the only issue. I actually have two or three questions and I want to -- and, obviously, we have little time.

Puerto Rico, you accredit a lot of
institutions there and I'm really curious to know, how are you responding to the tremendous issues there? Are you suspending your reviews? Financial issues have always been, but are a huge issue.

But could you address how as a Commission you're addressing -- you have a large number of institutions in Puerto Rico.

DR. SIBOLSKI: We do. Actually, there are 48 accredited colleges and universities in Puerto Rico alone. And then, there are two that we accredit, one in the British Virgin Islands and one in the U.S. Virgin Islands.

We actually were scheduled to go there for a town hall meeting two weeks after the hurricane hit last fall and, obviously, had to cancel that. Who would have thought, at the outset, that we would still be looking at the situation that is what it is today there? I don't think any of us would.

And you all have read the reports in the news about the problems that are concentrated
right now on provision of power on the island. 
We're aware of that. We're also aware that the 
colleges are being pretty creative in what 
they're doing, but that it's creating some 
problems for them.

And just let me note briefly what 
those are. The colleges become centers for their 
neighborhoods. And so, many of them have found 
ways to get -- most of them have found ways to 
get generators.

And so, to add to the physical 
problems that were already there on the island, 
they're now spending hundreds of thousands of 
dollars on fuel, just to run the generators, so 
that they can be community centers, in addition 
to getting themselves back open and teaching.

There's a lot we don't know about how 
this is going to come out. A lot of colleges on 
the mainland were kind enough to open their doors 
to students from Puerto Rico. And I think the 
students and the colleges there are thankful for 
that.
What we don't know is to what extent those students will return to Puerto Rico or not, it's going to take a little while to sort that out. We have already asked for one round of supplemental information reports from all of these institutions to try to figure out their operational status.

We are contemplating what more we need to know. And boots on the ground, we're going there for a town hall meeting at the end of this month. So, we know that we have to deal with the time frames that are within the federal requirements.

And between the two years that are allowed, potentially, if we find that we have to put some of the colleges on a sanction, there's also the possibility under our rules for an additional one year of good grace, if there is sufficient progress being made.

So, there's some time for them to try to come to grips with the situation and fix it. I hope that they can, it would not surprise me if
there was some consolidation that will go on in the middle of this.

MEMBER WOLFF: Well, thank you, and I appreciate and commiserate what a challenge it is for them and for you, and I would encourage that you do everything you can, including waiving some of your rules or whatever to enable them to get back on their feet.

But it's pretty hard to evaluate the situation in the midst of the current crisis that continues to exist.

I have another question, completely different one. I've been an advocate for transparency and I cannot find on your website which institutions are on sanction. I've kind of deciphered that the only way -- so, for those that are on sanction, it still says, accredited.

But if I go to the directory, I can't identify, is anyone on probation, is on show-cause, and I will say, I find that to be a problem as a consumer. Unless I'm mistaken, but I tried -- it's not a search engine element.
So, I looked up Cheyney, which I know had been a problem, and the only way I could discover was underneath the statement of accredit, it said it had a public disclosure statement.

But as a consumer, I would just urge that you make more available information about -- but without -- but just make available when there is a public sanction that someone is able to discover that, rather than, out of 500 institutions, kind of taking a lottery approach and trying to figure out what that would mean.

DR. SIBOLSKI: Thanks for that question. Actually, it's a very timely one as well. We are in the midst of replacing all of our legacy systems that were more than ten years old. And a part of that process involves replacing the website.

So, all of these things will go into a pool of issues that we need to address, as we do renew the website.

And we do have information so that --
it should have been reasonably easy for you, knowing that you wanted to look for Cheyney, to be able to discovery not only that they were on show-cause, but the standards that were in question as well.

CHAIRMAN KEISER: Rick, and then, Federico.

MEMBER O'DONNELL: Thank you. I have two quick questions. One is, we've spent so much time talking about graduation rates, it always makes the hair on the back of my neck stick up after a little while, because it's easy to get what you measures.

And one way to boost graduation rates is to make it easier to graduate. And the institutions that are boosting their graduation rates with better predictive analytics and better pathways is great, but have you all done anything dramatically different or new in recent years in how you measure student achievement and how you look at student achievement of your institutions? That's my first question.
DR. SIBOLSKI: I'm going to start and then, maybe somebody else will want to add. I've always found it fascinating that we've got sort of a dual-pathway that goes on here, with regard to outcomes.

And so, Middles States has had, for the last half a century, part of its standards and requirements that institutions be able to speak to us about the outcomes of student learning. I think the earliest notation in our standards was back someplace around 1953.

And there's enough literature out there to know that the reason why institutions are looking at student learning outcomes is because the accreditors have pushed for that. Over the years, we've changed our focus.

Once upon a time, it was enough for an institution to tell us that they were looking at it and give us some documentation. Now, we want to go further and not only know that they have a plan, but they're actually using the results of those studies of student learning outcomes to
inform teaching and learning.

So, all of that is a part of what we expect in self-studies. That's one pathway. The other pathway is the metrics.

And all of that is getting better, but I think this whole debate this morning has given us a good window into both the pros and cons, and that we will need to keep working on that and we will need to try to find a variable set of measures, not just a single graduation rate, that will be appropriate depending on the missions of our institutions. Anybody want to add?

DR. MCMENAMIN: It's certainly part of the conversation, again. We look at -- to ensure that we're not compromising rigor or academic integrity. We're looking at things like course completion rates, are we in -- have they changed dramatically? Is it just that we're passing more students, giving out -- grade inflation?

We look at capstone exams, like NPLEX exams and other professional exams, to monitor, are we allowing people to graduate who shouldn't
have graduated? That's one of the data points. We look at employer survey information, are the employers satisfied with the graduates that they're getting? We're looking also at -- I know the four year institutions look at the results on professional exams, like GRE exams and LSATs and MCATs and things like that, is that being affected by this push to improve graduation? Are we negatively impacting integrity and rigor? And we also look for anecdote. The community colleges use, in addition to all of those, anecdotal information from transfer institutions and data from transfer institutions. How are our community college graduates doing as compared to native juniors? And these are things that we're using to ensure that we're not just giving away diplomas and degrees.

MEMBER O'DONNELL: Great. Thank you for that very much. I'm going to switch slightly for my second question, which is, I believe you
mentioned you have roughly 60 institutions that you're either monitoring or asking follow-up questions for.

When I looked at the dashboard data we got, there were roughly 160 institutions with double-digit default rates, with under 50 percent repayment rates. Most of those institutions would have pretty low, not necessarily single-digits, but pretty low graduation rates.

In my judgment, that's roughly a third of the institutions that have pretty significant poor performance in repaying back federal student loans. And so, it's a question and it's a concern of mine that the number of institutions that may be performing poorly is much greater than the number of institutions that you all are concerned about.

And so, I'm just curious, how do you look at all these other institutions that have double-digit poor performance on federal student loans?

DR. SIBOLSKI: Again, let me start and
we'll see if somebody wants to add to what I'm going to say. Recall that I said that we are changing a whole bunch of things. So, we're in the process of trying to update all of what we look at.

And the fact that we're getting data to a point where we can even ask these questions, I think is relatively new for us. So, is it an issue? Yes, of course it is. And that, I think you see by knowing that our annual institutional updates are going to ask these questions.

And that it is our plan to use them as flags to then inquire of institutions. Where we do ask for supplemental information reports, those always go to a follow-up committee, so it will always be peer reviewed. So, this is a morphing kind of an activity.

And where previous generations of accreditation were really about snapshots and perhaps a little bit more than that, this is really going to be, I think, in the future, something where we've got both institutional
improvement on one side and some of the rest of this, which is looking at the data and trying to make sense of it on the other.

DR. PRUITT: We also have to deal with a much larger national policy question about loans, period. I just don't know of another system where I give your nephew a loan and then, you're responsible for whether he pays it back or not.

We're in a system where we can't make the -- we don't make the loans. Yet, we are being held responsible for whether the borrower that borrowed the money paid it back or not. We need to have the ability to marry the eligibility for the loan with the student's ability to benefit from the instruction and with some reasonable alignment between the two.

It's always difficult, when you're holding an individual or an institution accountable for something where they had no control on the front-end decision. And that's a major structural gap.
And until we fix that one, it's always going to be difficult to make it a better fit about the accountability for the institutions in terms of a loan. And that's a broader question and we need help on that one.

MEMBER O'DONNELL: Thank you.

CHAIRMAN KEISER: Federico?

MEMBER ZARAGOZA: And I'll be quick. First of all, I just want to commend the work at Union County Community College. I think it's an amazing story, with all the complexities associated with an open-enrollment institution, and certainly with the need indicators that you mentioned. So, I just want to take that to a higher level.

So, we've already established, to a certain extent, that mission and the type of students that are being served has a direct correlation to that single indicator, basically on graduation, right? So, we see that.

Earlier, the issue was raised about, we can explain a lot of what's going on through
socioeconomic indicators. And so, kind of that resonated with me. Where I'm going with that is that the kind of initiatives that you're taking cost a lot of resources.

So, are we also beginning to see these institutions kind of get into that grey area where their financial viability might be at risk, because of the mission that they have and because of the pressure put on them to meet those indicators? Do you have that kind of data?

DR. SIBOLSKI: I don't think we've got data that would prove that one way or the other. But my sense of it is, no, that institutions will pick and engage in initiatives designed to make improvements, based on what they can afford.

DR. MCMENAMIN: It was more of a realigning of existing resources. As opposed to funding an art gallery, where members of the community came in and showed their art, and we had chicken wings and pigs-in-a-blanket for them to eat, we allocated that $25,000 to our student success initiatives.
So, it's a refocusing, an institutional refocusing, frankly in part because of your work and the Commission's standards saying, the resources need to be allocated to initiatives that have a direct impact on student success, as opposed to making friends with members of the community who like to do artwork.

MEMBER ZARAGOZA: I commend you for those decisions. And I think the point there is student success versus just kind of the graduation indicator. Thank you.

CHAIRMAN KEISER: Any more discussion? Sensing none, I thank the panel for their time and energy. And I'll call Stephanie back up to the microphone.

MS. MCKISSIC: I have no additional comments at this time, Mr. Chair.

CHAIRMAN KEISER: Would the primary readers like to make a motion? Oh, no, we've got -- the third-parties decided not to speak, is that correct? Okay. I'm sorry. So, I would entertain a motion from the primary readers.
MEMBER DERLIN: I would like to move that we accept the staff recommendation to renew this agency's recognition for five years.

CHAIRMAN KEISER: Is there a second?

MEMBER FRENCH: I would like to second that motion, Mr. Chairman.

CHAIRMAN KEISER: Seconded by George French. Any discussion? All those in favor of the motion, signify by raising your hand.

(Show of hands.)

CHAIRMAN KEISER: All those opposed?

(Show of hands.)

CHAIRMAN KEISER: And there is one abstention? Okay. The motion passes. Thank you very much.

We are going to stand adjourned for lunch. It is 12:05. If we could be back at 1:15? We have two agencies to review, the New York State and we have WASC. And then, we have our conversation on the legislative agenda.

(Whereupon, the above-entitled matter went off the record at 12:04 p.m. and resumed at
1:16 p.m.)

CHAIRMAN KEISER: Okay. We will reconvene. We're in the last part of our agenda and we have two agencies this afternoon.

The first will be the recognition of the New York State Board of Regents and Commission of Education, for their renewal of recognition. The primary readers are Ralph Wolff and Frank Wu. And it looks like Ralph will be doing the introduction.

MEMBER WOLFF: Yes, thank you. Greetings. The New York Board of Regents predates even NACIQI and the Department, it dates back to 1787.

(Laughter.)

MEMBER WOLFF: So, it's been at this for a long time. It's also a state approval agency as well as an accrediting agency. It is the only state recognized by NACIQI as an institutional accrediting body, which makes it quite distinctive.

It accredits -- well, the staff
reports it has 14, the website lists 15, so they've grown -- 15 institutions of their own, that they independently accredit.

They were originally listed in 1952, so they've been a part of a recognized accredditor since the beginning. 2008, they were approved for distance-learning. 2012, was their last comprehensive review, with the compliance report that was accepted in 2014.

So, there will be a number of questions we have, but delighted the institutional representatives were able to make it here.

CHAIRMAN KEISER: Thank you, Ralph.

MS. LEFORD: Good afternoon, Mr. Chair and Members of the Committee. For the record, my name is Valerie Lefor and I will be presenting a summary of the petition for continued recognition submitted by the New York State Board of Regents or NYBRE.

The staff recommendation for the agency to the Senior Department Official is 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 that demonstrates the
agency's compliance.

Based on our review of the information
in the agency's petition, supporting
documentation, and an observation of a Regents
Advisory Council Meeting, Department staff have
found that there are two remaining issues in the
agency's petition.

The first issue is in regards to the
agency's use of administrative extension. The
agency's use of administrative extension
standards, at it currently exists, is not clearly
written to explain that it is for administrative
purposes and not as an extension for good cause.

The agency must be specific in how it
defines administrative extension and further
explain that this extension is not to be utilized
for extra time to remedy areas of noncompliance.

Secondly, the other issue remaining is
a documentation issue in regards to the agency's use of extension for good cause.

The Department received no written third-party comments and has received no complaints during this review cycle regarding the agency.

Therefore, again, the staff recommendation for the agency to the Senior Department Official is to continue the agency's current recognition and require the agency to come into compliance within 12 months and to submit a compliance report 30 days after the 12-month period that demonstrates the agency's compliance.

Representatives are here from the agency and they and I are both happy to answer any question that you may have. This concludes my report. Thank you.

CHAIRMAN KEISER: Thank you, Valerie. Do the readers have questions for staff? Thank you. May I call up the -- oh, I'm sorry, Ralph.

MEMBER WOLFF: I just thought, I didn't
ask you this before, and I'll be asking them, but did they -- I didn't see a response to your recommendation. So, it is something that when you made the areas that they were in noncompliance, to your knowledge, have they accepted the recommendation and are working to address it?

MS. LEFOR: Yes. So, I have been in communication with them in regards to these topics. So, we had raised it first in the draft petition and then, based on the information that was provided, we got additional clarity to understand that their administrative extension is actually in a different section, but it's not labeled as such.

And so, we need further clarification on that, based on that. And I have had conversations with them to explain where we are with that and I believe that they will address that in their remarks.

MEMBER WOLFF: Thank you.

MS. LEFOR: Yes, you're welcome.
CHAIRMAN KEISER: Thank you. Will the members of the agency come forward and, please, introduce yourselves?

MS. ELIA: Thank you. Thank you for your opportunity to address the Committee. I'll be very brief, as I know you have people coming after us, and I appreciate your patience. We were stressed to get here today, there's a snowstorm hitting New York and we're lucky that we got in. We appreciate this time.

I'm MaryEllen Elia, the Commissioner of New York State Education Department and President of the University of the State of New York. I'm joined by my colleagues: John D'Agati, Deputy Commissioner for Higher Education; Leslie Templeman, Director of the Office of College and University Evaluation; and Shannon Tahoe, Deputy Counsel.

We're pleased to be here today to talk to you about the role of New York State Board of Regents and the Commissioner of Education in Institutional Accreditation.
This is a role, as was pointed out, that we proudly carried out for the last 65 years, since 1952. And I'd like to again underscore the very length of time that the Regents have guided higher education policy in New York State, since 1787.

Our cohort of accredited institutions includes several small, highly specialized medical and scientific research institutions, including Cold Spring Harbor Laboratory, the Gerstner Graduate School of Biomedical Sciences at Memorial Sloan Kettering, the Elmezzi Graduate School of Molecular Medicine, and Rockefeller University. These institutions offer graduate and doctoral programs only and have a very small cohort.

The reason I mention the institutions in particular is that it gives me an opening to mention that one of the recipients of the 2017 Nobel Prize for the discovery of molecular mechanisms of circadian rhythm, which governs biological clocks that regulate sleeping, eating,
metabolism, is a Rockefeller Institute biologist, Dr. Michael Young. Dr. Young is the 25th scientist associated with the Rockefeller University to be honored with the Nobel Prize.

We recognize that we're a unique accrediting agency, the only state agency recognized by the Secretary of Education as an institutional accrediting agency.

We believe that our experience and expertise as a state regulator translates well into our responsibilities as an accreditor, and, frankly, affords us additional opportunities to be aware of and address signs of challenges of risk as they arise, rather than just during the consideration of an accreditation action.

Unlike membership accrediting agency, historically we've not charged fees for our accrediting activities. The problem this creates for us in terms of resources and capacity has been ongoing and we're pleased that we've obtained the necessary authorization from the state legislature and our governor to begin
charging fees to support the accreditation work and to hire additional staff to focus specifically on the important work.

We're pleased with USDE's final report and recommendations on our petition for renewal of recognition. The only issue raised in the report, the clarification concerning administrative extensions, is something that we have committed to addressing through our standards review process this year.

The Board of Regents has not granted any extensions of the enforcement time line for good cause and we could include a statement to that effect in our compliance report.

Before I close and take your questions, I'd like to thank the staff of USDE, and particularly Valerie Lefor, who has always been very responsive when we have questions or need technical assistance. And, again, thank you for the opportunity to talk with you today. We're happy to take your questions.

MEMBER WOLFF: I think it's up to me to
ask questions. And thank you very much for, first of all, making it here, and for your presentation.

It would be helpful to understand, of the 15 universities or colleges that you accredit, are any also accredited by the Middle States Commission? Or are these all in turn solely accredited by you all?

MS. TEMPLEMAN: I believe we still currently may have one or two that are dually accredited. A few of our institutions that were dually accredited have, over the last couple of years, opted to withdraw from accreditation by us and just stay with Middle States.

So, I honestly am not sure if any -- and it is 14, I think we must not have updated our website. So, I'll do that when we get back. But we may still have one or two that are, but a very small number.

MEMBER WOLFF: When you -- just for those that might be, do you do joint visits or is your visit process independent?
MS. TEMPLEMAN: No, it's entirely separate. And, again, the authority of the Board of Regents and the Commissioner for Accreditation is only for those institutions that have selected us as their primary accreditor.

So, if they've selected Middle State also as an accreditor, we wouldn't -- as their primary accreditor, we wouldn't be able to accredit them.

MEMBER WOLFF: I see.

MS. TEMPLEMAN: But, no, the processes are separate.

MEMBER WOLFF: Thank you. And you would still work with them as a state approval agency --

MS. TEMPLEMAN: Yes.

MEMBER WOLFF: -- but that would be a different department?

MS. TEMPLEMAN: Oh, absolutely, right.

MEMBER WOLFF: You were approved for distance education and when I looked at your very highly selective graduate programs, I didn't
think they would be doing distance ed. But which
of your programs actually do distance education?

MS. TEMPLEMAN: Right now, none of the
institutions that we accredit are doing distance
ed. Bramson College was, but they have recently
closed. So, currently, we do not have an
institution that's doing distance ed.

MEMBER WOLFF: Okay. But you do have
that authority, should --

MS. TEMPLEMAN: We do, and the
experience.

MEMBER WOLFF: I guess, the question
that the other reader and I had was more of a why
question, which is, given the small number of
institutions, what is the advantage that your
institutions would have to seek out your
accreditation?

Seeing your budget, now that you
charge fees, it's fairly high cost given the
relative cost to the Middle States Association.
But why do these institutions select you as their
primary accreditor? It would be helpful to
understand your context.

MS. TEMPLEMAN: Well, I -- sorry.

MR. D'AGATI: So, we have ongoing -- we have strong relationships with many of these institutions, not only as an accreditor, but also as the overseer of their programs. So, we have an in-depth understanding of some of these institutions and the work that they do.

And so, we have an ongoing working relationship. So, I think that is what is attractive to these institutions to engage with us for their accreditation work as well.

MEMBER WOLFF: No, fees can't hurt. But that's changing now.

MR. D'AGATI: That's changing.

MEMBER WOLFF: I do have a couple more, and that is, I wanted to ask, we've been spending a lot of time and you may have heard, I'm not quite sure when you arrived, but the last couple of days and the last meeting, on completion rates and retention.

Now, I know at the graduate level,
these programs, completion is a very individualized, high-end research, but as you look at the colleges that you accredit, do you -- I didn't see anything that demonstrated attention to -- for the baccalaureate and associate colleges that you accredit that pays attention to the data on completion and how you address that data.

And what is -- could you even describe what the range would be of your associate and baccalaureate programs?

MS. TEMPLEMAN: Sure. We do indeed collect completion rate data from all of our institutions. And as you said, the higher level graduate and doctorate level, we just don't say how many years does it take for you to complete a program like that.

But for our undergraduate program institutions, we do collect annual data and we look at it and we address -- that's another sort of opportunity for us in our dual role to address with them any indications where there might be
problems coming down the pike with a drop in completion rates.

And we address that with them. In some cases, the consideration of graduation rates has played a role ultimately in decisions of a couple of our institutions in the most recent years, not only withdrawing from accreditation, but opting to close entirely.

So, we are -- we stay very aware of and on top of what the completion rates are for those institutions. We collect annual data reports from all of our institutions and that's part of what they report to us.

MEMBER WOLFF: Are they -- I'm just wondering, in a sense of, do you work with disaggregation of data, in the sense of part-time? I mean, you're collecting more than IPEDS data or you're working with the total student complement?

MS. TEMPLEMAN: No. I mean, for consideration of graduation rates, we pretty much stick to the first-time full-time completion
rates for associates and baccalaureate degrees.

That's been sort of an ongoing discussion at the Department, about how to take into consideration other nontraditional students. I'm not sure there's a traditional student anymore, but how to look at completion rates for those students, in terms of judging the institution based on those rates.

MEMBER WOLFF: I would encourage you to continue those conversations. We've been spending a lot of time on how incomplete IPEDS is. And it's not clear from the -- it would look like from some of the institutions you accredit that they do have part-time students, and particularly the associates degree nursing programs --

MS. TEMPLEMAN: Right.

MEMBER WOLFF: -- and the like. So, that would be an important consideration, given how incomplete IPEDS data is. I will have -- I just will raise an issue and then, I'll turn it over to Frank, our other reader.
I'll consider this a bit of a nitpick, but I think an important one. I went through searching on some of the websites of your institutions and could barely find that they were accredited by you all.

Now, it's understandable that for Rockefeller University, being accredited by the New York Board of Regents is -- I had to go spend a great deal of time.

But if somebody wanted to file a complaint, it was not evident in looking at a number of the institutions, I looked at some of the colleges as well, that you were even prominently listed, that there was a way of addressing it, who they would contact.

And I know you do have a policy, both on student complaints and a policy on complaints to you as an agency, but as one who ran a regional accreditor, we required that the institutions identify who they were accredited by and how to contact us if they needed to, for more information or a complaint.
And I would just say, I had a very hard time deciphering what I would do if I were a student or somebody wanted to file a comment. So, I would pass that on.

MS. TEMPLEMAN: We have the same requirement and we do look at that issue when we do renewals. So, we'll take a look again. I mean, I know that our reviewers have raised that issue with a couple of institutions over the years and they've addressed it by putting it on their website.

Whether they place it prominently enough, I'm not sure, but we'll take a look at our institutions.

MEMBER WOLFF: Thank you. And finally, I just want to confirm that there were two issues raised and that you're addressing both of those and will be able to come back within a year with revised policies.

MS. TEMPLEMAN: Right.

MEMBER WOLFF: Whatever -- we have a biblical year and it begins after the letter and
then, it's 30 days after the year, that kind of thing. But it will be about 18 months.

   (Laughter.)

   CHAIRMAN KEISER: That's a first, a biblical year, I'll have to remember that. We should put that in our letters.

   MEMBER WOLFF: It's a new term of art.

   (Laughter.)

   MEMBER WOLFF: But you'll be able to complete that?

   MS. TEMPLEMAN: Yes.

   MEMBER WOLFF: Thank you.

   CHAIRMAN KEISER: Okay, Frank?

   MEMBER WU: Just briefly, you mentioned one of your institutions closed. Could you tell us a little bit about that and the teach-out? My sense is, your institutions, and this is fine, they're all different.

   Different from each other, and one of the great things about American higher education is the tremendous institutional diversity, and you show that. So, I don't know that your
institutions are any more or less at-risk than
those of anyone else.

But since you mentioned one did close,
I wonder if it's of particular concern to you?
You just got here -- by the way, thanks for the
trouble you went through -- but I've been asking
various folks who've come before us, do you think
there's a risk that some of the more specialized
or smaller institutions, for fiscal reasons,
might be vulnerable to closure?

I'm just trying to think through what
agencies and what NACIQI should be doing about
that possibility.

MS. TEMPLEMAN: I think, for some of
our very small institutions, which are the highly
specialized scientific research institutions, I
do not believe resources are an issue for them at
all.

So, I think with some of the smaller
independent or for-profit institutions that we've
accredited over the years, and, frankly, some of
those other ones that have closed of recent,
they're facing the same fiscal issues that all higher education institutions are facing, they're just having more difficulty addressing them in a way that will allow them to stay open and stay competitive.

So, when you add to that -- and to answer your first question, which was to talk a little bit about one of the ones that -- so, Bramson College recently closed. And they closed after the -- they were in the process, they were on probation from the Regents, in terms of their accreditation, and they had two years to come into compliance.

When we went back to the Regents Advisory Council, which is the step before the Regents decision-making, the Regents Advisory Council determined that they had simply not sufficiently addressed those issues. They made a recommendation to the Board of Regents not to renew the accreditation.

The school utilized their right to appeal that recommendation. The process in our
standards is that they appeal to the
Commissioner. The Commissioner upheld the
recommendation of the Regents Advisory Council.

Then, that recommendation goes to the
Regents. The Regents agreed with the
recommendation of the Advisory Council, voted to
not renew, to withdraw their accreditation. And
at that point, the college, while it was
considering the possibility of appealing the
Regents' determination, instead simply decided to
close.

So, again, I think they see -- I mean,
I think you've probably had this conversation
already, loss of accreditation is a very high-
stakes decision, and in many cases, forces an
institution into closure.

So, I think at that point, they saw
that it was unlikely that they were going to be
able to continue as an accredited institution.

MEMBER WU: There's a different type of
case I'm wondering about. And maybe your schools
-- you have such a small sample, and as you note,
some of the small ones you have are actually quite wealthy, so it's not a concern for them. I'm wondering more about institutions that run out of money, not institutions that you put out of business, but that are actually unbeknownst, perhaps, to you or to their students, really teetering fiscally.

If you don't have any of those or if you're not concerned, that's fine, I'm just wondering if that's something on your radar that you can speak to.

MR. D'AGATI: So, while we don't have any of those, we are aware of that situation, as the oversight agency.

And we have worked closely with Middle State and worked with them on teach-out plans, opportunities for credit transfer, bringing transcripts, transferring transcripts to either the state agency, us, or as caretaker, if you will, another state agency, to ensure that students have access to transcripts after the institution closes.
We've made available lists of similar programs where students might transfer to. And we've talked to those institutions about being aware of the fact that they might have an influx of students for those particular programs.

We've even gone so far as, the Regents have the authority in New York to grant a degree, and in those instances, we will do a transcript evaluation if the students are close enough to graduating.

So, it's kind of a dual role. We worked very closely with Middle States on a couple of these.

MEMBER WU: So, one last follow-up. I now realize why, as you heard, the two co-readers were wondering, and this is a friendly question, what accounts for your existence given the tiny number of institutions that you have. But I now understand, this work is one little, little piece of a --

MS. TEMPLEMAN: That's exactly right.

MEMBER WU: -- huge apparatus that
you're a part of. So, this is really -- this is not -- you all wear more than one hat. This is not what you spend your days on. So, it makes perfect sense to me now. So, you are aware of these issues in your other capacity?

MS. TEMPLEMAN: That's right.

MEMBER WU: Thank you, that's very helpful.

MS. ELIA: And we've become very involved with some of those unfortunate situations where students were really having difficulty, we stepped in to work with other colleges and universities in proximity to them to really help us all and to help those students.

We also, at New York State Education Department, we give licensure to over 985,000 professionals in New York State. And that's another part of the Department.

CHAIRMAN KEISER: Brian?

MEMBER JONES: Thank you for an informative presentation. I want to talk a moment about outcomes, if I could. It really is,
I think, a question that is not specific to you, but one that I would have of any agency here.

And so, I note that you require institutions to report annually things like grad rates and placement rates, where an institution has a mission for job preparation, licensure exam pass rates, et cetera.

And I'm curious how you think about outcomes and measuring outcomes that get at not just things like job placement, but employability of graduates.

As we have heard here today and we've seen, more and more students going to college with the idea of finding a place that prepares them for the marketplace. We've heard legions of stories about the disconnect between what employers expect and what institutions produce.

And I know that the agency that will follow you does require institutions to report on certain employability skills, like communication and things of that nature.

And so, I'm curious how you, going
forward, are thinking about grappling with institutions and ensuring that the outcomes that you're measuring are in fact continent with what the employment marketplace is demanding.

MS. TEMPLEMAN: I think that's been an issue, again, that we've been sort of mulling internally, as we plan our next formal standards review.

I'm advocating for our highly specialized scientific institutions that perhaps a measure could be how many Nobel Prizes your scientists win, but I'm not sure that would be a fair standard to apply to everybody.

But some of the other institutions, I mean, again, you're right, where the mission is job preparation, we look at job placement rates. Where the mission is -- where they're nursing schools that we've institutionally accredited, we look at pass rates on the licensure exams.

That's an issue in the Department, not just wearing our accreditor hat, but also our regulator hat, which is, are you doing a good
enough job preparing your students to pass the exams they need to pass to get jobs in the fields that they've spent money being trained to do?

So, I think for the other, for those institutions that don't necessarily have a stated mission around job placement, we need to do a better job of looking at, what's a way to measure success, not just graduation, but where do you go from there?

And maybe, what your ultimate income is two years down the road, or at whatever point we measure it? But we've talked -- and especially around the nontraditional student, again, at what point -- where is success and how do you know what it looks like at the time?

MEMBER JONES: Could you -- I'm sorry.

MR. D'AGATI: Just to add to that, for a more specific example. So, the American Museum of Natural History in New York has a master of arts in teaching, so people graduate with a certificate in teaching earth science.

And we work with them, and we accredit
them, and we work with them to monitor their students as they progress out of their program and into school districts in New York State. And we've talked about, I know the Commissioner is interested in surveying these individuals as they progress through their career.

MEMBER JONES: And that example you cite actually is interesting and I think gets to my follow-up.

And that is, do you see ways that the end consumer, and that is often employers, do you see a place for them to be engaged in the institutional evaluation oversight accreditation function? It sounds like, in that example, certainly --

MS. TEMPLEMAN: That's right.

MEMBER JONES: -- that is the case. But do you foresee other ways to bring that end consumer into the process?

MS. TEMPLEMAN: As part of our review during an accreditation renewal process, or even an initial process, when we're looking at how the
institution does their evaluation of student achievement, one of the things we look at is whether they've done surveys, both of their graduates, to see how satisfied the graduates are and where they ended up, but also surveys of employers that have hired their graduates.

Again, with very small institutions, you're not going to get hundreds and hundreds of responses, but we do ask our institutions to do that kind of survey and get feedback about the institution, about the instruction, and then, about the employability of the graduates.

MEMBER JONES: Very helpful, thank you.

CHAIRMAN KEISER: I have a little question. I'm not sure I understand your structure. You're a Commissioner, is that a voluntary position?

MS. ELIA: I'm selected by the Board of Regents who are appointed and voted on by the Assembly and the Senate in New York State. They represent --

CHAIRMAN KEISER: But this is a part-
time job for you, you're president of a
university?

MS. ELIA: Yes. I'm President of the
University of New York. It's a full-time job as
Commissioner of Education, since we have PreK-12,
we have higher ed and the work that we do there.
We also have the professions.

We also have a Department of Cultural
Education. So, we have oversight of all the
libraries, all of the museums, and all of the
institutions that are public agencies across the
state.

CHAIRMAN KEISER: But is your
institution one of the institutions accredited?

MS. ELIA: The University of the State
of New York, yes.

MS. TEMPLEMAN: USNY is all of those
pieces.

MS. ELIA: It's all of those pieces
together.

MS. TEMPLEMAN: It's not an
institution.
MEMBER WU: It's the name given to all of it.

MS. ELIA: Yes.

MS. TEMPLEMAN: That's right.

MS. ELIA: It's the name given all of state ed and the work that we do across all of those areas.

CHAIRMAN KEISER: Okay. You understand that better than I do?

(Laughter.)

CHAIRMAN KEISER: So, you're not president of an institution, you're president of a system?

MS. ELIA: Yes.

MS. TEMPLEMAN: That's correct.

CHAIRMAN KEISER: But are parts of your system accredited by you?

MS. ELIA: No.

CHAIRMAN KEISER: No. That would make me a whole lot more comfortable. Thank you. Any other questions? Sensing none, thank you very much. We'll call the staff back. Valerie?
MS. ELIA: Thank you very much, we appreciate your time.

MS. LEFOR: I have no additional comments at this time.

CHAIRMAN KEISER: And you understand the corporate structure there, you're comfortable that --

(Laughter.)

MS. LEFOR: Yes. So, as part of the review, we looked at the org chart. It makes a little more sense when you see it.

CHAIRMAN KEISER: Oh, okay. Thank you.

MS. LEFOR: I can share it with you.

CHAIRMAN KEISER: I didn't have the org chart in here. Great. There's a motion by one of the readers, I'll entertain it.

MEMBER WOLFF: Yes, to adopt staff recommendation, the agency is to continue current recognition, require the agency to come into compliance within 12 months, submit a compliance report 30 days after the 12-month period, demonstrating the agency's compliance.
CHAIRMAN KEISER: There's a second?

MEMBER WU: Second.

CHAIRMAN KEISER: Seconded by Frank Wu. Any further discussion? Will all those in favor of the motion, signify by raising your hand?

(Show of hands.)

CHAIRMAN KEISER: All those opposed? Motion carries. Congratulations. Move to our next agency, and our last agency, that doesn't mean -- not probably the best agency, because our former Chair is now head of it.

(Laughter.)

CHAIRMAN KEISER: Please welcome -- Val, are you the staff person? Okay. Welcome. Who is the -- the readers are, oh, I'm sorry -- oh, we have recusals, I'm sorry.

MEMBER WU: This is WASC?

CHAIRMAN KEISER: I'm getting excited, because it's the last one. Bobbie, you do not have to recuse yourself.

MEMBER WU: This is WASC?

CHAIRMAN KEISER: WASC.
MEMBER WU: Okay.

CHAIRMAN KEISER: Frank, you do.

MEMBER WU: I'm noting my recusal.

CHAIRMAN KEISER: Okay. So, Brian and Steve are the two primary readers. And when Frank leaves, we will get started. The three recusals are Ralph, John, and Frank. Okay. Brian, Steve, you are up. Steve, you are up, Brian's pointing at you.

MEMBER VAN AUSDLE: So, the Washington Association of Schools and Colleges.

CHAIRMAN KEISER: Turn your mic on.

MEMBER VAN AUSDLE: We'll start over.

(Laughter.)

MEMBER VAN AUSDLE: We're talking about the Washington Association of Schools and Colleges -- or, excuse me, Washington, when this thing crashed, I crashed too.

(Laughter.)

MEMBER VAN AUSDLE: So, the Western Association of Schools and Colleges, and then, comma, the Senior College and University
Commission is recognized as a regional accrediting body for the accreditation and pre-accreditation of senior colleges and universities in California, Hawaii, the United States Territories of Guam and American Samoa, the Republic of Palau -- I think I got that right -- the Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, and the Republic of the Marshall Islands. Big geography.

This accrediting agency currently accredits approximately 160 institutions. And it's interesting, as you look at these institutions, kind of a profile, 65 percent of them are nonprofit, about 21 percent of them are public, and a little over ten percent of them are private. So, a very diverse group of institutions.

Another characteristic I would point out is their accreditation status. They have five institutions accredited with notice of concerns, two with warnings, one with show-cause,
and one with probation, which I'm sure will be addressed.

The NACIQI considered the agency's last full petition for renewal of recognition at its Fall 2012 meeting. At that time, the Secretary continued the agency's grant of recognition and requested a report on a number of outstanding compliance issues.

That report was reviewed and accepted at the Fall 2014 NACIQI meeting and the agency's grant of recognition was renewed. Now, the agency's current submission represents its next regularly scheduled review for continued recognition. Valerie?

CHAIRMAN KEISER: Thank you, Steve. Valerie, you're up.

MS. LEFOR: Great. Good afternoon, Mr. Chair and Members of the Committee. For the record, my name is Valerie Lefor and I will be presenting a summary of the petition for continued recognition submitted by the WASC Senior College and University Commission, or
WSCUC.

The staff recommendation for the agency to the Senior Department Official is to renew the agency's recognition for a period of five years.

Based on our review of the information in the agency's petition, supporting documentation, and an observation of a site visit, Department staff found that WSCUC is in compliance with the Secretary's criteria for recognition with no issues or concerns.

The Department received one written third-party comment and it has received two complaints during this review cycle regarding the agency. Of the two complaints, one complainant did not avail themselves to WSCUC's complaint process; therefore, it was not reviewed by the Department.

The other complaint was reviewed by the Department and the Department found no evidence that WASC did not follow its policies and procedures or failed to meet regulatory
requirements.

Therefore, the staff recommendation, again, is to the Senior Department Official to renew the agency's recognition for a period of five years.

Representatives are here from the agency and I'm happy to answer any questions that you may have. This concludes my report. Thank you.

CHAIRMAN KEISER: Thank you, Valerie.

Any questions to Val? All right. Hearing none, I'd like to invite the members of the WASC Commission to come forward.

And, again, I do -- would not go without saying, we recognize our former Chair and former member, Jamienne Studley, thank you for being with us in your new position. And if you good folks would introduce yourself?

MS. STUDLEY: Thank you, Mr. Chair. I'm Jamienne Studley and I'm honored to be President of WASC.

My distinguished colleagues here on
behalf of WASC as well and the topics that each will address are: Professor Reed Dasenbrock, Commission Chair from the University of Hawaii at Manoa, who will speak about student learning outcomes. We put that subject first, because we put it first in all of our considerations.

Second, you will hear from Dr. Mary Ellen Petrisko, the outstanding former President of the organization who served in that position until January 15. I assumed office on January 16. She will speak about data innovation, improvement, and risk management.

Dr. Christopher Oberg, the COO and Vice President, will speak about for-profit financial framework that we have.

And Professor William Ladusaw, former Commission Chair, professor emeritus at UC Santa Cruz, will speak about whatever he wants.

(Laughter.)

MS. STUDLEY: About a couple of topics that we'll bring you at that point. We want to begin by thanking Herman Bounds and his staff and
Jennifer Hong for their cooperation during this process.

We appreciate the background that has been provided on contemporary accreditation by the three regionals that you have heard from and by the discussion that you have had about the changes in this universe.

To paragraph Beth Sibolski, this is a very different world of regional accreditation from the one that I met when I joined NACIQI in 2010. I believe that all my colleagues here can say the same thing. The collective sense of urgency in service of students and stronger outcomes in palpable.

Let me talk about WASC. As with each agency that comes before you, our universe has some distinctive features. Our region is the only one with a senior and junior Commission.

Our region, as Steve noted, has a large population of students in public institutions, with our highest enrollment totals in three systems: the University of Hawaii,
California State University, and the University of California.

We also have the largest number of our institutions in the private nonprofit category. And we accredit 21 for-profit institutions, three of them publicly traded, one of the higher proportions among the regional accreditors. We have many Hispanic-serving institutions, but no Tribal or Historically Black institutions.

As I said last week at a CHEA meeting, we are agnostic as to institutional type and control, while being fiercely devoted to standards and student protection. We are explicitly outcome-aware.

WASC collects data from schools at the regular and mid-cycle reviews, including on graduation, using rates from IPEDS, the National Student Clearinghouse, and our own graduation dashboard, about which you'll hear more. And also about debt level and cohort default rates, about enrollment change and Pell enrollment.

We train our reviewers, and we
recently revamped that training, to use that data to help schools benchmark and to identify areas for improvement and areas of concern. We collaborate with C-RAC, IHEP, and many others to be as smart as we can be.

Looking at our relative performance in the NACIQI dashboard, in that context of our bachelors and graduate degree granting institutions, our cohort has a higher than average Pell, at 43 percent versus 38 percent.

Our student population includes 58 percent students of color, compared to 39 percent for regionals overall. We note that 50 percent of our schools have repayment rates above 80 percent, in contrast to the overall regional rate of 33 percent that have repayment rates at 80 percent or above.

Earnings for students in our region are much higher than for other regions, which is understandable given both the degree mix and the relatively high incomes in our region.

WASC had three institutions that were
triggered for attention by virtue of the IPEDS graduation rates below the 15 and 25 percent trigger levels. In each case, when we applied additional graduation metrics, including measures that include the full student population, different time horizons for graduation rate, and our own grad rate calculation, each school had a satisfactory performance outcome in one or more of those categories and also had plans for further improvement.

We're proud to the extent that these relative outcomes reflect good institutional success and positive results for students.

We also quickly acknowledge that here, in making comparisons, just as across all of higher education, the metrics only make sense when coupled with institutional mission, student characteristics, economic conditions, and so forth. That said, we are strongly committed to further and continuous employment in the service of students.

We offer a tremendous range of
educational programming and staff support to help our member institutions understand both Commission requirements and the ways that they can strengthen their students' success in achieving learning outcomes and other performance measures.

We have an annual academic resource conference that is attended by more than 1,000 people. And this year's programming will include workshops on assessment, program review, building a culture of quality. And we hold presidents and trustee retreats to deal with the issues of particular interest to leadership.

WASC vice presidents have an average of fewer than 40 institutions with which they work, which enables them to devote significant time to institutional support.

With that, I'll hand off to our Board Chair, Reed Dasenbrock.

DR. DASENBROCK: Aloha and good afternoon. Jamienne said that WASC has always been outcomes-aware, I think that's an
understatement. Perhaps at times we've been outcomes-obsessed, but I think we have been -- this has been a major focus, beginning from the time when your colleague Ralph Wolff was President of WASC for a very long time.

The focus, then, I would call Outcomes Assessment 1.0. We were very focused on the essentially major-by-major assessment, and to a certain extent, what's happening in general education. We continued to do that work.

We have an Assessment Leadership Academy, which brings in people from all over the region, and also from other parts of the country, and actually internationally, to train -- to get champions on campus in assessment practices. We're in our ninth cohort on that.

We publish -- sorry, we require that institutions publish their student achievement data on their website, and we link to that on our own website. So, this is a gesture in terms of transparency, in terms of public accountability. And so, this data are public and they are known.
So, that has been, I think, a force for the last 15-20 years pushing institutional and continuous improvement. We, in the last few years, have moved towards what I would call Outcomes Assessment Version 2.0, which is to say, we're really continuing to push continuous improvement.

Beginning with our 2013 handbook, each institution has to report to us during their reaffirmation their students achievements on five core competencies: written communication, oral communication, quantitative reasoning, information literacy, and critical thinking.

These need to be assessed towards the end of their graduation. So, it's not a matter of assessing what happens at the introductory courses, it's a matter of assessing what happens during the entire educational experience.

And this links with another theme of the 2013 handbook, which is, we're asking institutions to assess and to document and to discuss the meaning, quality, and integrity of
their degrees.

And that's shorthand, I think -- people ask us what does that mean? That's shorthand for really asking about the whole experience, how it coheres.

So, it's not just the approximately 40 credits in most majors, 40 credits in general education, there's another 40 credits which often have been left out in assessment. So, how does it all combine together?

How does it combine together with co-curricular as well, so that there is a coherent experience and we are able to establish that the difference has been made at every level? We're some years into that.

That process will continue and it's a sign that we continue, I think, to drive change, continuous improvement at our institutions. So, that is really our major focus, I think, as an accreditor.

I did want to touch on one other issue, which is the issues of conflict of
interest, in terms of the Commission and all of our members. We, I think, are highly rigorous in terms of avoiding, not just the appearance of conflict of interest -- not just conflict of interest, but also the appearance.

We ask that all reviewers, all staff, all Commission members, sign conflict of interest forms. We have combined all of those into a single form. And we actually now are taking one more look, and at our Commission meeting next week, we actually have a revision of our policy under consideration. So, we did want to touch on that issue as well.

So, the President in-between Jamienne, who has been President for 20 days, and Ralph Wolff, who you all know very well, is our next speaker, Mary Ellen Petrisko.

DR. PETRISKO: Thank you. And it's a pleasure to be here with you. As Jamienne indicated when we got started just now, I'm going to be talking to you about mitigating risk and about improvement, and that's mitigating risk to
students by making sure that institutions are continually improvement and are maintaining compliance with our standards.

So, we have a number of processes to do this. And the first one I'd like to talk to you about is our eligibility process. Institutions who want to become accredited ask about us and learn about us.

And then, through workshops on their campuses, decide whether they will actually put an application in, whether they have a good chance of reaching eligibility with us.

And to show you that there is mitigating risk even at this very early stage before there's any status with the Commission, in the period between 2015 and 2017, there were 89 inquiries about possible accreditation with WASC.

After having gotten a lot more information through those workshops, it was only 46 that actually applied. And of the 46 that applied for eligibility, 35 were granted eligibility. So, that's 40 percent of those who
aspired to WASC accreditation who actually made it to the stage of being eligible.

Of course, it doesn't end there. The rigor with which we look at mitigating risk, institutions don't always get from eligibility to candidacy, from candidacy to initial accreditation. There are those that drop off between eligibility and candidacy.

And even at the stage of candidacy, when it is discovered that they, although they have promise at a certain point to reach initial accreditation, that they cannot, do not have the wherewithal and capacity to continue in that improvement and strengthening, or perhaps go backwards.

We had a candidate recently that was put on warning and then, eventually had to close, because a financial situation got more serious. So, there's a mitigation of risk at that point.

Our Commission also, if I may still say our Commission, their Commission, our Commission grants a six, eight, or ten-year
period of accreditation. That's been going on for three to four years now.

And newly accredited institutions automatically are given a six-year period of accreditation. Institutions that are coming off of a sanction also automatically get a six-year period of reaffirmation.

And any reaffirmation can be for that six, eight, or ten-year period, which are defined in our handbooks. So, that's what might seem to many to be the periods that we really take a good look.

But there's also mid-cycle review. And if an institution is on a six-year cycle, that would be at three years. So, it's a three or a four or a five-year mid-cycle review. And that review is primarily focused on student achievement.

And a number of metrics and trends are evaluated at that point, to see whether the institution might seem to appear to be in danger of falling out of compliance between those big
six, eight, or ten-year periods.

So, the metrics that we look at are ones that you might anticipate as being the likely candidates. So, completion rates, four-year, six-year, IPEDS, and our own Graduation Rate Dashboard, which I'll talk about later; enrollments; enrollment changes; composite scores; student debt; faculty/student ratio; cohort default rates.

We look at all of that as one piece of student achievement, but we also ask institutions to update a form, which we ask them to keep current, our Inventory of Educational Effectiveness Indicators, which is a sort of summary of what they're doing on student learning outcomes assessment and program review.

So, they update that so that we can see what has happened, what has changed, where they are in their ongoing look at student learning.

So, after that is reviewed, a report is sent to the institution commenting on how
they've done with regard to those metrics against a set of benchmarks or best practices.

If it is determined at that point that it would be good for further review, another report, a visit, something like that, the entire review report is referred to the Interim Report Committee, which I'll talk a little bit more about in just a minute.

So, a lot has been said during this meeting over the last couple of days about how often commissions work with their institutions and how much of an interaction there is to ensure that institutions are meeting standards, continually improving.

An amazing, I think, 93 percent of our institutions get some sort of follow-up between their accreditation actions. And those follow-ups can be of a number of different varieties. There could be a progress report, an interim report that's a little bit lighter, a little bit more intense report, all the way up to a special visit, in-between those other actions.
And so, it's only seven percent of our institutions who do not get some sort of follow-up like that. And I think it's also interesting that, of the 93 percent who get those follow-ups, 38 percent get the interim report, the more heavy-duty report, and 35 percent will get another visit, get a special visit.

So, we are indeed very careful about ensuring the institutions are continuing to do what we expect them to do in compliance and to continue to improve and follow the recommendations that are given by the Commission during the various Commission actions.

So, our first reader, Mr. Van Ausdle, mentioned the specifics of the notice of concern and sanctions that we have currently.

The notice of concern, there are five institutions of our membership that are currently on a notice of concern, that is not a sanction, but that is a special flag to institutions that the Commission does have a concern, that there may be a danger of falling out of compliance
unless certain issues are attended to very carefully.

So, those issues are flagged by that notice of concern and there's only a limited period of time under which an institution can continue under a notice of concern without having ameliorated whatever that situation is.

Warning, probations, show-cause, those sanctions all require that institutions meet -- the president, the board, and the faculty leadership meet with WASC staff in our offices, very occasionally on the campus of the institution itself, so that there is a direct, clear interaction between the leadership of the agency and the leadership of the institution about what this sanction means, what options there are, that they certainly understand what the expectations are.

So, that is a standard part of what happens when there is a sanction with one of our institutions.

So, I'm going to relinquish the mic in
just a second to my colleague, Christopher Oberg, who's going to tell you about some exciting things that we've been working on recently.

But before I do that, I do want to talk about innovation and about a topic that's come up quite a bit here, and that is graduation rates and how we understand them.

And I think it's important to note that, as we talk about institutional improvement, it's very important to know and have an accurate basis of what the reality is, before you start talking about getting better.

Where are our institutions actually with regard to the metrics and the student learning that we expect from them? So, we do use IPEDS, we do use the National Student Clearinghouse, and those are clearly defined by those bodies, what those mean.

But what we've also done, and John Etchemendy, who is one of our Commissioners, referred to this in the last discussion, we have a -- and he developed a metric called the
Graduation Rate Dashboard.

And the Graduation Rate Dashboard is a tool that allows us to, for any member institution, to determine without -- and I want to underscore this -- without regard to enrollment status or time to degree, how many students who come into an institution eventually earn a degree from that institution.

So, if a student comes in as a transfer, as a part-time, drops in, drops out, first-time, full-time, all of those students will show up eventually, no matter how long it takes them to get through, as a graduate of the institution.

And we've seen some really dramatic differences between IPEDS rates for a number of institutions, say at the CSU, where there are large numbers of transfer students, the IPEDS rate and the Graduation Rate Dashboard rate.

So, basically, the way this works, I'll say it very simply, it's a tool that will enable an institution to, on the basis of six
data points, show how many credits it gives out and how many are cashed in for a degree.

So, we've been working with this for a few years now and we have seen that there are some really significant differences in those rates. I can answer some questions about that later, if you have some specific questions that you would like to ask.

So, again, it's very valuable to have multiple metrics with regard to completion, to know how they are defined and who is represented by those rates, and to look to whatever rate is going to capture the student population, enrollment states, time to degree, that you are really looking at.

So, I'm going to turn this over now to Christopher Oberg, and he's going to talk about something that we've done recently with regard to our for-profit institutions.

MR. OBERG: Thank you, Mary Ellen.

I'd like to begin by affirming, as President Studley already has noted, that the
Commission is agnostic as to the business model. It requires all institutions to meet the standards, irrespective of their governance structure.

However, the Commission has concluded also that different business models require different modes of examination, different tools and perspective.

And a major change in perspective is that this analysis has to be comprehensive, calling for reviewers to examine related decisions in financial transfers that take place outside of the educational institutions' customary disclosures.

I'll give you a very quick example of what that means. I have an institution that is owned by an LLC. That LLC has a sole member which is another LLC.

That LLC has a sole member, which is a venture capital firm. Being able to penetrate all those layers is critical to the work of a review team.
The framework that we will be implementing has four components or areas of inquiry: organizational structure and governance, capital allocation, financial performance, and last but not least, student outcomes.

We believe the framework gives reviewers complementary tools to those that already exist in the nonprofit sector, both private and public, such as strategic financial ratio analysis.

And indeed, we are being assisted in our work by the creator and now co-author of that type of strategic analysis, Prager & Company.

The framework will be used for the first time with institutions undergoing their comprehensive evaluation reviews in Fall 2018.

I close with this note, that this framework also complements the two initiatives undertaken by the CRAC Working Group on for-profits.

First is an effort to identify a group of national experts in finance and corporate law
who can be called upon when complex for-profit transactions present often across regional boundaries.

And the second is the creation of an orientation seminar for all new for-profit CEOs about the processes and obligations of regional accreditation.

Thank you.

MR. LADUSAW: Thank you, Christopher.

I have two things to introduce into the conversation very briefly.

In 2012, at the time of our last recognition, the Commission had decided to make public the two key documents that it produces during accreditation reviews, the Team Reports and the Commission Action Letters.

We now have a full five years of experience to reflect on, and we want to do a report on that.

First, the sky did not fall. Of course, public institutions were already accustomed to even higher levels of transparency
than we require, so we have naturally been alert
to the concerns of our private institutions.

But on the whole, we have had no
problems.

We know from the web analytics that
the documents do get read but the traffic is not
enormous.

Transparency has led the Commission to
give attention to making the language of its
Action Letters focused and consistent across
reviews to avoid over-interpretation.

It has also been a matter for team
training for the fact of the Team Reports.

In a few cases, it has also led to
thoughtful consideration of what types of
information could reasonably be considered
proprietary.

But we stress that the Commission sees
a vital principal distinction between making
public documents that it itself authors versus
keeping confidential the materials that we expect
from institutions.
Expectations of confidentiality in these are foundational to building the kind of frank interactions and effective engagement of the institution in critical reflection.

The second point I would make is that for several years, the Commission has been blessed by the participation of outstanding public Members.

Individuals who have expertise in and commitment to educational quality, but whose career paths are clearly in contrast to those of institutional representatives.

During this period of recognition, the Commission has decided to ensure that every cohort of elected Commissioner joining the Commission contains at least one such Member. This ensures that the effective dialog between the perspectives of public and institutional Members will be reinforced in the annual new Commissioner orientations.

And as a result, the proportion of public Members on our Commission is and should
remain slightly above the statutorily required level.

President Studley?

MS. STUDLEY: Thank you all. Let me briefly mention four additional ways that we are looking to the future.

The third involves our Thematic Pathway for Reaffirmation, TPR.

You've heard other Agencies speak about streamlined pathways that they've adopted, embodying risk-sensitive strategies. We have one too.

To qualify for TPR, an institution must do three things: satisfy any prior recommendations that we had for action, demonstrate compliance with our standards, and select and work through a meaningful priority project that's important to that institution and significant in scale.

We determined the 23 institutions were eligible using the mid-cycle review metrics, plus a set of qualitative measures like leadership
stability.

21 of those 23 decided it was a road they would like to go down with us in this inaugural round.

Schools will submit their proposed projects this summer, and we will begin this new focused review process and look forward to telling you about it in our next cycle.

Second, we are working on a project to make learning outcomes visible, supported by the Lumina Foundation.

We're assisting institutions in doing a better job of presenting student learning results and making them accessible to the public so that people can understand and act on them.

The model that we're using for the 22 institutions is a community of practice, which is proving to be a very good structure for the interchange of experiences and helping each school achieve its own goals to develop and showcase their best practices in assessment, and then help us gather those practices so that we
can share them beyond our own community of practice into the wider national conversation.

Third, we last reviewed our standards leading to a handbook revision in 2013 and we will soon begin the process of another round of standards review.

Again, likely to be comprehensive in asking about what changing considerations from student populations, educational practices and directions, and national priorities we need to consider, along with any legislative or regulatory changes that we need to take into account.

Finally, we are working on predictive analytics as the national companion to the graduate-rate dashboard of which Mary Ellen spoke.

We want to marry Better Outcomes data with a richer picture of the purpose, population, and other differences that she talked about, so that we can sensibly compare across institutions, and provide better contextual information so that
people can benchmark against real peer
institutions and we can enrich the conversations
that we have about performance.

We have identified a set of
characteristics, we've done our initial analysis.
We plan to collaborate with others who are also
doing predictive analytics and share the
expertise.

And we'll be bringing this forward to
make that work real and available to our
institutions as they think about getting better,
and as we understand what quality performance
looks like in our cohort.

With that, we appreciate this
opportunity to speak with you and welcome your
questions.

CHAIRMAN KEISER: Thank you.

Questions from the primary readers?

MEMBER JONES: Well, first, thank you
for that comprehensive and really impressive
presentation. My first question is for you, Dr.
Dasenbrock.
I love this notion of requiring institutions to assess those core capabilities and, I assume, to report on them.

And I'm curious about two things, one, how you identify that particular set of competencies, and I ask in part because at my own institution, we have an entity that is focused on, again, working with employers to deliver non-degree skill training.

And we worked with companies like FedEx, Fiat, Chrysler, and part of that work involves trying to reverse-engineer given roles, and to identify skills and competencies and mindsets that drive the variance between top performers and others in a role.

And it's remarkable to me how much overlap there is with the competencies you've identified here.

In fact, I think the only thing I would add would be something around collaborative effort, teamwork, that sort of thing. But I'm curious how you found these competencies.
And then the second part of that, I suppose, is are institutions expected to come up with their own assessment of these things? Or are you guiding them towards assessments? How does that process work?

MR. DASENBROCK: Thank you for the questions.

I think there are a couple parts I can answer but I think I probably should also hand it back to Mary Ellen, who oversaw a good deal of it.

The biggest complexity we had in getting this through was the misunderstanding that we were basically asking everybody to set a single bar across institutions.

And so as would occasion little surprise, the UC campuses and Stanford and CalTech were a little worried that, well, wait a minute, are you really expecting the same quantitative reasoning for a calc major in physics, as opposed to a classical musician?

And so that was an important challenge
because it required us to clarify they set the standards. And what we're asking them to do is to assess the standards that they themselves have set.

Now, obviously, does that mean any team might have some questions about certain standards?

Yes, but in the first place, it falls to their responsibilities to set the benchmarks and to figure out the assessment methodology.

We will help in the sense of the Assessment Leadership Academy and trying to build a set of expertise.

So, that was the major one I remember, but that was as a Commissioner. So, I think I should turn it over to Mary Ellen who was President when this was gone through.

MS. PETRISKO: So, I would first like to note that core competencies have been mentioned in our standards since the '80s.

And in the handbook where we talk about specific CFR criteria for review, where we
talk about undergraduate education, these competencies and some other things that might be expected of undergraduate education are listed.

I think if one would ask, across the board, people who think that certain outcomes are very important in higher education, many, many, many people would land on the ones that we landed on.

We hear about written and oral communication all the time, how important those are no matter what someone's going to do further in life.

Critical thinking, clearly very, very important; quantitative reasoning, can't live without it.

And information literacy, that people have the ability, and this is ever more important, have the ability to analyze information for accuracy, for validity, for applicability, for source, to really be able to determine if what they are seeing, hearing, and being told is valid or not.
So, I think to some extent, it's something that we've always known.

Focusing on these, I think listening to what some of the criticisms have been of higher education institutions over the recent and maybe not-so-recent past, about what all students need to be able to do, I think culminates in that selection.

With regard to how they are assessed, one of the things that I have said always about accreditation is the good news and the bad news for the institutions is that we ask you to do it but we don't tell you how. And that's because institutions are very different.

Reed mentioned CalTech; so, what quantitative reasoning is going to be necessary for students at CalTech is going to be quite different than what's necessary at the Academy of Art.

So, the institutions themselves have to know what the balance is for what they're delivering and what their students need.
And then they need to determine how
they're going to know that the students have
actually achieved that.

So, we want them to present that to us
in the terms it make sense to them, with evidence
that that has been reached, if that answers your
question?

MEMBER JONES: Yes, it does, thank you.

And just one other question, so, Dr. Studley, you obviously inherit an Agency with I
think a well-earned reputation for innovation.

And during our data conversation this
morning, one of our speakers made the argument
that having a better, more comprehensive Federal
data system actually may enable greater
innovation at the Agency level.

And I'm just curious what your
thoughts are about the data that is available to
you today either from the Department or other
sources, or from your institutions.

And I'm thinking about whether what is
available in any way constrains your ability to sort of harness innovation among your institutions?

MS. STUDLEY: A very good and important question.

The lack of coherent data, the lack of reliable information of certain types, the inability to translate across metrics and institutions, is definitely a problem.

And for those of us in whatever capacity trying to set benchmarks or talk across institutions, it would be helpful to have more complete and consistent and timely -- there wasn't that much discussion of timeliness, but the speed from action to availability of data constrains anybody who's trying to work on improvement and understand how their efforts are making a difference.

There's no shortage of numbers. I think we can all agree whatever -- we've looked at the presentations this morning.

The series of reports that an IPEDS
representative reminded us of tell us that it's
not that there aren't enough numbers or people
trying to count them out there.

It's that we haven't found convergence
among them to answer the key questions that we
want to answer.

I'm going to answer Simon's question
at the same time, or anticipate Simon's question,
which is we start with IPEDS -- you've got us
drained -- we start with IPEDS because it is the
one that has the greatest degree of consistency
across institutions.

And as a trigger, as a suggestion to
look further, many different numbers would
suffice for that.

What we then do is take the National
Student Clearinghouse, which has certain
advantages, the numbers that we developed under
the grad-rate dashboard, which is a very subtle
but different picture that has to be used in
context, understanding exactly what it stands
for, plus the numbers that the institution uses.
I thought the Union City College President did a wonderful job of reminding us that you use the numbers that will help you understand the work you're trying to do and the people you have and the patterns that they present.

Having spent several years hearing about the deficiencies of the Federal data and working on development of the first upgraded version of the scorecard, we know what's wrong.

What we now need to do is come together about a smaller set so that we can have conversations that are comprehensible to accreditors and other oversight Agencies, comprehensible to people who help us by studying our institutions, translatable to the institution, so that they can do the kind of improvement work that we've spoken about here.

And then help us make the information that we provide to the public clearer and crisper.

Anybody who has tried to read the
footnotes of the simplest of those forms knows
how much we've had to try to pack into what this
is and what it's not.

So, I know you deal with those same
kinds of challenges as well.

CHAIRMAN KEISER: Steve?

MEMBER VAN AUSDLE: Thank you, I just
want to share with you how impressed I was with
your work, the work of the Staff, and your
presentation here today.

Looking at your website, you've talked
about your innovations that you have underway, I
was left with the impression that you're an
organization that is creating a very strong
student assessment and outcomes culture for your
member institutions.

And when I look at the training you're
doing, I look at the work that you're doing with
the Lumina Foundation, it tends to lead to
confidence that maybe educational attainment
rates in your Region will increase as a result of
your work.
So, I just commend those actions.

And I learned some new terms; I've been around the business a while, but unit redemption rates, that's John's work, right?

Very insightful as to how they were taking data that's available that isn't wrapped up just in a graduation rate, and equating that to an equivalency, kind of like it's an education bank.

And it shows that education's paying a much higher dividend than you get just from looking at regular graduation rates. But then I saw the term of absolute graduation rate and I thought there is a step.

Your innovations, I think, are going to lead to some discoveries that the rest of us can get some insightful information from.

The fact that you have two strong commitments that lead to your standards showed a very solid foundation to me of what you're doing.

And when I could go on your website and immediately see the institutions that you had
marked that needed special attention, right there, I thought, you know, that's full disclosure.

Or, then, some of them might feel uneasy about that, I suppose, but you know, that's what we're about. So, I was also going to commend you on majoring student learning.

I think that's one of the hardest steps and, Brian, you got right on that.

What happens if you find an institution or if students get through their studies -- this test was given just before graduation, right? -- and they don't do very well on one or two sections of that.

Now, is that just the way it is? We've done the assessment of student learning? We know what it is? Or are there consequences?

If the student doesn't pass in information technology core competencies, is there a prescription of additional work so that by the time they leave the institution they do have all those learning competencies?
MR. LADUSA W: I didn't get to talk about that.

Well, that question spans the very delicate relationship between what the institution is doing for its purposes and standards and things, and then our observing of their behavior.

So, from the accreditor point of view, we're not micromanaging what they do at that point.

But the innovation -- this grew out of this contemplating this phrase that Reed meant, the meaning, quality, integrity, of the degree.

A lot of outcomes-assessment had begun to concentrate on just the major, as if the degree was reduced at the end to the major.

And this was a step to make institutions take some concrete steps in closing the assessment loop on how is it all adding up?

Because the historical view that writing was something you inoculate people with
in the first year and then they get over it, and then nothing else happens to learn how to write, the idea of disciplinary communication, it's everyone's job to teach you to be a good communicator in those areas.

So, the particular answers and particular institutions look different, but the task is the same. Of course, someone has to look at that.

And I think Reed now wants to --

MR. DASENBROCK: Let me say a little bit about the effect it's had on our campus, just to flesh this out a little bit.

When this was approved I brought it back and I had at least one person say wait a minute, aren't you on WSCUC to prevent this kind of thing from happening?

(Laughter.)

In other words, more stuff for us to do.

After we got through that, we took a look at how our core mapped onto these core
competencies, and we already had really good written communication, we already had really good oral communication.

We had nothing corresponding very clearly in information literacy, and we had a symbolic reasoning requirement as opposed to a quantitative reasoning requirement.

So, through a long process, we actually did change our core from symbolic reasoning to quantitative reasoning. So, we made an adjustment in the core.

Information literacy, we said we can't do that in the core.

So, then, we're now working on how do we get those things across the curriculum in the same way that writing -- you don't get a shot in one semester and then your writing competence lasts for a long time. You need that reinforced.

So, we've done a mixture of one change in the core, but some looks at what's happening in the whole campus.

I can't say that that process is
complete, nor do we actually need it to be complete now.

The point is that it's actually beginning to stimulate the campus-wide conversations, and then when the next report is due, 2021, then WSCUC will find out, okay, so where is (unintelligible) on that?

And we're right in the middle of that process now.

MEMBER VAN AUSDLE: So, you folks are very strategic and it comes across in your material, and you've done a lot of things right.

And you talked about the future, so what are your top-two priorities going forward to strengthen accreditation?

MS. STUDLEY: We're having a Commission meeting this weekend and starting the process of looking at our existing strategic directions and priorities to decide how to populate them for the round going to beyond?

Right now, you're seeing the results of several years of very intentional planning to
accomplish the things you've heard about here.

And under the priorities that you probably found on our website, the new ones, we will be asking our Members, asking our Region, processing this process for us, and giving us an opportunity to work together to identify what linear continuations there are of the work that we're doing and what new ideas we want to pursue.

So, we'll get back to you.

MR. DASENBROCK: And we want to give the new president a few more days on the job.

(Laughter.)

CHAIRMAN KEISER: Claude?

MEMBER PRESSNELL: Yes, thank you all very much. I appreciate the presentation.

You had mentioned that you have your graduation rate dashboard and that it was showing you new information because you weren't using the IPEDs.

So, did the rates go up or did the rates go down?

MS. PETRISKO: So, the rates for just
about everybody went up, unless their data were problematic, which in itself is something very good to learn.

When you count all students who graduate, no matter what their time to degree is and no matter what their enrollment status has been, it would be anticipated that the rates are much better.

One of the things -- and I actually wrote an article about this a couple years back when this was being implemented.

And one of the institutions that we cited with their permission was from the Cal State system, Dominguez Hills, which had an IPEDS rate of 30 and a graduation-rate dashboard rate of 60.

So, that was an indication that students were taking longer, they were maybe dropping in and dropping out, they were not taking as many credits as others, not as many were coming first-time, full-time.

One of the things that I didn't
mention when I mentioned the graduation-rate
dashboard is that of about 900,000 undergraduate
students in the Region, IPEDs only captures
360,000, which means 540,000 are invisible with
that measure.

So, to capture all 900,000, however
they get through, whenever they get through, we
thought was a very important thing to do.

MEMBER PRESSNELL: Yes, I was just a
little taken aback this morning when the
presenter from Third Way said that almost all the
rates went down when you included other student
populations.

So, I was really struck. I thought
that was an odd analysis that they had as well.

MS. PETRISKO: I think if you count
the time to degree for the part-time and then
some of them fall off the map, that's going to
happen.

But if you keep track of them until
they're graduated, I don't have the source but I
was told that the average graduation rate for the
time to degree for Latino Males is nine years. They're not going to show up anything if you're saying it's a four or six-year rate.

MEMBER PRESSNELL: Well, first of all, thank you for describing in detail the Thematic Pathway.

I think doing that is -- thanks for taking those steps towards really reducing the regulatory burden on campuses that are performing well, and also freeing up resources to pay attention to those institutions that need assistance.

I think that's very positive.

Related to that, on your annual and mid-cycle reviews, in particular your annual reviews, are there red-flag thresholds in there that would pop up that would make you have a contact with a campus, to say, hey, what just happened?

I know that probably the mid-cycle, you're looking at trends more than you are annually, you're looking at a snapshot, but could
you address that?

    MS. STUDLEY: Yes, we're going to ask
    Christopher to handle that one.

    MR. OBERG: The simple answer is yes,
    that there are, from enrollment to finance to
    graduation rates, certain triggers that would
    cause us to immediately contact the institution
    and those are tied to perhaps the California
    State Commission's default rates.

    So, all those are looked at on an
    annual basis.

    MEMBER PRESSNELL: Do you have an
    example of when a red-flag came up,
    unanticipated, that you actually made a contact?

    MR. OBERG: I had an institution that
    suffered a 12 percent enrollment decline, which a
    10 percent is the trigger, and that immediately
    caused the Vice Presidential liaison to contact
    them and find out what was going on.

    It's that type of thing.

    We're not as successful in the
    financial side because the audits that we get are
so far lagging as an indicator, but the enrollment was pretty marked.

    MEMBER BOEHME: Since my colleague, Frank Wu, isn't here, and I think for consistency, it would be interesting if you also address the same question that he's been asking.

    And I know you're a few weeks --

    MS. STUDLEY: Struggling small colleges?

    MEMBER BOEHME: Yes.

    (Laughter.)

    MS. STUDLEY: Sure, the benefit of listening, that is an important consideration for us, certainly having been the president of a small liberal arts college in a fairly rural community.

    Although, Arthur always said that it was as big advantage, that it was in a lovely small community, I have a particular sympathy for those institutions and the challenges that they face.

    As my colleague said, we have the
challenge that it's hard to see the financial data.

So, we need to be looking at their enrollment, their student performance, and their own sense, to us, of what they're trying.

Because I think the colleges themselves, even if they struggle with the solutions or the finances, start to see that they have a problem, that there's some indicator, either the competition or the loss of enrollment, the projections that they had for new programs that aren't panning out.

We have no magic solution but we hope that being able to work with us will help them see some pathways or identify practices that might, particularly with retention, assist them where the problem is that an institution has people coming but they don't persist and complete.

That is one of the solutions that's most amenable to the kinds of engagement and professional development and models that we can
offer to them.

Our Region is a little different from some of the others that you've spoken to in that there is a student population eager to go to college, and for which our schools are within an easy geographic range for students who don't want to leave where they're currently living.

So, we have the demand but it's unevenly spread across institutional types, and we've already recognized that thinking about how to satisfy the student need while helping them identify institutions, the whole thing being done in an affordable context, is a public policy question that our Region needs to face.

MEMBER BOEHME: In your District, using your metrics, do you have any schools that have a single graduation rate, a single-digit graduation rate?

MS. STUDLEY: We have no school that's meeting the CRAC 15 to 25 percent trigger, and we have no schools with a single-digit graduation rate.
MEMBER BOEHME: Right, okay, that's what I thought, and so I think that's swell.

MS. STUDLEY: I misspoke. We have schools that are meeting the trigger but we have satisfied, I should correct that.

But none of them are single-digits and we have satisfied ourselves that there are other measures of successful, although need for improvement, graduation rates.

MEMBER BOEHME: And one last question.

I'm looking at a 2013 article and I can read the quote that you say, but I really agree with it, which to sum it up is consumers should have some sort of comparative tool when in other industries, such as going to restaurants or where to eat.

Shouldn't students have a similar framework to help them decide whether to invest a year of their time, significant amounts of money, and their opportunities for the future, in a particular educational institution?

And what I really admire about WSCUC
is there is a clear transparency. For example, when you go online, you can read the reports.

You know me, I'm very strongly in favor of students being able to -- I think students should learn more about accreditation.

I think this is an important process. I knew very little before, I'm still learning. Students, though, are probably unlikely to go to the WSCUC website and read an 860-page report.

Do you foresee potentially, not necessarily a comparative tool, but maybe WSCUC doing something like that, but maybe making and continuing to make your transparency maybe student friendly?

Or working on ways to improve that transparency?

Because you are clearly transparent, but looking towards the next five years, where do you see it?

MS. STUDLEY: Well, let me give you a preview of one of the questions I will ask my Commission, and that is, is there a role for us
to play, and if so, what, in making the information that's available more understandable? It's a very complicated question.

I'm not sure that it ought to be WSCUC-specific, given the travel across all sorts of institutional and accreditation boundaries by students.

It would be interesting to hear offline your set of pros and cons about where students are likely to turn and what would be most helpful to them.

But the other part of what I think is we should go to where students are and the people inadequate in terms of training and numbers who help them make choices about where to go to school, and see what they're already using and whether it could be made better, or whether they are missing tools.

But where they would turn.

I think you're right that having them come to an accreditor website may be a heavy lift and not the right solution, but that is just very
much a question I think we and other accreditors and NACIQI need to ask.

There are student tools available, of course, as you know.

MS. PETRISKO: I would like to add that looking at the Google analytics, I was actually quite surprised at one point to see the large percentage, how they knew the ages of these people I have no idea, between 18 and 35 that were looking at the website.

Are those students, potential students? Very possible.

CHAIRMAN KEISER: Are there any questions, any further questions? Thank you very much. And I'll call Valerie back up to the table?

Oh, we do have third party. I'm sorry, thank you very much. We actually have two third-party comments. I'm not sure if the first one is here.

Ms. Antoinette Flores, are you here?

Welcome back, and you know the story, you have
three minutes, and I do time you.

MS. FLORES: Hello again.

Good afternoon, Members of the Committee, my name is Antoinette Flores and I'm a Senior Policy Analyst at the Center for American Progress.

NACIQI frequently hears a lot of what can sometimes sound like excuses, how accreditors are working on it but not quite there, why they shouldn't be responsible for a particular outcome, the reasons why accreditors can't or shouldn't act differently.

I think WSCUC's example shows accreditation's immense potential for change.

For that reason, I speak today in support of WSCUC's application for renewal, though they certainly don't need my support.

It leads as a role model for accreditation in its focus on student outcomes, its dedication to transparency, and its commitment to equity.

Instead of just criticizing current
Federal data measures, WSCUC has invested years of effort into creating its own graduation rate and data-reporting system.

Its dashboard provides a comprehensive way for the Agency to measure graduation, compare across institutions and nationally.

It is now working to use predictive analytics, compare to National Clearinghouse data, and potentially make its data available to the public, all of which are steps forward for accreditation.

The Agency recently developed a risk-based pathway with student outcomes at its center.

Colleges that demonstrate strong performance on things like retention, graduation, student learning, and financial indicators, will have a streamlined approach and gain more freedom over the process.

The clear reliance on outcomes is, again, a step forward for accreditation.

Third, WSCUC is one of two Agencies
with a sincere commitment to transparency and the only Agency to post its accreditation review reports.

Fourth, WSCUC is one of only two Agencies that have shown a serious commitment to ensuring equity in student outcomes.

It goes beyond a single measure, requiring colleges to dis-aggregate outcomes by demographic groups, and then act to fix gaps. It works to ensure colleges are serving all students well.

These reforms are not magic wands and this work is certainly hard, but I think it proves that a focus on outcomes and a commitment to transparency and equity are not impossible. These are reforms accreditors could take today to better ensure quality, but WSCUC mostly stands alone.

So, as Congress moves towards reauthorizing the Higher Education Act, NACIQI should consider WSCUC's example in the reforms it chooses to support.
Thank you.

CHAIRMAN KEISER: Thank you. The second commenter is Justin Cohen? Oh, do you have a question for the presenter? Any questions?

I'm sorry. If not, Mr. Cohen, if you could come forward? Or Dr. Cohen, whichever it is.

MR. COHEN: Hello, my name is Justin Leopold Cohen. I'm here representing the interests of the Council for Education, CED.

CED believes that the State of California is in breach of its contract with the U.S. Department of Education in the administration of the Federal Student Loan Program, and that WSCUC conspired to conceal from the Secretary of Education material evidence of fraud in the administration of the Federal Student Loan Program.

From December 8, 1993, through July 20, 1995, proponents of the California Civil Rights Initiative and state officials formed an
enterprise design to increase the dropout rate of African American students.

On January 20, 1995, the State of California breached a contract with the Federal Government when Regions failed to notify the U.S. Secretary of Education of a scheme designed to increase the African American student dropout rates, in violation of 20 U.S. Code, Section 1099A.

On August 17, 2017, CED filed public comments asking for NACIQI to delay WSCUC's application for a renewal of recognition until the Agency certifies whether the record of the 1994 UC transcript complies with the recognized academic accreditation standards.

Copy of CED's public comments is available at WSCUC.cforedu.com.

On January 24, 2018, California State Assembly Member, Sharon Quirk-Silva, sponsored a request for a state audit by California State Auditor before a joint legislative Audit Committee.
One of the objectives of the state audit is to review WSCUC's operational activities to determine compliance.


A copy of the audit questionnaire sheet is available at JLAC.cforedu.com.

Since 2001, WSCUC continues to deny or ignore requests to certify records if the university transcript complies with academic accreditation standards.

In conclusion, CED believes that WSCUC continues to conspire with proponents of this enterprise by failing to certify the 1994 University Grievance Hearing transcript for compliance with Section 602.13 of Sub Part B of the criteria for recognition of an accreditation.

For these reasons, CED recommends a delay in WSCUC's application for renewal of recognition by the Secretary until the Agency demonstrates that they are no longer in
violation.

Thank you.

CHAIRMAN KEISER: Now, I'll bring the Staff back up. Valerie?

MEMBER PRESSNELL: Should we give the Agency an opportunity to respond to that last comment?

CHAIRMAN KEISER: I'm sorry, I jumped ahead. It's the second time.

First, are there any questions of the Committee to the presenter? No?

Would you like to respond to that, Members of the WSCUC Commission? Okay, you waive that right.

Okay, the Agency goes first if they want to respond to the comment. Yes, I'm sorry.

MS. STUDLEY: As to the first comment, we appreciate Ms. Flores' compliments obviously, and we aim to continue to be a leader and a good colleague with accreditation in moving in exactly the directions she described.

With regards to the second, it seems
to be beyond the purview of this Committee's recommending scope and outside the scope of our petition for re-recognition.

CHAIRMAN KEISER: Thank you, any questions for the Agency?

MEMBER FRENCH: I have a question.

CHAIRMAN KEISER: George, go ahead.

MEMBER FRENCH: It may be outside the scope, but my question is do you have any information or any knowledge about this conspiring of WSCUC to reduce African American dropout rates?

MS. STUDLEY: We have received nothing on this subject to us. We're not familiar with the criticism or the alleged conspiracy or problem.

Thank you, George.

CHAIRMAN KEISER: Thank you very much. Now, finally, for the third time, Val, you're up.

MS. LEFOR: Third time's a charm, we'll get it right.

All right, the Department Staff has no
comments on the first comment there, but in regards to the second one, Department Staff was made aware of the concerns that CED just mentioned to you guys during the written third-party comment period for the Agency's petition.

We were not able to discern, based on the information submitted in the petition, the full extent of these concerns.

Department Staff has reached out to CED to provide instruction on the process for filing a complaint.

Preliminary documentation provided from CED shows that the complaint dates back to 1994, and we have instructed CED that further consultation with OGC would be needed on this topic.

Department Staff will further review the concerns within scope of the Secretary's criteria for recognition when the information is fully submitted to us.

CHAIRMAN KEISER: Thank you.
Do you have any other comments on the presentations?

MS. LEFOR: Nothing additional, thank you.

CHAIRMAN KEISER: Okay, we have our two readers. If you'd like to entertain the motion?

MEMBER VAN AUSDLE: So, Valerie, I just want to understand your Staff recommendation does not change? Okay.

Then, I would accept the Staff recommendation, which is to renew the Agency's recognition for a period of five years.

MEMBER JONES: Second.

CHAIRMAN KEISER: Motion is seconded by Brian. Now there's discussion? Wow.

Okay, sensing no discussion, all in favor of the motion, signify by raising your hand?

All opposed, same sign? Please make sure that Simon has voted for --

(Laughter.)
Wow, we made a convert today. Motion passes.

That concludes our specific results on working with Agencies. We will now take about a ten-minute break. Is that about right?

And we will then go into our policy discussion which will be led by Claude and the Subcommittee.

(Whereupon, the above-entitled matter went off the record at 3:04 p.m. and resumed at 3:16 p.m.)

CHAIRMAN KEISER: While we still have everybody here I want to first of all thank all the members. I want to thank -- even Frank, I want to thank you.

PARTICIPANT: Even me, thank you.

CHAIRMAN KEISER: I want to thank the members of the committee for their hard work. This was a -- a very efficient and, I think, effective meeting. We cover a lot of ground. We have a lot of very complicated agencies. So I want to thank you. I also want to thank the
staff. This was a really good meeting. You guys
did a great job and -- I shouldn't say that. You
people. I got to -- I'm not very good at these
things, so --

(Laughter.)

CHAIRMAN KEISER: I say that in a
positive -- I meant in a positive way. Guys and
gals -- is that better? I guess. Okay. I want
to thank the staff for their hard work. And
Jennifer your team, and Herman, your teams did a
great job at this meeting. We'll now move into -
- you have a couple announcements?

MS. HONG: Just one quick
announcement. On the right side of your folder
there's -- we are in receipt of a letter from
Senators Warren, Brown, Murray, Durbin and
Blumenthal. And if you -- this was distributed
to all of you electronically, but it's also in
your folders -- regarding conversions for for-
profit institutions. So if you want to take a
look at that. And it's proposing that NACIQI
consider putting this on their agenda. So I just
broach it as an acknowledgment of receipt and the chair and I will discuss what will be put on forthcoming agendas in the future.

CHAIRMAN KEISER: My understanding it was received after the -- after the publication of the agenda in the -- in the Congressional Record. So. Okay, we move on. Claude, you are the chair of our subcommittee on regulatory reform. You have a report that you would like to present to the rest of us?

MEMBER PRESSNELL: I do. Thank you, Mr. Chairman. And first let me thank all of those who served on the subcommittee. Jen provided incredible staff support for it. But Simon and Anne and Paul and Ralph and Kathleen were on -- all on the subcommittee and provided input on this. So you have a copy of the report in front of you. It was printed for you in your packets and it's been online as well. So let me just briefly kind of cover the report. I am not going to read it by any means, which is a relief to everybody in the room. And I am not going to
read the report.

But I just kind of get through the highlights of the report and then we can open it up for a discussion. Basically, the introductory comments deal with the -- with the rationale or the reason for the report largely in response to President Trump's issuance of Executive Order 13777. And then followed up by Secretary DeVos's call for public comment on seeking ways to de-regulate higher education.

So when we met in 2017, Mr. Chairman, you responded to the secretary's call by forming a subcommittee to draft some recommendations. This subcommittee met a number of times -- just strictly by phone -- to have phone conversations about this to see what direction we might be able to go, but did adopt the following working purpose statements. So the purpose of the subcommittee is to develop recommendations for NACIQI to provide advice to Secretary DeVos on an approach to accreditation that can promote innovation, reduce unnecessary regulatory burden
while ensuring quality and accountability.

So the discussion kind of ended up in three different -- three buckets. One, the first bucket that we discussed in the -- in the report is looking at regulatory relief in the -- in -- in the form of process changes within the current statutory framework. So -- you know, that we talk about the risk-informed model and -- which we've heard a lot about during this hearing. Second, does suggest some specific statutory changes. And then finally, the last one is a recommendation related to NACIQI's work.

So the bulk of the paper actually deals with the risk-informed model. And the resources in that discussion -- one resource was the report by the task force that was staffed by the American Council on Education, ACE, that was entitled Recalibrating Regulation on Colleges and Universities -- a Report on the Task Force for Federal Regulation in Higher Education. And then the other written document was actually from Undersecretary of Education Ted Mitchell who at
the time was undersecretary -- issued a paper -- or a letter April 22nd, 2016 dealing with -- really calling for flexibility within the accreditation model that would lead toward a risk-informed approach. And then I want to give -- also I mention in the paper, but I want to recognize as well, we had -- those on the committee who could -- had conversations with WASC and with HLC on what they were doing in risk-informed.

So -- and I really appreciate the timing of all this in the sense that they were able to testify before -- over the last couple of days about their progress on it. And I do want to again commend them for moving in that direction and seeking ways to reduce some of the regulatory burden on the campuses. So as a result the -- the committee -- first recommendation was that the committee recommends that the secretary request enabling legislative language to be drafted which allows for accreditors to create and implement risk-informed
I think that what we heard yesterday was that when we heard from New England that they weren't sure as to whether or not they really have the authority to do it creates the confusion among accrediting bodies as to whether or not they can take aggressive steps forward in this area. Now HLC and -- and WASC are taking steps that way, but we have -- again, one regional body saying they weren't sure if they have the authority to do it. And then we have programmatic accreditors saying I am not sure I know what you're talking about. So -- so it's obvious that we need clearing tension in statute that enables these -- these accreditors to move in that direction.

And I do want to note that that recommendation actually reaffirms a recommendation made by NACIQI back in 2015 which is stating -- which states that granting accrediting agencies greater authority to develop standards tailored to institutional mission to
create different substantive tiers of accreditation and use a differentiated process for those institutions including expedited processes. So we lifted that directly out of the 2015 report.

So the bottom line is we -- I -- we spent some additional time in the report to kind of unpack what we mean by this. And that in essence -- and it was described, I think, quite well by HLC and by WASC in that looking at those institutions that performed very well on key student success measures that are widely recognized as well as performing well in their financial ratios and financial stability would be allowing those institutions to have a lesser reporting burden than those that are in a high-risk category. And we're talking about not just four-year institutions, but we're talking about, again, community colleges and also -- any other category. So I -- I was encouraged by HLC when we asked them, how many are in that -- kind of the positive end of the risk-informed review?
And they said, well, literally every institutional type is represented in that. Because I wanted to kind of dispel the myth that a risk-informed approach only works for elite institutions. That's just not true. A risk-informed approach works for everybody within -- within bands of institutional types. So I think that's important.

What the approach ultimately will do -- I am on line 70 on the report -- is that it will allow accrediting agencies to focus more attention on struggling institutions with the goal of moving them toward high-performing institutions, or seeking student-protecting strategies for failing institutions. So the idea is, too, within the midst of scarce resources, let's focus the resources where they're needed with the goal of success -- to move institutions into a low-risk range or protecting students in the -- with those institutions that might be in a failing standpoint.

So again, largely focusing on student
success measures and also on financial stability measures. So, down to line 88 on the report, we call therefore the accreditors to make very clear eligibility criteria for institutions that might qualify for this. Also it was reinforced by testimony yesterday and today -- now on line 94 -- is that accreditors may want to consider collecting annual- and mid-cycle data for review to look for red flags, do the best that they can to rely on existing data stats in order to reduce, again, the burden on institutions. We mention IPEDS and College Score Card. Obviously there are other data sets in there that -- that can be used as well. And in the next paragraph gave some -- some examples of possible indicators. This -- the report, by the way, was not intended to be prescriptive. It was just to cite examples. But student success data -- success areas may include rates and trends related to enrollment, retention, course completion, graduation, relevant state licensure exams, job placement, student loan repayment --
and then again, possibly other areas. We as a committee -- we're not seeking to be overly prescriptive. Just putting out there potential examples.

On the financial stability side, obviously, annual audit submissions and then sector-relevant financial indicators that might be used as well. But we see, again, the two large areas of review should be in the area student success measures and then financial stability measures. So on line 105 and following says the mid-cycle data reviews would examine data to look at any concerning trends over time. So annually looking at snapshots, mid-cycle looking at concerning trends. And this can address not only the high-performing institutions but also provide cautionary action that may be necessary for low-performing institutions, too.

So what I might -- then draw your attention down to 122. The -- basically this whole approach is to seek to accomplish what then Undersecretary Mitchell suggested in his 2016
letter -- the differentiation in terms of recognition that an agency may provide a shorter period of recognition, i.e. fewer years, for an institutions or program that has met the threshold standards but for which the agency continues to have concerns and longer period of recognition for an institution or program that has regularly exceeded the standards with no ongoing concerns. More frequent monitoring or unannounced visits can be applied to institutions or programs with less satisfactory reviews, and accreditors may also develop tiers of recognition with some institutions or programs denoted as achieving the standards at a high -- higher or lower levels than others.

So it goes -- it goes back and forth. But again, the idea is to move towards success, remove kind of a standard way of reviewing everybody, but allowing a differentiated review. I would draw attention to the Task Force Report that -- again, the ACE staff report. In their Appendix 3, pages 59-89, they provide a
tremendous model of what risk-informed review looks like and also cites other government agencies that have been doing this for years. So this would not be groundbreaking for the DOE to do it. It would actually fall in line with what other federal agencies have been doing. But obviously, internally I think it would be rather groundbreaking.

So that was the first section. The second section dealt with some specific statutory considerations. And you can find those on page four, really starting with line 147 on the report. There were three areas that the report identifies. One is the striking of the definition of credit hour. And these are taken -- taken from -- from the task force report that was done. So striking definition of a credit hour largely because the -- one -- the mingling of and getting into interference into the academic enterprise, this is a very specific way that the department has done it and a way that gets right into the weeds of the institutions.
That's one, but two, trying to allow institutions to be far more innovative and progressive in their programs. Credit hour is not a -- a reasonable measure, obviously, for competency-based education. It creates a lot of problems in reference to innovation. Our -- you know, institutions are constantly criticized for not being quick to respond and being innovative in their approaches. But then we laden them with some issues here that cause problems in delay of innovation.

So striking credit hours would be one of those -- maybe looking more at student progression as a good way to -- to mark time at an institution. Especially what we were hearing about competencies and so forth and student-level outcomes in that way. The other one was the approval of substantive changes by accreditors to limit reporting and look at the scope of the substantive change based not only in terms of campus -- or -- yes, campus innovation, but also again going back to a risk-informed approach on
looking at substantive changes. And then also the same with additional procedures -- requirement regarding branch campuses. Again, to take a more risk-informed approach to those.

So we looked at those three specific things -- credit hours, substantive change and then the additional procedures. And then finally, the recommendation related to NACIQI itself is basically to allow NACIQI to make changes according to these new innovative approaches and risk-informed approaches at the accreditation level and also at the institutional level. So that final recommendation on line 173 simply states the committee recommends the drafting of legislative language that will support ongoing adjustments to NACIQI's work to accommodate this newly developing risk-informed procedures and consider ways in which it might be implemented for institutional programmatic and specialized accrediting agencies within the advisory capacity of the committee.

So again, three large areas. The one
we spent most of the time on is looking at risk-informed approach. Then we had some specific recommendations. And then one recommendation related to the work of NACIQI. So Mr. Chairman, that concludes my comments.


(Laughter.)

MEMBER PHILLIPS: Thank you. Very clear, concise report, thank you. I wondered if you could speak a little bit to the substantive change issue. Let's limit the kinds of substantive change to what? What's the thing there? And also the same issue on limiting additional procedures for the branch campuses. Just to give me a feel for the parameters of that discussion.

MEMBER PRESSNELL: And other committee members feel free to -- well, actually, you're
over here. The other are not -- they're not -- I -- the -- the fundamental -- really the report is to be taken as a whole, if you will. And so those are really moving more toward, again, the risk-informed approach as to the -- allowing for some limitations in those particular areas. So for instance, on the substantive change, a good example is there was a -- a university that I was lecturing -- where I was lecturing, and they were wanting to add a major in chemistry even though they had a number of other related measures that had very strong chemistry backgrounds. So they just thought, well, let's go ahead and add the chemistry major because we have the faculty, we have good reviews by our accreditor. And so it -- it took over a year before they could actually get that substantive change done.

So they had the capacity, they had the faculty. So maybe looking at ways in which that could just simply be a report to them demonstrating the -- the faculty competence and the enrollment expectations of that program and
let them move a little bit quicker instead of a year delay on that. And the -- and be the same for, again, a high-performing institution that is wanting to add a satellite site that -- but with no change to the academic offerings. In other words, to be able to do it in -- in that area as well. So does that make sense?

MEMBER PHILLIPS: It does. And now you've added a -- a new feature to my question. So the credit hour substantive change and additional procedures are only for the expedited side of the risk-informed review? Or are they for everybody?

MEMBER PRESSNELL: I think -- well, I -- yes, and that's a good point. I think that we probably -- it would be good to maybe break those down. I think the credit hour piece is for everybody. I think that the others -- the other two might be more in a risk-informed format. But the credit hours is obviously -- I mean, it's our traditional currency that we've been using for quite some time, obviously, but it definitely
creates difficulty within our current academic environment with the direction we're going. But Ralph, you got?

MEMBER WOLFF: Yes, let me just say that with respect to substantive change, the issue is that every change -- there are too many changes that fall within the definition and that it's difficult to say an institution that's really demonstrated it's done well can be exempted. And what are the conditions? So you still have to have the final report. So additional locations are sometimes I've heard -- one of the regions talked about -- if you move the location you have to go through the whole process as a new branch even though it's the same thing. But it's about the regulatory interpretation that doesn't allow any flexibility. So that's to --

MEMBER PHILLIPS: For all institutions, not just for the ones who are on the flexible end of --

MEMBER WOLFF: Correct.
MEMBER PHILLIPS: The risk-informed --

MEMBER WOLFF: Well, they would be to allow the accreditor -- the goal would be to allow the accreditor make a determination which institutions qualify for either an exemption or a -- a different kind of process. Whether that's the same --

MEMBER PHILLIPS: On those dimension?

(No audible response.)

MEMBER PHILLIPS: On those three dimensions? The sub-change --

(Simultaneous speaking.)

MEMBER WOLFF: And additional location.

MEMBER PHILLIPS: Credit hour?

MEMBER WOLFF: Well, the credit hour is totally different. I -- I would say.

MEMBER PHILLIPS: So -- so it's just a --

MEMBER WOLFF: The credit hours is a regulatory provision that was adopted by the department. Substantive change is in the
legislation and in the -- it's in the legislative group and the regulations. But I think most agencies feel that it's over-regulatory where there are institutions that have demonstrated the capacity to open new branches or to -- or locations, rather than call them branches -- or to deliver new degree programs online or otherwise. So it's more flexibility.

CHAIRMAN KEISER: Ralph, just -- just to make a clarification -- and I need a clarification. Are you talking about a branch? Because the federal government has a very different interpretation of what a branch is from what most of us have when we talk about an additional location. So, were you meaning to say branch? Because a branch is a separate -- has to have two years of its own operation in order to be recognized. So are you talking about a branch? Or are you talking about additional location?

MEMBER WOLFF: I think we're really talking about additional locations.
CHAIRMAN KEISER: That's what I think.

MEMBER WOLFF: And to --

CHAIRMAN KEISER: Yes, don't -- we need to change the word branch.

MEMBER WOLFF: And kind of -- I'm not sure if this is actually copied from the ACE report. But I think that's what the issue --

CHAIRMAN KEISER: Well if they are, they're wrong too, so --

MEMBER WOLFF: So -- but I think the issue is -- was -- I was on that committee, but it's quite a while back. I think part of the issue was defining what is a branch campus, what is an additional location, first of all? And secondly, limit -- you know, allowing more flexibility for additional locations.

CHAIRMAN KEISER: If -- if we mean additional locations, then we need -- because a branch, to the federal government, is a completely different animal.

MS. HONG: Just -- I think when we had that discussion we were talking expressly about
additional location as we define it in the regulations, and not about branch campuses.

MEMBER BOEHME: I recall from the phone conversation additional -- do we need a motion to make that? Or can we just make that -- so I'll make that friendly amendment that it's additional campus, not branch. Additional location, excuse me.

CHAIRMAN KEISER: Who was next? I'm sorry, Arthur, because I know you -- you're after lunch. Okay, Brian, Frank and then Arthur.

MEMBER JONES: Yes, so to Claude and committee thank -- thank you all. This is really some useful thinking. So a question, though, and maybe kind of pressure testing the procedure. Is the conclusion that you all reached that the department today lacks the authority to do these things on the risk-informed model? Or is it viewed that there may or may not be authority and just the rules aren't clear? And so, I guess, if it's the latter, is the -- should we at least make some allowance for -- rather than
immediately turning to new legislation, instead
making asking the department to consider
clarifying guidance in this direction?

MEMBER PRESSNELL: Well the assumption
is that the committee was that there needs to be
express statutory authority to do it. You know,
Undersecretary Mitchell issues a letter of
guidance for which there's really been little to
know movement. And there's confusion among the
community about authority to do it. So the
thought among the subcommittee members was that
we needed express statutory authority to move
this direction.

MEMBER WOLFF: Comment -- Art, could
I just -- I mean, there is a letter from Ted
Mitchell when he was the undersecretary that did
call -- say that accreditors had the flexibility
for somewhat of a differentiated model. And I
think the issue is what authority does that have?
What does it really mean? And will the
accreditors be able to move in that direction
without being found that they didn't have a -- a
self-study and a visit that was comprehensive for every standard -- for every comprehensive review? And so I think the lack of clarity.

I think the department would have to declare whether or not it fully endorsed that model. I mean, with -- rather than -- and go beyond the letter from a previous administration.

MEMBER ROTHKOPF: Maybe add a little bit to this. I -- I think the committee's done an excellent job of describing the problem and following up on the previous report, which came -- which was the 2015 report. And I have a -- sort of to the fact that the department at an earlier time said it didn't have the authority, I think I and my recollection is perhaps Anne Neal may have met once with Jamie when she was working with Ted. And I think the answer came back no, we don't have the authority to do this without legislation. I don't want to get you into the middle of this, but that's my -- my -- at least my recollection.

But the point is that we -- NACIQI
appointed a committee. I think they've done a
good job. And it picks up and carries forward a
recommendation that we made in 2015 and I don't
know if there's a motion on the table, but I move
that we endorse this report as a -- a NACIQI
decision, or -- a NACIQI decision.

CHAIRMAN KEISER: Well that motion
trumps everything else. There's a motion on the
floor. Is there a second?

MEMBER BOEHME: Simon will second.

CHAIRMAN KEISER: Simon will -- it's
like Simon will say.

MEMBER BOEHME: Simon says.

CHAIRMAN KEISER: Okay.

(Laughter.)

CHAIRMAN KEISER: Now we can have a
discussion because we have a motion and a second.
And Jennifer had something to say.

(Pause.)

CHAIRMAN KEISER: Motion is to approve
the report. The -- Steven's next and then
George. And then Frank. Oh, Frank, I left you
MEMBER VAN AUSDLE: Claude, my question was around credit hours. I couldn't pick up the entire discussion you had down here. But -- and this came up yesterday. And one of the reporters saying that, you know, dollars are driven out from the federal government on credit hours, et cetera. And that kind of confounds our issue here to a degree, I think. Your statement talks about the definition. I assume you would anticipate many colleges would still use credit hours as a way of working, but it just wouldn't be a federal definition. Does that open it up where ten different schools could have ten different definitions of a credit hour? And that dollars could be driven out on an inequitable basis? Or -- see what I'm getting at?

MEMBER PRESSNELL: Yes. No, I see --

MEMBER VAN AUSDLE: So how do we deal with that? How can you still keep the credit hour but -- not having it restrain creativity?

That's what I'm looking for.
MEMBER PRESSNELL: Well, I think that's -- I think that's right where we are. You know, and I -- as a higher education, you know, community right now. So the -- the federal definition, you know, of a credit hour outside of the FSA -- the Federal Student Aid definition -- in terms of the academic definition is -- is relatively new. And so it -- it's -- it's striking that and allowing -- does that mean institutions won't use anymore? No, they're going to use it. But it's going to have to -- we're going to have to figure out, also, ways of measuring like competency-based education and self-directed learning models and those types of things as well.

So it allows some creativity around looking at student progression toward competencies or toward other thresholds, you know, in the academic community for sure. So I - - I think that, in my opinion, there needs to be a lot of thought and a lot of discussion that goes into this that, again, enables institutions
to flourish in a more innovative capacity, while ensuring quality at the same time. But -- but not -- not saddle them with the definition that came up years ago basically on program transferability and so forth.

CHAIRMAN KEISER: I think we had Frank, Frederico and Bobbie.

MEMBER WU: Okay. I actually jotted some notes. So in 1992, Admiral James Stockdale appeared in the vice presidential debate and opened with a line that may be remembered, but -- and much mocked -- but, which I think was actually a wonderful question. He said, what am I doing here? And some of you may recall that.

(Laughter.)

MEMBER WU: That comes to mind for me whenever we have NACIQI meetings. I wonder what is it we're trying to accomplish? So I think this is a -- a great draft. I'd like to support it. But I thought we should back up for just a minute and answer Admiral Stockdale's question. What is it we're doing here? And I was going to
suggest that we're trying to strike a balance between on the one hand the appropriate protection of students and their families, and taxpayer dollars through the oversight of accrediting agencies who in turn act as gatekeepers and quality assurance entities. That's on the one hand.

On the other hand, without regulation that's meaningless -- meaning, it doesn't correlate to anything that we care about -- or excessive or too costly or overreaching or too technical by either us or the agency. So that seems to me to be the answer to what is it we're doing here? And what I like about this report that I wanted to speak to are two aspects. The first is I take it to have a general spirit of promoting progress, innovation, experimentation by both agencies and schools. And that's good.

I also take it at the end where it speaks to NACIQI -- so this is the second message that I get out of it that I like to support -- that we, NACIQI, should also be able to innovate
a little bit and do some things to support that.
So we've seen over time -- since NACIQI was
reconstituted. So this is eight years now that --
that I'm thinking that over. We've
progressively said to agencies, to staff, to
others, that we don't really like this incredibly
technical focus on, is it 72 violations of some
rule about did you list on your website such and
such? And it's not to belittle those rules. It
is important that they be complied with, but that
that's -- to use the cliche -- missing the forest
for the trees. Right?

So -- I fully in support of this with
the idea that we want to innovate. We actually
want adaptation by agencies and by colleges. And
I was going to refer back to the last meeting --
to a specific issue, which is that effective date
issue that we heard about and turned out to be a
little bit contentious between NACIQI and staff
where because of the way the effective date was
interpreted we heard from an institutions such as
Johns Hopkins -- in full disclosure, that's where
I went to college -- which has the number one nursing school in the nation, if not the world, say we have problems enrolling people in a new program because it's only one year and the people enrolled think I might not graduate from an accredited program because no matter how fast they move, it might not get accredited fast enough. And in nursing, if you don't graduate from an accredited program, you didn't do anything -- for practical purposes.

So I am just offering that as an example. There are many, many others. This report's got a few. But I see this as a positive shift away from highly technical compliance with obscure rules that most of us at the table, I would think, regardless of who appointed us agree don't actually match up to anything in the world that has to do with the quality of higher education. So, I fully support this. Thank you. That's my answer to what is it we're doing here?

MEMBER ZARAGOZA: Yes, I too want to commend the committee. My only suggestion would
be that within the spirit of -- kind of for the
discussion that we also kind of consider the
testimony we've heard on the limitations of the
data. This is going to be very data driven. And
I am not sure that -- while I agree that the --
the data sources mentioned, IPEDS and College
Score Board, are part of the equation. And that
there is a lot of existing data. I think some of
that data may not be connected, may not be
available. And so clearly an equal effort needs
to continue in that area if in fact it's going to
be a data-driven system.

MEMBER PRESSNELL: The -- I was just
going to respond, Mr. Chairman, if that's okay.
There was discussion about -- about the data
piece. We felt at the time that maybe that was a
rather complex separate discussion and was a
little bit outside the scope of where we were
here. And so I would encourage the committee to
maybe consider another committee to look at that
issue. I think what would be important is for us
to clearly state what it is that we need rather
than how we get it. I think that would help steer us out of a radical political storm. But -

CHAIRMAN KEISER: Brian? Bobbie? George?

MEMBER DERLIN: I -- I have a question before I make my comments. So -- and the question concerns timing. First, Arthur, I really appreciate you putting the motion on the floor. So what is our timing in terms of getting this to somewhere to do something?

CHAIRMAN KEISER: ASAP because it's moving through the House on the floor and in the Senate they are in the middle of -- they're -- I don't know if they're in the middle, but they're in the beginning -- the middle -- somewhere. You can't -- you talk -- depending on who you talk to, where the discussions will be for the reauthorization of higher education.

MEMBER DERLIN: And where's the somewhere it goes to from here?

MEMBER PRESSNELL: I would assume it would go to the secretary because we're an
advisory committee to the secretary.

MS. HONG: Yes.

MEMBER DERLIN: Okay. So I think this is a really great report. I am prepared to support it just as is, but I do have a couple of comments that I -- I am -- are wording things. I am not suggesting we rewrite as a group. These are just for someone to think about. We talk about a risk-informed model. We talk about a risk-informed framework. And we talk about a risk-informed approach. In different places in the document I think that can be confusing. Model and framework at least to me are more concrete than the principles that you've defined. So I should -- suggest just saying risk-informed approach.

The other consideration is we talk about banding schools within the risk-informed approach. We talk about institutional-type cluster, which I am assuming is different than banding in risk informed. And of course, Mitchell talks about tiers of recognition. I
think if there's a way to tweak the language so we use consistent language throughout, it would be helpful.

And last but not least -- and this relates to Ralph's comments about the quotes from the ACE report on the last page about substantive change and additional procedures, additional vocations. My preference would be that rather than merely using these quotes we make it clear we mean that agencies need flexibility and the ability to limit or alter their procedures to fit. You know, I'd like to see the onus put on the accrediting agency rather than someone who gets this after us say, well, gee, now how should we limit those substantive changes? And get into a long list that just makes life worse. I don't know if that's clear. I don't know if you agree with me, Ralph. But as I say, I -- I appreciate this report. I am prepared to support it as is. But those were my comments.

CHAIRMAN KEISER: Thank you, Bobbie. George?
MEMBER FRENCH: Thank you. I too want to thank the committee and Chairman for the regulatory report and the work that you all put in. Mine is a real simple procedural issue. Are we on the final page of the report -- recommendations concerning NACIQI -- are we incorporating by reference our entire 2015 report and whatever that included? Because I take note that it says for example we talk about the risk-informed approach. And we give that one example. Is that all we're submitting? Or are we submitting what we submitted in 2015 to be incorporated by reference into this report?

MEMBER PRESSNELL: Yes, we can clarify it. The -- the italicized recommendation right before -- above the bolded language is actually a quote from the NACIQI report. So maybe we'll just tighten that language up because we're, again, reinforcing a recommendation of the 2015 report is what we're doing. The bold one is kind of a -- a renewal of that. But we are reaffirming the recommendation on the refocused
NACIQI reviews to direct greater attention to assessing the role of accrediting agency. That -- we're reaffirming that. So I'll -- I can tighten that language up without altering the intent.

MEMBER FRENCH: So do we need to include anything else in the 2015 report?

MEMBER PRESSNELL: Well, there actually is a previous --

(Pause.)

MEMBER FRENCH: And I say that because I'm looking at 178 too, Claude. On line 178 --

MEMBER PRESSNELL: Yes.

MEMBER FRENCH: When we make reference to the report there. That's why I am just asking about the incorporation by reference. Are we -- are we including all of the report?

MEMBER BOEHME: My understanding was no.

MEMBER PRESSNELL: No, we're just -- go ahead.

MEMBER BOEHME: All right, sorry. My
understanding was that again, to Frank's point --
and which I agree with and I -- in the 2015
conversation was, we don't want to be so
technical. I think -- and also we've, I think,
reiterated I believe in 2012 and 2015 that we
would like to be the final decision maker. But
obviously that falls upon deaf ears. And so I
think this is the one that from an early
conversation that this was something that we
would find -- would be more receptive.

MEMBER PRESSNELL: Yes, there are two
-- page two is a -- is a quote of a 2015
recommendation that we are reinforcing, which is
number five on page six is -- is the citation of
that. And then the -- so there are two
recommendations specifically that we are
reaffirming and we quote those two. So I will
make sure that language is absolutely clear.

MEMBER BOEHME: And maybe we can just
make it clear right now and just make it bold and
say the committee recommends again -- or, I don't
know if we want to go just -- but a quick
language thing would be the committee recommends again and change the italicized part to bold. And right before the word refocus put the committee recommends again.

CHAIRMAN KEISER: We have a motion on the floor. And those are good recommendations. I -- I would -- unless we have further discussion on the content, I would offer that the committee and Claude and -- Arthur, I guess, you made the motion. That we accept with some wordsmithing of -- of the things to make it clear. And is there agreement on that? And -- Jennifer you have something you want to say?

MS. HONG: Yes, I just wanted to reiterate -- and Claude you can correct me if I'm wrong -- this is -- this was really meant to be high-level paper -- recommendations based on risk -- risk-informed reviews. And, you know, really questioning the -- the concept of time in this statute. Would you agree with that? We -- we borrowed language from an existing report, but we really -- the intent was to kind of question the
spirit of -- of this -- the law and the regulation. So it's really meant to be high level, broad language, broad based. And the letter from Ted Mitchell, real quick Ralph, was really to encourage risk-informed reviews by accrediting agencies under the current regulatory construct. But what we found was that it was very limiting given -- given that the statute requires review of all standards and self-study and -- and, you know, site -- on-site reviews. So this is really intended to free that up. And so it really calls for legislative proposals.

MEMBER BOEHME: And just a point of clarification to Frederico's and then Claude's response about data -- and in terms of the student level -- or what -- there's a new fancy term for it that Jen has been using -- for a student unit record. But I looked at the transcript just now when we made this motion for this committee, and we made a decision that we would first create a committee to address the secretary's -- or, President Trump's and
Secretary DeVos's call for deregulation. And this student unit record which -- for the question about data is -- and I forgot this -- was a committee -- a second committee we would talk to discuss those issues. And so -- and so that's something -- just as a point of clarification, which I'd like to make a motion afterwards. This, right --

CHAIRMAN KEISER: Afterwards. Frank, did you have something? Because I'd like to get the motion called.

MEMBER WU: Just -- it's a sound bite version of what this says. So I am going to offer it, and if Claude thinks this is good -- here's a sound bite version. Risk informed good, highly technical, bad.

(Laughter.)

CHAIRMAN KEISER: There you go. Any further discussions -- Ralph, real quick? You don't have to be real quick. I -- just -- that's my ADD taking over.

MEMBER WOLFF: Yes, well first of all,
I want to make sure that Art's motion includes this shift from additional location to branches. So I think we got that covered. I would like to urge that we -- in adopting the resolution as for response from the department. You know, if one wants to use a metaphor, if a tree falls in the forest will anyone hear it? And we've made two series of recommendations in the past and never had an official, that I'm aware of, any kind of response. And I would just like to know, you know, is there a -- could this be handled in a regulatory manner? Could this be handled -- so we can make the request. So I would just say I'd like to add that.

The other thing I just want to comment on is that I will just express a concern that the regulatory framework is becoming out of alignment with where we're going as a committee. And that we are asking -- we are using data that's not part of the staff review. We're now talking about risk informed and following up. We're asking more and more questions that are somewhat
divorced from the staff review.

And I think they're the right direction to go in. We want to free up innovation and the like. But as one who has had to file a report and the incredible detail and the enormous amount of attachments and all of that that goes on, I am really concerned about -- you know, we're making these recommendations to free up accreditors, but the regulatory framework and the application process has to be aligned with the direction we're going in.

And I feel like that -- the oral interaction with the accreditors is now quite independent from the staff review unless the staff has found serious problems. But it's not tied to the staff review. So my hope is that there might be some follow up on this, regulatory or some way that the connected -- the dots are connected in a better way. Thank you.

CHAIRMAN KEISER: I think you have a couple of issues there. And I do want to pass this -- and this is a good conversation, however,
I do believe under the statute we are responsible for outcomes. And the staff is required to look at outcomes. And those outcomes are reported by data. And so I think the staff does review the data as best we can. Although, we don't tell the institutions how to collect it.

MEMBER WOLFF: Well I would -- I would -- if I may just comment. I have never seen a staff review go to the level of detail about low-performing institutions. It's all about policies, not about performance. So I am just saying, we're -- our conversation is at a very different level.

MS. HONG: To your other point, Ralph, about requesting a response -- I am not really sure what -- what form of response you would be requesting. I know with the previous administration that if you look at all the proposals that it -- that the previous administration put in place, those were aligned with many of NACIQI's recommendations. They didn't come out of thin air. So certainly -- I
mean, the -- the actions that the previous administration took were -- a lot of them were directly related to NACIQI's recommendation.

So because this is an advisory body to the secretary, I -- I -- I don't know what kind of response you're searching for. I mean, folks are aware we've had -- we had the assistant -- the acting assistant secretary present at the meeting. So I think for future meetings we can, you know, request her attendance once they've -- you know, have some remarks that they'd want to share about accreditation. But certainly folks are listening.

MEMBER WOLFF: It would satisfy me if there was -- the new person actually came and said I've received the report and -- even if I have rejected it, I'd really rather know. Or it's not where we want to go. It just would be -- we're sending this into the ether at this point.

CHAIRMAN KEISER: Okay, any further discussion on the motion? Susan?
MEMBER PHILLIPS: Could we clarify what has shifted from what's on the page here? Just before we vote? There's a --

(Simultaneous speaking.)

CHAIRMAN KEISER: There were just some typos. There were some rewording, the wordsmithing which Bobbie recommended. And I think the word branch was changed to additional location.

MEMBER PHILLIPS: Just a quick recap of that.

CHAIRMAN KEISER: Is that -- yes, accept it -- it was to accept it with the wordsmithing from the committee. I think the concepts are there. John?

MEMBER ETCHEMENDY: So I was just feeling left out because I haven't said anything. But I --

CHAIRMAN KEISER: But you're all the way over there.

(Laughter.)

MEMBER ETCHEMENDY: Yes, I know. No,
I want to say that this is a great -- I think a great report. And you're to be commended on -- on the suggestions. I do want to -- there is one worry. And it's not a worry that in any way affects my support for this. And that is that what we're really trying to do, I think -- and this happens over and over again at various levels in this whole process -- is we're -- we're trying to leave space for judgment. Make good judgment. Not be too niggly and -- and technical. But leave some space for judgment that can be applied to an institution or to an accreditor, or -- and that's very hard to do.

And it's very hard to know where that judgment can be applied and who can apply that judgment. Is it something that the staff can apply and say, well, you know, in my judgment you're -- you're good enough here? I -- we had a -- we had a case, for example, that came up where the agency was given a one-year renewal because they hadn't yet proven something. And yet, the way it was reported is, they are doing it right.
They just haven't yet proven it to us. It sounds -- it sounds in some ways contradictory. And it would have been nice to be able to have the space for that -- the staff to say, no, you've got it. So this is -- just a general worry that I have in any system of this sort. It is very difficult to leave room for judgment and not end up having that judgment second guessed all the way up to -- the line. That said, let's go for it. It's great.

(Laughter.)

CHAIRMAN KEISER: I think everyone has had a chance to discuss this. So I am saying no more discussion. There is a motion made by Arthur. A second by Claude, was it? Or Simon? Simon said, right. I remember that. All in favor of the motion, raise your hands.

(Show of hands.)

CHAIRMAN KEISER: All opposed.

(Show of hands.)

CHAIRMAN KEISER: Motion carries.

Excellent work, members of the committee. We
thank you because you did spend a lot of time on this. And we will do the best we can to get it moved forward to the right people in the right places. So -- because what is -- the -- what's going to happen is going to happen fairly quickly. And you get that message, right? Okay. What? You may.

MEMBER ROTHKOPF: I don't want to extend this afternoon too far, but I'd like to make a motion -- which also carries forward a recommendation that was made by NACIQI in the 2012 report. And that was a motion that encouraged looking at a student record system, which we heard a great deal this morning. We didn't hear both sides, but we heard in an articulate way one side of it.

And at least I come away with the feeling that the accreditors would benefit in their work and NACIQI would benefit if there were a more robust system of student records. And whether it's through the College Transparency Act, which I have not reviewed and I don't know
all that's in it. But it's interesting that you
had supporters from both sides of the aisle --
everywhere from Orrin Hatch, across -- across the
aisle.

Secondly, I think it's very important
-- we're focusing here on accreditors, but I'd
like to focus just for one minute on students.
And -- because they're the ultimate beneficiaries
here, or we're trying to help. The information
available to prospective students and their
parents about outcomes at all these institutions
is very, very mixed and not very helpful. And I
think if we went to a more robust system of a
student record system, then there would be the
opportunity to compare School X to School Y to
School Z. And that is simply not available.

So I -- I would urge -- and I would
make a motion that the NACIQI consider
endorsement of a student records system, or at
least the principles of that. And that we make
an analysis of it and then proceed to consider
whether our endorsement -- assuming someone wants
to pay attention to our endorsement -- is -- is a
direction in which we should go. So I would move
that we make this a major priority. And as
helping accreditors, helping NACIQI and most
importantly helping students in deciding where
they might or might not go to college.

MEMBER BOEHME: I'll second the
motion.

MEMBER WU: I'll second.

MEMBER BOEHME: To Frank. I'll yield
to Frank.

CHAIRMAN KEISER: And will we have --
would you make that clear? I wasn't sure -- that
we make it a priority? Or we advance? What was
-- what was the exact motion?

MEMBER WU: So I am going to try, for
Art, but feel free to tell me if I get this --

CHAIRMAN KEISER: One sentence.

MEMBER WU: One sentence. Be it
resolved that NACIQI supports the general
principle of a student unit record system and
commits to study the matter further. Period. Is
that accurate?

MEMBER ROTHKOPF: Fine.

CHAIRMAN KEISER: Did you second that, Simon?

MEMBER BOEHME: Simone seconds.

CHAIRMAN KEISER: Simon seconds.


MEMBER PRESSNELL: Yes, I -- I guess my only -- I think we're -- we're jumping into a hornet's nest, real quick, on this. Is -- is kind of my thought in -- in just in the way it's worded. I -- I would like to have some type of a statement that says that NACIQI is committed to getting more robust and accurate data rather than say student unit record level system. You know, I -- I guess I'd like to not name it because -- and I -- I am all for more data. I just -- I think it gets into the -- it gets into the how rather than the what we need. I'd like to just keep it in a what we need rather than how you go get it.
(Simultaneous speaking.)

MEMBER ROTHKOPF: Do we have information as to what we recommended in the past? Do you have that, Simon?

MEMBER BOEHME: Yes --

CHAIRMAN KEISER: In the meantime, while you're looking --

MEMBER BOEHME: I have it. 2012, the policy report that we did under Chair Studley. Some types of data may require that systems be developed in order to compile the information in the manner that protects privacy of individuals appropriately. Recognizing the controversy concerning national unit record systems, further consideration could be directed to how completion, parenthesis -- graduation data -- may be gathered in a privacy-protected manner, which is found on page seven of the 2012 NACIQI Final Report.

CHAIRMAN KEISER: Brian?

MEMBER JONES: I -- I second what Claude had to say. And quite frankly I think
that language is closer to what Claude suggests
that -- I think we all agree that better, more
comprehensive data would support the accrediting
function. But I thought John asked a very good
question this morning, probing whether there
might be an alternative way to do this beyond a
federal system.

And I think to Frank's point about
further study, I think part of that study should
be are there ways, for example, that the
clearinghouse could be reconstituted, reorganized
in the way that it does its work? And the answer
may be no. But I do think part of that study
ought to explore ways apart from the very
controversial student unit record notion to kind
of achieve the end I think we all want.

CHAIRMAN KEISER: John? And then I
have a question.

MEMBER ETCHEMENDY: So Arthur and --
and Frank, this -- this language from 2012, now I
just -- just heard it and I may not have
completely grasped it. But it sounds -- it
actually sounds really good to me because it emphasizes -- I mean, emphasizing this protection of privacy. And I don't think -- does it say that the department should do this? Or that -- does it rule out having a -- a third party?

CHAIRMAN KEISER: That was a recommendation for the Higher Education Reauthorization.

MEMBER ROTHKOPF: Let me interrupt you just a minute, John. The purpose of the 2012 report was responding to a request by the then-secretary, Secretary Duncan, who asked for recommendations for the department to present to the Congress as part of the reauthorization of the Higher Education Act. So it was intended to go to the secretary, which it did. And for the secretary then -- if -- of course, the Higher Education Act was looked at a little bit since then, but not much. It's a more serious look right now. But it was not intended that the department try to do it in its own. It requires legislation because the current legislation says
you can't do it. So you've got to reverse a -- a current item in the current law.

MEMBER ETCHEMENDY: I guess my question was whether or not the language -- so I understand that it -- it does require a change in the law. But I -- wasn't clear to me whether the language was contemplating the law being changed in such a way that the government be instructed, presumably the department, to collect this data, or whether the law was to be changed to allow this data to be collected some way or other, which might or might not be by the -- the department. In any event, I still liked that language.

MEMBER ROTHKOPF: Fair to say, I think the language in that report was intended to put the issue on the -- on the agenda to try and get a system that produced more data, but yet at the same time took into account the concerns that people have about security and individual rights and privacy.

CHAIRMAN KEISER: I have a question to
Claude and -- I am kind of agnostic about this because I don't know the impact of what the negatives are. I've heard a lot of positives. I know -- I understand the -- the need for data. We have to have it. I did hear a lot of movement as to what data would be collected and it kind of broadened as different people spoke -- whether it be post-graduate earnings and all kinds of other things that might be part of it that go beyond the scope of education or -- or schools. In other words, what -- what -- why are the universities or some of the -- why is NAICU against this? And what's the downside?

MEMBER PRESSNELL: Well one I -- I really don't want to speak on behalf of NAICU. It would have been helpful, I think, today on the panel is we had all pro, nobody against. I think even the last time we were here it was all pro and nobody against, and so --

CHAIRMAN KEISER: Well, we had somebody from NAICU the last time.

MEMBER PRESSNELL: Oh, that's right.
My apologies. But I mean, it -- it just -- when Frank has to say those against it seem to have these concerns, he has to articulate the opposition view. I think that -- I think that's right. So my -- mine is more of a political strategy standpoint in all honesty with you. We're currently setting under a federal ban on this, all right? So we have a federal ban. Yes, we have some bipartisan support for one legislative package that may remove the ban and move in that direction, but that is -- that's not unanimous among either of the two chambers. So I think that you --

(Simultaneous speaking.)

CHAIRMAN KEISER: The Chair -- the Chair --

MEMBER PRESSNELL: I'm trying to --

CHAIRMAN KEISER: Is opposed to it. Virginia Fox is opposed to it. Very adamantly.

MEMBER PRESSNELL: And -- so there you go. I'm trying to figure out a way, again, that we could state what it is we're looking to
accomplish without dictating how to get there. That's --

(Pause.)

MEMBER PRESSNELL: What's the end goal versus this is how you do it? Because if you use the word -- if you use the words student unit record level data, boom, it lights up on fire and I definitely don't want it in the regulatory report. I know we've got two separate things going on. But boy, don't want to even put them in the same envelope together.

CHAIRMAN KEISER: Arthur, do you have a friendly part of that amendment that might be friendly to you? Or do you want to just go with your motion and we can vote on it?

MEMBER ROTHKOPF: Well, I -- I'd favor something -- and -- and actually my original thought was does it talk about -- not use those words that might inflame people? But rather say -- to talk about the principles of the -- you know, analyze the College Transparency Act, which, you know, doesn't -- you know, everyone --
everyone these days is for transparency. At
least, most people are. So, you know, that was
another way to put it.

But I don't disagree with -- with
Claude when he -- when he says -- what -- what I
want is a serious discussion of the principles of
getting more data and better data. And getting
it, as they say, for accreditors, for NAICU. But
also for students who are trying to decide what
to do and there's a mishmash of data and they've
got to go to different places -- IPEDS and this
one and -- and they're not all that
sophisticated. And so I -- I think -- I know
Simon came on this committee saying we ought to
look at it from the students' standpoint. And
this is one thing that I think would be helpful
to them.

I'm willing to, you know, go back a
little. It's actually Frank's motion. But I --
I'm willing to say -- you know, put it -- not
quite so dramatically, but I do think we need to
look at it and try and be helpful to the
Congress, which may be set in stone against it. But you know, there are members of Congress who think that we ought to do something different. And if they can -- you know, if that -- if that-- that's -- that's also important.

MEMBER DERLIN: I guess my question to the people who own the motion at this point in time is could we resurrect the 2012 language in lieu of the very specific motion about student unit record? It's just a thought.

MEMBER BOEHME: I'd like to -- can I -- I'd like to speak in favor of the motion. I mean, I -- I see the spirit of it. I also understand Claude's perspective on it. And that's why Claude is shrewd and I am much more bombastic. And I think we should make those waves. I understand maybe there could be those consequences. I -- again, I would default to Frank. Frank is master wordsmith-er.

And so, but I -- I do think, again, to -- to Arthur's point is there is a real urgency I think on behalf of students as consumers, as
partners in education, to be much more aware about the decisions they're making. But I think as NACIQI members is that it's pretty clear that accreditors -- and what C-RAC is doing and regional accreditors are doing is they're starting to take data seriously. And I think as the federal -- maybe this is the wrong term, but the federal cheer leaders of accreditation and fulfilling our -- our statutory responsibility of offering some recommendations to the secretary is to say accreditors are starting to take data seriously, we should also take this conversation seriously and we are going to help accreditors through this journey. And obviously there are many ways of doing it. It -- I personally believe it should be at a student unit level record system. But I -- I am in favor of that motion because I think that's also fulfilling our responsibilities.

CHAIRMAN KEISER: Simon, I am just curious, if I was a student, I'm not sure I want to have my whole history as a separate data
element that any -- you know, that any -- you
know, whether it be appropriately, I guess, access to that data. They'd have every bit of historical data of mine on a record. And I'm -- is that what you think the students want?

MEMBER BOEHME: So I think certainly student -- and so many people that I know have expressed that concern. But I believe that the College Transparency Act and the way that the information would be collected -- hopefully it would be obviously looking at security and privacy. National Clearinghouse already collects everyone's information. And I have not explicitly signed off that National Clearinghouse can. Probably somewhere tucked away in the terms and conditions somewhere in Cornell when I am signing away my life, I am actually granting the, sort of, permission.

But I think you bring up a great concern. And I trust Congress and I hopefully trust our --

(Laughter.)
MEMBER BOEHME: I -- I'd like to trust Congress.  

(Laughter.)

MEMBER BOEHME: That they will be responsible with that data.  

MEMBER WU: Okay, so I am going to try again with -- with one sentence. Yes -- it's not short. Be it resolved that NACIQI supports the general principle of their being an accurate and complete system of data about institutional performance in guiding individual students to completion of their degree, comma, weighing considerations such as privacy, period.  

CHAIRMAN KEISER: Is that a restatement of your motion? Did you withdraw your motion and make this -- substitute this?  

MEMBER WU: I am just offering it to advance the discussion. It does not use the word student unit record system. That phrase does not appear. And it -- the idea is it's the general principle. It's not something specific. It's at the principle level. And it's about
institutional performance, not individual students. So I -- I tried to take all that into account. But feel free to edit away. I'm just trying to get a statement that might generate a consensus or at least a majority of the members of this body. Oh, the -- there would be a second system. And NACIQI commits to study the same, period.

MEMBER WOLFF: You know, we've had two panels on data and have a lot -- I personally have, yet, a lot of questions. I totally support the need for more comprehensive data. I don't want to support a -- a model of a student unit data record system because -- but we haven't looked at cyber security in depth.

So I am willing to support -- personally, I am willing to support that we go on record saying that we feel that more data is needed to make better judgments -- for us to make judgments around the process of accreditation and that accreditors need better data from whatever systems are available. But to say how we should
do it, I have a real concern about until we actually have had more of a discussion of what these two panels mean to us. What are the concerns of security? And how can we address those? What are the ways? So -- and how much does the National Clearinghouse provide as an alternative? So I like the study part. I'd just like a much more general proposition about supporting the need for more data rather than getting into the how it would be done.

CHAIRMAN KEISER: Doesn't Frank's alternative motion do that?

MEMBER WU: I can give you an even softer version that's even shorter. How about this? Be it resolved NACIQI commits to continued study of systems for tracking institution -- for assessing institutional success in guiding students to completion.

CHAIRMAN KEISER: That's not true.

MEMBER WU: All right, but it just commits us to study. It doesn't endorse any, it just --
(Simultaneous speaking.)

MEMBER BOEHME: I think we need to endorse.

MEMBER WU: We don't -- we don't even -- we don't even need a motion to study something if -- so here's the simplest suggestion. If the Chair were to say we will study this including the pros and cons and I as Chair commit to bringing speakers on both sides and that we will continue talking about it, that would achieve the same effect without the formality. And my sense is that would get a majority at this table with - - without even a motion. If the Chair just said we will do another panel, both sides, and then we'll talk about it. How about that?

CHAIRMAN KEISER: I don't have a problem with that. I'd like to hear what the accreditors say and hear what data they need. Because again, it depends on who intrusive we can become in the process. But, Frank, you're the maker of the motion. So you can go wherever you want to go with this. Do you want the original
motion? Do you want your alternative first? Do
you want your second alternative? Or do you want
that -- do you just want to give it up to me and
I'll --

(Simultaneous speaking.)

MEMBER WU: So I'm fine with no motion
Because I think it would command unanimity around
this table if the Chair just said we will study
it, I will bring some people pro and con and the
agencies. And at the next meeting we'll talk
about it. Right? That -- that -- that would --

MEMBER PRESSNELL: Yes. I thought
that Simon was actually going to make a motion
for the second subcommittee to study this. But
obviously got into a -- I like it better.

CHAIRMAN KEISER: Jennifer.

MS. HONG: I think that's what we're
already doing. So, yes -- so I agree that we
don't need a motion on it. And we can continue
on the path. Nor do I think that we should
commit to doing it at the next meeting either.
But I think we should just continue on -- I mean,
we've had panel -- this meeting and the previous meeting. So it's -- I mean, it's a continued discussion, no doubt. So I -- I don't know that we need a motion about that expressly.

MEMBER BOEHME: There was interest in writing, last time we met in June, of writing a NACIQI white paper on data. So maybe the motion would be -- is let us create a subcommittee while exploring the issues of data to ultimately write a NACIQI white paper on data.

CHAIRMAN KEISER: I don't think we need a motion for that. I can just do that. I think -- I can create a subcommittee.

MEMBER BOEHME: Well we had a -- we made a motion to create this subcommittee. So maybe it's just to make a subcommittee on data.

CHAIRMAN KEISER: John? And then you can make a motion if you would like to do that. John?

MEMBER ETCHEMENDY: I missed the last thing that Simon said. But -- I mean, I would be comfortable, actually -- more comfortable saying
-- sort of committing to coming to a conclusion in three months. That is, at our May meeting. And -- and perhaps get together some input from the people who -- who are concerned about this kind of system. But actually decide, you know, well we're going -- NACIQI is going to make a recommendation at its May meeting. And then go ahead and do it. But I -- I just feel that at this point many of us just feel that we don't quite have -- we didn't quite hear a balanced presentation. We heard a very good but one-sided presentation.

MEMBER BOEHME: But just to be clear though. In June it was the state level panel on data. Right? So we had NAICU, we had someone from SHEEO. I mean, we did hear the opposing -- I -- I hear you on that. And I think maybe moving forward it should be balanced. But we did hear what a state-level system would look like. And most of the people there did not endorse or spoke.

CHAIRMAN KEISER: Jennifer and then
Frank?

MS. HONG: And we had -- remember, we had opened it up to public comment. So one of the commenters, I know, who was opposed to it didn't show up -- wasn't able to make it --

MEMBER BOEHME: National Clearinghouse showed up and said they --

MS. HONG: Right, so --

MEMBER BOEHME: Yes.

MS. HONG: So folks were able to submit a comment on the agenda item today as well.

MEMBER WU: So --

CHAIRMAN KEISER: Keep it short and simple.

MEMBER WU: I'm not going to make another motion. It seems to me there are two desires that we have. One is to hear from more parties including the agencies themselves and some who feel strongly on the other side -- that is, who are opposed whether because of privacy or for some other reason. So everyone here wants to
learn more because we like to be educated and to know what we're talking about somewhat. And number two, there's also some sentiment, although maybe not unanimous, that we come to some closure and say something -- what the something is will be subject to debate. But I think if the Chair and our ED commit that we'll do this.

However, having said that I will note -- and this is not a comment in any way in anticipation of what may or may not happen in May as to any particular agency -- but I would expect that our May meeting may be prolonged and if we set up something like this we will regret it because we will be here for a long, long time. So -- so we might need to look at the fall. Although, I understand we're only two meetings a calendar year. So this goes to Ralph Wolff's biblical year of NACIQI. We would actually be looking at doing this in 2019. I mean -- I know that's crazy to say that. But I -- I would not actually be in favor of packing more into May. May is going to be plenty busy for us.
CHAIRMAN KEISER: Now, I have a motion on the floor and a second. Would the maker of the motion want to withdraw the motion?

MEMBER WU: I will withdraw the motion. I can't recall the motion myself, so --

(Laughter.)

CHAIRMAN KEISER: That makes it easier because if you withdraw it -- Ralph?

MEMBER WOLFF: As one who worked on the subcommittee, and I have to say, Claude did a great job gathering us -- I would prefer that a subgroup address this issue -- conduct interviews in the way in which WASC and HLC were interviewed -- than to have a group of panelists come in which they all do serial presentations, leave. But I'd rather have something that's kind of distilled around what our role is based on some interviews. So with all due respect, knowing that committees are the death of any issue, I think this committee proved that it was possible. And I'd encourage that there be a subcommittee and work out what the right timing would be. But
I'd rather there be conversations on a more private level about what data is needed. I don't want to support -- it's not our job to support the College Transparency Act or any specific legislation. I'm really concerned about how do accreditors get the kind of data, or comprehensive kinds of data, that we heard is a huge issue, that we can make better judgments on about their performance. So I would encourage you as chair, appoint another subcommittee of -- it -- and work out the timing. But not wait forever to get a report back.

CHAIRMAN KEISER: Well, as Simon said, we did make a motion on -- to create the last subcommittee. If you would like to make that motion --

MEMBER WOLFF: So moved.

CHAIRMAN KEISER: And if somebody would like to second that.

MEMBER PRESSNELL: I second.

CHAIRMAN KEISER: That was Claude. And there is discussion from Frank.
MEMBER WU: Yes, so, a committee to do what? So could I suggest a committee to look at data generally? Because that way this is less controversial. And there's all sorts of stuff that we care about that's related to data. And if we don't flag student unit record it will be just much more palatable to people. If this is one of ten different things. And it may turn out to be the biggest one, but there's lots about data that we care about.

CHAIRMAN KEISER: I think Ralph -- Ralph makes --

MEMBER ROTHKOPF: Isn't it -- isn't it -- don't we want -- our focus should be not to get all the data in the world, but the data that we think as, in our regulatory role, that we want the accrediting agencies to get and present to us that will be helpful in our deliberations. There's a lot of data that --

PARTICIPANT: That was part of the -

MEMBER ROTHKOPF: Wouldn't it be particularly helpful? So we don't need it. They
may want to do it. Someone may want to get that data. But we want to focus on what would help the process that we are committed to keep. And along the way I think it ought to -- we ought to keep in mind the student. I don't think -- I don't think the only thing should be what's useful to us, but I think that should be the prime thing. But my guess is that if we find things that are useful to us, they're going to be useful to prospective students and their parents.

CHAIRMAN KEISER: John and then Frank.

MEMBER ETCHEMENDY: So, Ralph, would it be a friendly amendment to say, form a subcommittee that -- that makes a recommendation to NACIQI at the May meeting?

MEMBER WOLFF: I -- well, first of all, that the committee would make a recommendation is definitely my goal. Not to have more panels and the like. And the same way this subcommittee did. Whether it would be the May meeting, I would prefer that, but I don't know the agenda. So I -- I would leave that to
the Chair to arrange the agenda. But I think as soon as practical would be important. Because we -- we made previous recommendations on this and my focus is on our role of reviewing accrediting agencies -- particularly institutional ones. Beneficiaries of that are students.

But I don't want to get involved in the student perspective on this. It's -- it's that accreditors are getting information. And partly my concern is we're getting data analyses that are so partial and picking on just a small number of institutions. I'd like to look at what are the alternatives for us to rely upon? So it is a friendly amendment and I would say yes, that it would lead to one or more recommendations as soon as we could -- and to bring it before NACIQI as soon as possible.

MEMBER WU: Not to complicate it, but just briefly, there are actually three categories of data that are distinct but overlap. Arthur Rothkopf is right. The data we like, students like and vice versa. But the three categories
are one, data that students and parents want.
All right, that -- that's in my mind the biggest
category. What do students and parents want to
know before they plunk down fifty grand to go to
such-and-such school. That's category one.

Category two is what is the data
accreditors want that they demand from
institutions? That's not the same. That's a
different category of data. And some
institutions may chafe at what accreditors want.
But the third paragraph is even more specialized
and that's what does NACIQI want when we do this?
And this goes back to what Ralph pointed out. If
we start asking for lots and lots of stuff and
the agencies don't know that we're going to ask
for the stuff, we're going to have frustrating
meetings for all sides. So these are three
different categories of data -- the data for the
students, the data for the accreditors and the
data for NACIQI. They're not the same.

CHAIRMAN KEISER: If I may, I think we
are all on the same path now. We have a motion.
We have a second. We'll let the subcommittee focus on the data that we need and the data that the feel is appropriate. I -- I would call the question unless there's absolutely somebody who is opposed to doing that. All those --

MEMBER PHILLIPS: Could you repeat the motion?

CHAIRMAN KEISER: The motion --

MEMBER PHILLIPS: Could you repeat the motion?

CHAIRMAN KEISER: Motion is to set up a subcommittee to provide information to us on the data that we need as soon as practical. You have it written down, but that's -- that's the essence of the motion.

PARTICIPANT: That good enough for you?

(Laughter.)

CHAIRMAN KEISER: And it was second by Claude. All in favor of the motion, signify by raising your hand.

(Show of hands.)
CHAIRMAN KEISER: All opposed?

(Show of hands.)

CHAIRMAN KEISER: And I'd love to have anybody who would like to serve on that committee to come to see me and we can get that done. Okay? And if you'd love to chair it, we would love to have you chair it. Okay, now --

(Laughter.)

CHAIRMAN KEISER: You served. You served. Is there any other discussion that we need to -- that you want to bring before the Chair today?

(No audible response.)

CHAIRMAN KEISER: This has been --

(Simultaneous speaking.)

MEMBER BOEHME: I will make a motion to adjourn.

CHAIRMAN KEISER: Okay, I think that's a very timely motion. I do want to say thank you to everybody for your patience. We covered a lot of material today and -- and yesterday. So thank you. You are adjourned and we will not be
meeting tomorrow.

MEMBER WU: And Jen, could you refresh our memory? Dates for May? Dates for May?

MS. HONG: These are on the website. We're holding on to May 22nd through 24th. Those are the dates that we're -- we're holding. We haven't formally announced it. We have not formally announced it, so -- but that's what we're aiming for. May 22nd through the 24th.

(whereupon, the above-entitled matter went off the record at 4:44 p.m.)