

UNITED STATES OF AMERICA
DEPARTMENT OF EDUCATION

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OFFICE OF POSTSECONDARY EDUCATION

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NATIONAL ADVISORY COMMITTEE ON
INSTITUTIONAL QUALITY AND INTEGRITY

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MEETING

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THURSDAY
FEBRUARY 8, 2018

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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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P-R-O-C-E-E-D-I-N-G-S

8:29 a.m.

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

1 University.

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

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

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

11 CHAIRMAN KEISER: Arthur Keiser,
12 Chancellor Keiser University.

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

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

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

20 MEMBER PHILLIPS: Susan Phillips,
21 University at Albany, State University of New
22 York.

1 MEMBER BOEHME: Simon Boehme, student
2 member.

3 MEMBER WOLFF: Ralph Wolff, Quality
4 Assurance Conveyance.

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

7 MEMBER VAN AUSDLER: Steve Van Ausdler,
8 President Emeritus, Walla Walla Community
9 College.

10 (Off mic comments and introductions.)

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

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

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

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

22 So, if I may call Kim Dancy, the

1 Senior Policy Analyst for the New American
2 Education Policy Program to the front. And Kim,
3 you have three minutes.

4 Anyone. Just push the button.

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

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

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

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

20 In addition to these comments, we have
21 submitted a written statement and cosigned
22 comments from the postsecondary data

1 collaborative supporting a federal student level
2 data network.

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

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

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

20 Abandon the Higher Education Act on a
21 federal student level data network prevents the
22 Department of Education from collecting data that

1 are truly reflective of the needs and population
2 of postsecondary students.

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

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

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

21 NACIQI will offer an important and
22 distinct voice to inform Congress' consideration

1 of transparency in higher education. And it is
2 important that your voices are heard by law
3 makers.

4 Thank you for your time today.

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

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

13 What sort of safeguards would you
14 propose?

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

20 But rather that the data that we
21 already have is able to be combined and used in a
22 way that is helpful to students.

1 Katie Berger. And I'm here on half of the
2 Education Trust, a national advocacy organization
3 committed to advancing educational opportunities
4 for students of color and low income students.

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

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

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

1 enrollment, completion and attainment.

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

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

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

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

1 students.

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

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

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

21 The federal student level data network
22 that would be established under the bipartisan

1 College Transparency Act would provide such data,
2 which reducing the administrative burden placed
3 on institutions and increasing the utility of
4 data that is already being collected by the
5 Federal government.

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

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

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

20 (No response.)

21 CHAIRMAN KEISER: Thank you very much
22 Katie. Allie Aguilera? Did I get that right?

1 MS. AGUILERA: Yes.

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

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

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

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

18 So for the last three years Young
19 Invincibles has been conducting on the ground, in
20 person workshops, listening sessions, and
21 roundtable discussions with current and aspiring
22 college students across the country. To better

1 understand their perspectives on how to reform
2 our postsecondary data system and to develop the
3 student agenda for data reform.

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

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

18 With so much on the line, students and
19 parents need reliable information to make smart
20 choices about which college to attend, what major
21 to choose, and how to pay for it. Unfortunately,
22 college and career information across the country

1 right now is disjointed, unreliable, or
2 completely unavailable.

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

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

16 To rectify the situation, we urge the
17 members of this committee to formally recommend
18 that Congress create a student level data network
19 allowing already existing data sets at the
20 federal level to talk to each other so that we
21 can answer some basic questions about the value
22 of these programs and institutions.

1 We believe that this is the only way
2 that accreditors can accurately measure the
3 quality and value of the institutions that
4 they're tasked with evaluating. Developing a
5 student level data network is truly the only way
6 that NACIQI can perform its function regulating
7 accrediting agencies.

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

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

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

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

21 But there are also safeguards in place
22 for the data itself requiring schools. And we

1 can get you more information on this based on the
2 bill text about requiring schools, institutions,
3 the IRS, et cetera, to put in fairly strict
4 standards for how that information is shared and
5 disseminated.

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

8 CHAIRMAN KEISER: Ralph?

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

12 MS. AGUILERA: Sure.

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

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

22 Under the College Transparency Act or

1 whatever suggestions have been made, since we
2 don't recommend legislation, would workforce
3 outcomes be made available? I don't believe that
4 would be part of the data system that would be
5 created.

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

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

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

18 In terms of workforce outcomes, the
19 goals from YI's perspective are not only
20 understanding before you go to college what your
21 investment is, but really understanding what your
22 repayment options will be, and what your

1 likelihood of being able to repay will be after
2 completing a degree.

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

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

15 MEMBER WOLFF: Thank you.

16 MS. AGUILERA: Um-hum.

17 CHAIRMAN KEISER: Arthur?

18 MEMBER ROTHKOPF: Where within the
19 government or the quasi-government agencies would
20 this responsibility lie? And do you think
21 there's the capacity either within the government
22 or as I say, within quasi-governmental bodies to

1 run this really major, major addition to
2 information gathering?

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

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

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

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

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

22 MEMBER ROTHKOPF: Thank you.

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

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

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

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

20 I'm here this morning to urge the
21 committee to add your voice to the over 130
22 organizations that support the creation of a

1 secure federally held student level data network.
2 Your support for an SLDN would be important
3 addition to your efforts to encourage better data
4 use among accreditors and to strengthen the
5 accreditations focus on student outcomes.

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

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

18 An SLDN would enable us to know the
19 answers to such questions, and enable us to know
20 the results for subpopulations of students while
21 protecting student privacy. With such data,
22 policymakers, accreditors, institutions could

1 implement policies and practices that better
2 align postsecondary programs with the labor
3 market. They could achieve better and more
4 equitable results for students.

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

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

17 Currently before Congress is the
18 College Transparency Act that would amend the
19 Higher Education Act and authorize the creation
20 of a Federal SLDN. On behalf of the Workforce
21 Data Quality Campaign, I urge the committee to
22 support this effort.

1 Thank you for your time. I'll be
2 happy to answer any questions you may have.

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

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

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

18 And then basically the configuration
19 across walking that between kind of the
20 Department of Education systems and programs,
21 versus the wages and occupation kind of
22 terminology that is in the Department of Labor?

1 MR. WILSON: Yes. The vision is that
2 employment information would be measured by
3 administrative record matching.

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

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

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

18 MEMBER ZARAGOZA: Thank you very much.

19 CHAIRMAN KEISER: Again, I want to
20 thank the presenters for all keeping their
21 comments under three minutes. That was pretty
22 remarkable.

1 And now I'd like to invite the panel
2 to come up and continue this conversation.
3 Andrew Gillen from the Independent Higher
4 Education Researcher, Michael Itzkowitz,
5 Education Consultant and Senior Fellow for Third
6 Way, Elise Miller, Vice President of Research and
7 Policy Analysis for the Association of Public and
8 Land-Grant Universities, Christopher Sadler,
9 Education Data and Privacy Fellow at New America,
10 and Mamie Voight, Vice President of Policy
11 Research, the Institute of Higher Education
12 Policy.

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

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

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

21 Well, I can go ahead and introduce
22 myself while that comes up. Again, I'm Elise

1 Miller for the Association for Public and Land-
2 Grant Universities. I'm Vice President for
3 Research and Analysis there.

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

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

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

20 So, bear with me as I give a bit of a
21 history lesson. I probably won't be the most
22 exciting panelist today. But we think it's

1 really important to have that context when having
2 this discussion.

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

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

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

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

20 What is now the Department of
21 Education actually was established for the
22 purpose of collecting data and statistics to

1 report on the condition and progress of
2 education. So this has always been one of the
3 core duties of the Department of Education.

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

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

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

20 The main higher education data
21 collection for many years, from the '60s to the
22 '80s was HEGIS, the Higher Education General

1 Information System. It was not required to be
2 reported.

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

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

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

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

19 And so that was added to the IPEDS
20 data collection at that time. And in the 1992
21 reauthorization of the Higher Education Act,
22 reporting to IPEDS became a requirement if you

1 gave out Title IV aid.

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

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

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

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

19 So, the institutional versus student
20 level reporting is not a new way either. It's
21 been out there as a discussion point for many
22 years.

1 The National Postsecondary Education
2 Cooperative is an entity that serves as a
3 national advisory group on how to improve the
4 national data and quality of data for
5 postsecondary education.

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

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

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

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

22 Also of interest, was college

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

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

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

22 Well, that stirred up the debate a bit

1 more, resulting in the ban that is currently
2 placed on the student level data network that was
3 in the Higher Education Act of 2008. And kind of
4 leads us to our current state today.

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

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

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

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

1 data collection.

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

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

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

22 And so the Department has leveraged

1 that data to create the scorecard and report on
2 outcomes of Title IV recipients. But that leaves
3 out about a third of students.

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

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

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

18 The SAM initiative was also
19 accompanied by a public campaign in 2016 about
20 counting all students. To really say, we went
21 out and found students who aren't captured in
22 that Federal graduation rate, and told their

1 stories about how they're not -- their stories
2 aren't being told through that data.

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

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

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

15 It does report on earnings by doing
16 matches from the data that the NCES would house
17 with other Federal agencies, as you heard
18 earlier. We do believe it's important that it is
19 administered at the National Center for Education
20 Statistics, which you saw since 1974, has a track
21 record of collecting data both at the
22 institutional and at the student level.

1 They do have sample surveys that track
2 student level data. And are able to report at
3 the sector and national level. So they have a
4 strong history of managing these large data
5 collections.

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

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

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

22 Thank you.

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

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

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

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

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

22 And we're also aiming to shift the

1 conversation and create demand for new policy
2 ideas that better target taxpayer dollars, use
3 them more efficiently. And improve student
4 outcomes, which I think is one of the reasons why
5 I'm here today.

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

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

20 So, as Elise has talked about a little
21 bit, there a couple of different ways that the
22 Department can currently do so, and that they

1 have been doing so through the College Scorecard
2 and College Navigator over the past number of
3 years.

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

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

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

18 Loan repayment rates is a newer
19 development over the past couple of years, to
20 address some of the shortcoming and default rate.
21 That looks at the percent of students who are
22 actively able to repay down at one dollar on

1 their loan principal within three, five, or seven
2 years after leaving an institution. It's
3 currently three years on the College Scorecard.

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

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

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

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

21 MEMBER PRESSNELL: Okay.

22 CHAIRMAN KEISER: Ask questions.

1 MR. ITZKOWITZ: Glad I read your mind.
2 So, right now this Federal data is incomplete, as
3 Elise said and others will talk about today.

4 The Federal graduation rate that
5 covers first time/full time students only covers
6 47 percent of all students. It leaves out
7 transfer students. It leaves out part time
8 students.

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

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

20 Also what we're limited in a sense
21 right now in that it doesn't include earnings by
22 program level. Which we've seen have been --

1 have more variance than actually at the
2 institution level.

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

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

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

16 It still ultimately treats the
17 students who transfer out as non-graduates. And
18 as we can see just within a recent analysis that
19 I ran for predominately certificate associates
20 and bachelors' degree institutions, out of the
21 4.8 million students within that data set, we
22 could see that there were about 1.1 million

1 students that had transferred out of an
2 institution at some point in time.

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

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

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

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

21 Then there's also been the bipartisan,
22 bicameral College Transparency Act, which is a

1 system that would allow for information on all
2 students who attended the program that's approved
3 by the Federal government to receive grants or
4 loans.

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

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

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

21 So, looking at graduation rates, doing
22 an analysis on the outcome measures data that

1 just came out, what we saw is that when including
2 part time and students who have transferred into
3 an institution, we actually saw that that rate is
4 lower then when just including first time/full
5 time students.

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

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

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

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

22 And while they had differences in

1 incomes, you know, significant differences in
2 incomes, they look somewhat similar across the
3 distribution of institutions in terms of
4 characteristics like ACT/SAT, race, ethnicity,
5 age, dependency status.

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

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

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

22 And we're able to get a full sense of,

1 if students that have taken out loans are
2 actively able to begin paying down that loan
3 within a certain time period.

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

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

18 So here just looking at four year
19 institutions, we can see that there are 219
20 institutions that are displaying graduation rates
21 above 75 percent for their first time/full time
22 students. And there are six hundred -- however

1 there are still 692 institutions, four year
2 institutions that continue to graduate less than
3 half of their first time/full time students.

4 Additionally, there are -- there were
5 20 accredited institutions that show fewer than
6 nine out of ten of their first time/full time
7 students finishing the degree at the institution
8 where they started.

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

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

22 For repayment, we can see that there

1 are 23 percent of institutions that have at least
2 three out of four students paying down at least
3 one dollar towards their loan principal.
4 However, there are also nearly the same amount,
5 385 percent of institutions, or 24 percent of
6 four-year institutions that are leaving less than
7 half of their students able to begin paying down
8 their debt within three years of leaving.

9 Now looking at two-year institutions,
10 and while definitely serving a different student
11 body population and having different missions
12 often than four-year institutions, we can see
13 that graduation rates for first time/full time
14 students, which could be not often the students
15 that are attending two-year institutions, only
16 146 of these institutions graduate more than half
17 of their first time/full time students at the
18 institutions where they started. While there are
19 811 of them that still do not.

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

1 percent of two-year institutions graduate more
2 than 75 percent.

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

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

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

20 Now looking at certificate-granting
21 institutions, which are mostly shorter in length,
22 we can see that graduation rates of these

1 institutions, they look stronger than some of the
2 other -- then two-year institutions, some of the
3 other institutions that we've reviewed.

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

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

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

21 So now I know that we're looking at
22 these metrics separately, but we made an effort

1 to say, well what if we combined these metrics.
2 And we looked at schools that fell below a
3 certain indicator of what we would consider
4 strong outcomes after they attend college.

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

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

17 Now, in addition to looking at these
18 separately and combining two, you know, we also
19 said well, what if we look at all three together?
20 What if we mesh all three to look at institutions
21 that fall below all three indicators of
22 effectiveness and ultimately graduate less than

1 half their students, have poor college outco --
2 have earnings below the average high school
3 graduate and are unable to repay their loans.

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

11 So a couple take aways from my
12 presentation is that there's a tremendous Federal
13 investment in higher education. Over 120 billion
14 dollars that flow to institutions, accredited
15 institutions every single year.

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

21 However, the data we have now, we can
22 see it provides some hints and it's still

1 actionable. And as we work towards better
2 information for students, I ask NACIQI to
3 continue to use this data within their evaluation
4 and recommendation process.

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

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

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

20 CHAIRMAN KEISER: Well, we're going to
21 put time at the end to ask the speakers. Because
22 we're -- actually, I was going to ask the

1 speakers to please stay in closer time to what
2 was allotted for them.

3 And Jennifer, you have something?

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

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

12 CHAIRMAN KEISER: Thank you.

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

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

1 marginalized groups.

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

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

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

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

22 In particular, it can help to identify

1 and develop policies and practices and solutions
2 for closing equity gaps that separate so many low
3 income students and students of color from their
4 classmates. And so this is really the
5 perspective with which we enter this
6 conversation.

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

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

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

22 Right now however, we don't have

1 sufficient data to adequately answer many of
2 those questions about our colleges and
3 universities. There are many unanswered
4 questions.

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

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

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

20 So answering that question, of what
21 data are actually necessary. And then getting to
22 the question of what infrastructure do we need in

1 order to populate those metrics and answer those
2 questions. In other words, how should those data
3 be collected?

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

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

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

21 These various initiatives have tried
22 to plug these holes. And so what we did at IHEP

1 is we took a look across all of them that have
2 been developed over the course of the last decade
3 or so.

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

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

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

22 And this is an example of what our

1 current data infrastructure looks like. It is
2 messy. It's incomplete. It's duplicative. It's
3 disconnected.

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

9 But institu -- different types of
10 institutions are reporting information to a
11 variety of different entities. They're reporting
12 to their States. They're reporting to their
13 accreditors.

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

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

22 A secure, privacy protected, student

1 level data network at the Federal level would be
2 able to provide better aggregate information to
3 answer those questions at the institution and
4 program level. And the College Transparency Act
5 is a bipartisan, bicameral solution that would
6 implement this Federal student level data
7 network.

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

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

22 Importantly, it would replace student

1 components of IPED. So this would not be one
2 additional collection or one additional system,
3 it would be replacing existing systems.

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

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

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

20 Importantly, it would incorporate
21 workforce outcomes into the types of information
22 that we have available to policy makers and

1 students to inform their decisions. And make
2 sure they can make evidence-based choices.

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

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

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

16 Existing workforce outcomes that we
17 have to rely upon now omit either non-Title IV
18 students, like Michael was discussing, or the
19 State data that are available, omit Federal
20 employees, members of the military, the self-
21 employed, and people who cross State lines to
22 work.

1 So there are gaps in those existing
2 systems. But the Federal solution would be able
3 to close those gaps.

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

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

20 So I want to give a quick analogy here
21 as you think about the role of the Federal
22 government. You can consider the weather app

1 that you have on your phone, which is in many
2 cases, a privately developed app.

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

8 And students' decisions and policy
9 maker decisions about colleges and universities
10 are certainly much larger decisions than whether
11 to bring an umbrella in the morning or wear a
12 hat.

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

17 And just to finish up, I want to
18 discuss why this is so important for NACIQI and
19 for the conversations that you all are having
20 here. You have been moving towards more data
21 drive, accreditor reviews, which is absolutely
22 the right direction to be moving.

1 You're using the information that's
2 available to you, which is critical to make
3 evidence-based decisions. However, the
4 information that you have, the data dashboards
5 that you have to rely upon, are incomplete.

6 They're missing many students. And
7 they're giving inadequate answers to the types of
8 questions that you are asking.

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

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

20 Accreditors should be spending their
21 time doing the really important and hard work of
22 quality review. Doing those site visits and

1 working through quality issues.

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

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

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

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

19 I'll be talking about privacy and
20 security in a student level data network, SLDN.
21 That's the preferred term for me, rather than
22 what it used to be called, student unit record

1 database system. I'll talk more about why I
2 prefer that in a minute. Obviously, security and
3 privacy are a big topic.

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

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

22 Instead, these days, you need to be

1 pretty strict about what data you're collecting,
2 exactly what you're going to use it for, and why.
3 Part of this, also, part of data minimization is
4 data retention. We've been in the digital age
5 for a while.

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

13 You need to have a policy in place for
14 how long you're going to retain data, and why.
15 Secondly, access control and access management.
16 This has been a culprit in a lot of data breaches
17 recently. There's just too many people that have
18 too much access to data. In a lot of these
19 breaches, it was a contractor whose credentials
20 were compromised, who had too much access to the
21 system and had retained that access for much
22 longer than they should have.

1 Usually, in security and privacy
2 world, you follow the principle of least
3 privilege, meaning people should be strictly
4 restricted to only being able to access the
5 absolute minimum data they need to do whatever
6 their function is, and to allow that access only
7 for the limited amount of time that they need to
8 do their work.

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

15 They urge getting away from this idea
16 of centralized databases, which is kind of how,
17 traditionally, things have been done, and instead
18 bringing together limited amounts of data for a
19 limited time, for limited purposes, so temporary
20 matching of data. The Commission on Evidence
21 Based Policy has made a bunch of recommendations
22 on that. There's a bill, actually, that they've

1 introduced that would lay some of the groundwork
2 for some of their recommendations. I want to
3 talk about some of these things in the context of
4 the College Transparency Act and how the College
5 Transparency Act handles privacy and security.

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

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

19 Also, having it at a statistical
20 agency would provide an opportunity to apply
21 CIPSE, the Confidential Information Protection
22 and Statistical Efficiency Act, which is a law

1 that provides very strong confidentiality
2 protections, including restrictions and
3 prohibitions on the use of data. It prohibits
4 the use of data for law enforcement purposes.
5 The Privacy Act actually has some exemptions for
6 that, so CIPSE provides an even stronger level of
7 confidentiality protection. It also applies
8 harsh penalties, too, for any disclosures or
9 misuse of data.

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

17 It kind of strictly details which
18 metrics the system would produce, and the actual
19 use of the data elements would be governed by a
20 body of stakeholders. It would be reviewed once
21 within every five years. Importantly, it would
22 include privacy advocates at the table.

1 I think that's important. Probably
2 most important, again, with the College
3 Transparency Act, is it does follow this idea of
4 matching, instead of creating a repository, so in
5 line with the recommendations of the Evidence
6 Based Policy Commission. How this would work is
7 there wouldn't be some huge database sitting out
8 there somewhere. Instead, it would be temporary
9 matching. Just as an example of what might
10 happen is school program-level data would go to
11 the IRS.

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

17 I just want to briefly note that there
18 is a second bill that's been introduced this past
19 fall, the Student Right to Know Before You Go
20 Act, which would similarly accomplish creating a
21 student-level data network through this matching
22 type of temporary connections.

1 The big difference is that it mandates
2 the use of a technology called secure multi-party
3 computation. It's a cryptographic technology
4 that's a little too complex to get into right
5 now. It's something of an emerging technology.
6 In terms of costs and timeline, it's not clear --
7 there's a lot of question marks. It's not
8 something that's been used very much, so this
9 would be a very large-scale implementation of it,
10 and it would be at the federal government. I
11 think there's potentially a lot of roadblocks and
12 obstacles there. As I said, this is a pretty
13 broad topic. I'm happy to take questions here,
14 or please feel free to email me after today. You
15 can reach me at sadler@opentechinstitute, or it
16 may be easier to remember, I also have an email
17 at sadler@newamerica.org. Thank you.

18 MR. GILLEN: Thank you for having me.
19 The role that I have today --

20 PARTICIPANT: Your name?

21 MR. GILLEN: My name is Andrew Gillen.
22 I currently work at the Charles Koch Foundation

1 and Johns Hopkins University. However, I am not
2 representing either of those institutions here.
3 Everything I'm saying is on my own personal
4 cognizance, and neither of them provided any
5 support to any of my work here.

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

17 It's basically going to be used to
18 compare colleges in ways that is not currently
19 being done. Both of those are going to have
20 really, really big implications for
21 accreditation. What I'd like to do is just run
22 through some possibilities.

1 These are just potential changes that
2 might be on the forefront for accreditation as a
3 result of these student unit records. My
4 colleagues did a good job of laying out the
5 basics here. I don't want to spend a whole lot
6 of time on any more background on the student
7 unit records, so we'll skip over that one.

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

20 What that means is that a lot of the
21 emphasis that's currently placed on inputs,
22 process, and governance, can now be replaced by

1 an emphasis on outcomes. This could potentially
2 unleash a lot of innovation. If we're currently
3 mandating a certain set of inputs and processes
4 that need to be followed, we're basically
5 mandating a recipe for college.

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

12 Second potential implication for
13 accreditation is the use of data from third
14 parties, so earnings data from the IRS or the
15 Social Security Administration. You could use
16 exam data from discipline associations, such as
17 American Bar Association. This is something that
18 accreditors might be able to do as they focus
19 more on outcomes, rather than inputs. I also
20 think that there's a lot of potential to improve
21 accreditation. For a long time, accreditors,
22 themselves, have wanted to move away from the

1 current binary -- you're either accredited, or
2 you're not.

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

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

15 The other thing that you can do, which
16 accreditors have already started moving in this
17 direction, is to adopt risk-based or
18 risk-informed reviews. Two international
19 examples that are out there right now are
20 Australia's TEQSA, and essentially, they have
21 risk indicators in four different areas. If
22 institutions trip those flags, that triggers

1 follow-up investigation by the review council. A
2 similar thing happens in the United Kingdom's
3 Higher Education Funding Council, where they are
4 essentially trying to focus the equivalent of
5 their accreditor's attention on the institutions
6 that need the most oversight and the most help in
7 improving.

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

16 This is the current list of areas
17 where accreditors are required to have standards,
18 but it's very conceivable that after this outcome
19 data has been analyzed, this list will change.
20 We might take away some of these things. We
21 might add some things. We might modify some
22 things. I don't think that this list is

1 necessarily going to be written in stone for the
2 next decade after a student unit record is
3 available. Another implication for accreditation
4 is the timeline. A lot of the outcomes data that
5 will be used, such as earnings or certification
6 and exam data, that can be released much more
7 frequently than we're typically used to, so
8 annually, at least, if not more frequently.

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

18 Another aspect of accreditation that
19 might undergo a lot of change is more of an
20 emphasis on programmatic accreditation, as
21 opposed to regional and national. One of the key
22 strengths of a student unit record system is that

1 you can actually get really good data on
2 programs, each program within a college. If
3 that's the case, you don't really need to
4 accredit the entire institution anymore. You can
5 accredit the accounting program at Community
6 College X, or you can accredit the sociology
7 program at State University Y. The notion that
8 the entire institution will just have blanket
9 accreditation may not survive a student unit
10 record system when we've got program level data.

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

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

1 secondary schools in the Netherlands.

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

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

19 Particularly within the context of how
20 higher education institutions compete, a lot of
21 the way you distinguish yourself is by recruiting
22 a very successful class to begin with, so you

1 bring in the best students.

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

17 The final thought I have here is that
18 I really do think that once we have a student
19 unit record system, the comparisons of outcomes
20 that that's going to enable is going to be really
21 superior to anything we've got on the
22 accountability front right now.

1 Right now, we're forced to use things
2 like graduation rate, retention rate, cohort
3 default rate. These are very rough outcome
4 measures. Whereas, student unit record will give
5 us much, much better access to outcome measures.
6 That will really replace a lot of the
7 accountability efforts right now.

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

20 CHAIRMAN KEISER: We have a few
21 minutes for questions. Frank first, Claude
22 second, Arthur third, Susan fourth, and then

1 John. Actually, John, you were first.

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

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

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

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

22 I understand several of you to be

1 saying -- and I just want to tease this out to
2 make it explicit -- that you can't do a
3 comparison because are disparities among
4 communities.

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

13 So with transfers, in particular, if
14 we can't track them, you can't actually compare
15 School X and School Y because they might be
16 fundamentally different. That's my first
17 question. Is that true? On privacy, I hear you
18 say saying something else, which is if you're
19 really paranoid -- and maybe there's a good
20 reason to be paranoid. The IRS could use this
21 information, or it could be used to try to deport
22 people, etc. The data's actually already out

1 there; it's just bad data and disconnected data.
2 If someone were really determined to do bad
3 things, they could already do bad things with the
4 existing data.

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

14 What if all this data works the other
15 way, though? What if it causes stratification?
16 Nobel Laureate Kenneth Arrow once posited that
17 the American higher education system is just one
18 giant sorting system. It's like in Harry Potter,
19 the sorting hat. We get sorted into different
20 institutions, with different life prospects.
21 What if, with all this data, what happens is not
22 that consumers make better choices, because many

1 of their choices are constrained, but instead,
2 people with options all gravitate to these set of
3 schools, and people without options are all
4 relegated to this other set of schools, so the
5 data just accelerates this sorting? That might
6 make us unhappy. Those are questions for you to
7 address. Thank you.

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

17 We believe that data will help to
18 shine a light on some of those inequities and
19 identify them in ways that we can then develop
20 solutions to improve upon them. Institutions can
21 use the data to improve, and policymakers can use
22 the data to improve. Also, you get at this point

1 of student choice and the fact that some students
2 have limited choice because they're place bound
3 or for any number of reasons, especially students
4 who tend to be low income. But the data made
5 available through this type of system would
6 provide program-level information, which is
7 incredibly important in informing choice.

8 Because even if a student only has one
9 institution in their area, they do have a choice
10 between programs within that institution, so
11 having good outcome information on those various
12 programs can help them make comparisons. To the
13 point about privacy and existing data, you're
14 right that we have a lot of data now.

15 We're not necessarily talking about a
16 lot of new data; we're talking about better data.
17 We have a lot of data, but we need to turn that
18 data into information, so that people can use it.
19 The College Transparency Act does that in a way
20 that very thoughtfully considers privacy and
21 security.

22 We need to be able to protect

1 students' right to information, while also
2 protecting their privacy and securing their data.
3 There are a number of provisions in the Act that
4 get at that. In particular, it prohibits the
5 collection of especially sensitive type of
6 information, like immigration status. To your
7 point about deportation, that information
8 wouldn't be in the system, so it wouldn't be an
9 option to be used. It also prohibits the use of
10 this data for law enforcement purposes. It would
11 also protect students in that way.

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

18 Demography certainly is not destiny,
19 in terms of who will complete and who will go on
20 to be successful in the workforce, but rather
21 what institutions do, what programs do matters a
22 great deal, and having better information to be

1 able to compare. Students compare, policy makers
2 can compare, will help to understand which
3 institutions are doing a really great job and
4 what we can learn from those institutions.

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

19 CHAIRMAN KEISER: I just want to
20 discuss the fact that we have a guest coming
21 sometime in the next few minutes, and I will
22 interrupt the discussion to introduce our guest.

1 Arthur, it's your turn.

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

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

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

19 I also hope that it would shine a
20 spotlight on institutions across the country that
21 are doing these things really well, that would
22 add to the complexity and knowledge of the

1 accreditation and continuous improvement process,
2 so to look at institutions that are high-access
3 institutions, that are serving low-income
4 students very well, and to help understand what
5 strategies they're doing. I think and hope that
6 it would help better shine a light on those
7 institutions that are beating the odds.

8 MS. MILLER: Can I add one more thing,
9 just on the first question -- it'll be short, I
10 promise. I think the better data -- the
11 institutions do have different missions, and
12 they're serving different students. Some of them
13 are trying to help them transfer to another
14 institution. Some are purposely serving
15 part-time students and older adult students. I
16 think that it's important to make the point that
17 institutions will have the ability to better
18 explain their mission and how they're achieving
19 it through having this data. Having data only on
20 first-time, full-time students actually assumes
21 that all institutions have the same mission in
22 serving these traditional students. I think

1 it'll be very good for institutions to have the
2 additional data to explain the diversity of
3 institutions and the students they serve in the
4 system.

5 MR. GILLEN: Go ahead.

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

13 In terms of concerns about misuse for
14 immigration purposes, which has come up a lot,
15 just to reiterate what Mamie said, I think the
16 best approach to that is the prohibition on the
17 collection or use of that data, which the College
18 Transparency Act does stipulate, and then also
19 protections at NCES, both its political
20 independence and its strict prohibitions on the
21 reuse/repurposing of any data for law enforcement
22 purposes.

1 CHAIRMAN KEISER: I know this is a
2 very important topic, but we are way over
3 schedule, so if we can keep our questions short,
4 and our answers even shorter.

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

15 I think we need to be careful on how
16 we cut the data. That leads me back to the
17 question I had about an hour ago, that I didn't
18 ask, in respect to the Chair. Mike, with your
19 analysis on -- you came to some just real quick
20 conclusions about graduation rates at two-year
21 institutions, four-year institutions, earnings at
22 two-year institutions, four-year institutions,

1 pre-degree. The question is are you talking
2 about 150 percent time on each of those
3 institutions, so a two-year institution is three
4 years?

5 MR. ITZKOWITZ: Correct.

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

10 MR. ITZKOWITZ: On the graduation
11 rates?

12 MEMBER PRESSNELL: No, earnings.

13 MR. ITZKOWITZ: Earnings, yes.

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

20 Because if you're saying the high
21 school student was in the job market for six
22 years, being compared to a four-year graduate

1 who, at best, could only be in the job market for
2 two years, most likely less than two years, and a
3 two-year degree person who had been in the market
4 for maximum of four years, you see the disparity
5 of that?

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

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

18 They could both be doing a really good
19 job, but the percentage of students that are
20 earning more than some sort of minimum salary --
21 we used \$25,000. You could think about other
22 ways to measure that. I think it gives a good

1 indication of whether or not students are able to
2 earn a reasonable and modest --

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

9 MR. ITZKOWITZ: Entering college.

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

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

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

22 The biggest demarcation in salaries

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

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

19 MEMBER PRESSNELL: I think it's better
20 to evaluate it based on when -- after the year
21 the leave their educational career, not when they
22 enter the educational career.

1 MS. MILLER: I would just say, Claude,
2 that having this better student level data
3 network would allow those better comparisons of
4 better metrics. It's an argument for the College
5 Transparency Act because then we'd have the data
6 to measure out further and to develop better
7 metrics.

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

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

21 Secondly, and I may or may not be
22 right on this, Susan and Jamiene Studley, who's

1 in the audience, could confirm this or not, I
2 thought in the two reports that we did on policy,
3 we tended to support -- I don't know that we were
4 outright supporting the need for the kind of data
5 that you talked about, but I think they were very
6 much leaning in that direction of saying that we
7 needed to go there.

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

21 I, personally, would urge we do it now
22 because the train is moving along in the

1 Congress. I guess that's my question as to what
2 are we doing? I guess my question for you,
3 Elise, is what are the other people on Dupont
4 Circle saying?

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

13 The independent colleges are still
14 resistant to it. They have been since the
15 beginning. They have been since I used to work
16 there many, many years ago. They still have
17 concerns about privacy and are very strong in
18 their opinion against this. Claude might know a
19 little more, working close with NAICU. There's
20 not complete agreement, but there definitely has
21 been movement, particularly among the public
22 institutions, in support of this.

1 MEMBER ROTHKOPF: Has ACE taken a
2 position on this?

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

8 MEMBER ROTHKOPF: Thank you.

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

13 I'd like to recognize Frank Brogan,
14 who's been delegated the authority to perform the
15 functions and duties of the assistant secretary
16 of postsecondary education. Frank is the former
17 chancellor of the Pennsylvania State system of
18 higher education. He will supervise the Office
19 of Postsecondary Education higher education
20 programs, international and foreign language
21 education policy, planning and innovation units.
22 He will continue to serve as acting principal

1 deputy assistant secretary of OPEPD, overseeing
2 the Department's planning, evaluation, policy
3 development, and budget activities.

4 Frank Brogan has previously served as
5 chancellor of the State University System of
6 Florida, president of Florida Atlantic
7 University, near where I am. Weren't you the
8 superintendent of schools in Martin County? He
9 was. Most importantly, he was the 15th
10 lieutenant governor of the State of Florida.
11 Please welcome with me Frank Brogan.

12 (Applause.)

13 CHAIRMAN KEISER: You can go now,
14 John.

15 MEMBER ETCHEMENDY: My turn? Okay.
16 Thank you all for a great presentation. I think
17 I've been, at least as long as Arthur, an
18 advocate of a student unit data system of some
19 sort. That's with my hat on as a researcher, my
20 hat on as an accreditor, and now my hat on as a
21 NACIQI member. I have recently, actually, been
22 worrying more about that. I kind of wish the

1 panel had a hardcore privacy advocate to give us
2 the other side of it. I understand -- it really
3 makes me feel good, some of the safety features
4 you've talked about, like the fact that it's not
5 going to be a single database, and so forth and
6 so on. But if you can do record matching to
7 create these meta-databases, then really, the
8 information is there.

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

17 For example, we have these various
18 private organizations that are going about
19 collecting data, and it's not sitting in the same
20 place, and so forth and so on. I could imagine
21 the regional accreditors, for example, insisting
22 that their colleges become a member of one or the

1 other of these, so that we did have access to
2 that. It just wasn't sitting at NCES, or wasn't
3 sitting at some place where the federal
4 government has access to it. I don't know if I'm
5 really worried about this enough to go down that
6 route, but are there alternative ways of
7 approaching this that would give us the kind of
8 information that we really need to compare
9 institutions, which I'm entirely in favor of?

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

20 MEMBER ETCHEMENDY: But they don't
21 have the IRS data, as well. The government has a
22 lot of data.

1 MR. ITZKOWITZ: I was about to make
2 that same point. The government already has all
3 those data.

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

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

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

21 MR. SADLER: I think it's the privacy
22 concern. As everybody's mentioned, all of the

1 data that we're talking about already exists
2 somewhere already, but what a student unit record
3 fundamentally does is allow those data to be
4 compiled together.

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

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

19 Institutions, accreditors, and
20 perhaps, most importantly, students, who are the
21 original providers of information, do these
22 entities have a voice in determining how the data

1 is used in any way?

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

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

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

1 very important.

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

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

19 CHAIRMAN KEISER: Ralph, then wrap it
20 up.

21 MEMBER WOLFF: Yes, thank you. I
22 learned a lot, and I realize how much more I have

1 to learn. My concern is that we're not going to
2 take a position on specific legislation. I think
3 it's really important for us to be aware of the
4 limitations of the data that we're working with.
5 I appreciate, Andrew, the comments you made about
6 the implications for accreditors over time.

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

13 The NACIQI regulations that we operate
14 on and the staff reviews don't look at the data,
15 but we're looking at the data independently. No.
16 1, I think there's a real disconnect that we're
17 relying upon the data dashboard, but it's not
18 part of the regulatory regime, nor is it
19 something that the staff are really necessarily
20 using. My question is really while you all are
21 working on whether it's the College Transparency
22 Act or whatever, are there other data sources or

1 ways in which we might improve the data that
2 we're using, such as the data dashboards that
3 we're getting or ways of using the scorecard?

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

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

16 The more we focus on outcomes, the
17 more we focus on low-performing institutions, if
18 we're not focusing on the right datasets, or
19 we're not using more comprehensive data, we're
20 not using our time well. I'm just wondering what
21 can we do to improve our work while the
22 legislative process works?

1 MR. ITZKOWITZ: We talked a little bit
2 briefly about the outcome measures data that
3 incorporate part-time and transfer students.
4 That adds a number of different sub-groups that
5 are often missing, a very growing sub-group.

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

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

16 Also, as I mentioned, loan repayment
17 rates are a very strong measure if you're
18 thinking about are the students who have taken
19 out loans at this institution ultimately able to
20 -- I think some employment indication, as well,
21 are they able to get a job that ultimately allows
22 them to repay their educational debt, or do we

1 have a very high percentage of students who are
2 unable to do that after a certain amount of time?
3 Those are the two recommendations that I would
4 look at. In terms of earnings, like we said,
5 we're sort of limited right now by the 70 percent
6 of students that are covered. I mentioned a
7 six-year rate. That's on the College Scorecard.

8 That could also be cut in eight years,
9 or ten years, if you're thinking about
10 longer-term outcomes. I do caution, though, that
11 you're looking at students who entered that
12 institution a long time ago when you're thinking
13 about institutional quality and improved time.

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

22 (Whereupon, the above-entitled matter

1 went off the record at 10:24 a.m. and 10:39 a.m.)

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

6 PARTICIPANT: Susan and Brian.

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

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

14 FEMALE PARTICIPANT: Arthur Rothkopf
15 as well, sir.

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

21 The Agency representatives then will
22 provide comments about their petition. The

1 primary readers will then question the Agency,
2 including the standard questions adopted by the
3 NACIQI for initial and renewal applications.

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

8 The Agency will then respond to the
9 third party comments. The Department staff will
10 respond to the Agency and the third party
11 comments.

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

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

20 MEMBER DERLIN: I am right here.

21 CHAIRMAN KEISER: There you are.

22 (Off microphone comment.)

1 CHAIRMAN KEISER: No problem. Who is
2 doing the introduction, George?

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

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

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

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

18 MS. MCKISSIC: Good morning, Mr. Chair
19 and Members of the Committee. For the record my
20 name is Stephanie McKissic and I will be
21 presenting a summary of the petition for
22 continued recognition submitted by the Middle

1 States Commission on Higher Education, or MSCHE.

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

6 Based on review of the information in
7 the Agency's petition and observation of a
8 committee on follow-up and candidate activities
9 and a commission meeting, both held in November
10 2017, Department staff found that MSCHE is in
11 compliance with the Secretary's criteria for
12 recognition with no issues or concerns.

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

17 One complainant did not avail
18 themselves of the MSCHE complaint process,
19 therefore it was not reviewed by the Department.
20 The other complaint was reviewed by the
21 Department and the Department found no evidence
22 that MSCHE did not follow its policies and

1 procedures or fail to meet regulatory
2 requirements.

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

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

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

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

18 MS. MCKISSIC: Thank you.

19 MEMBER FRENCH: Bobbie?

20 MEMBER BOEHME: I have one question.
21 Thank you, Chair. And just for the record I was
22 planning to ask the panel a question that

1 actually the Chair did a great job asking when
2 HLC was up is what is their definition of a
3 graduation rate and I find it very concerning, as
4 we have seen from the two previous regional
5 accreditors that there seems to be a lack of a
6 definition in a graduation rate, which makes our
7 job quite difficult and frustrating.

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

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

17 MEMBER BOEHME: Thank you.

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

1 of this, of the NACIQI.

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

5 MS. SIBOLSKI: Are we all set to go?

6 CHAIRMAN KEISER: And please introduce
7 yourselves.

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

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

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

21 To my right is Dr. Allen Richman. Dr.
22 Richman is our Senior Director for Research. To

1 his right is Dr. Margaret McMenamín. Dr.
2 McMenamín is Vice Chair of our Commission and she
3 is President of Union County College in New
4 Jersey.

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

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

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

21 And, finally, I would also like to
22 thank Dr. Herman Bounds and Jennifer Hong for

1 their assistance as we have prepared for this
2 meeting today.

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

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

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

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

1 for the work that you do.

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

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

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

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

18 One is that they are process-centered,
19 that they are a rigid and stifle innovation, and
20 that they don't focus on student learning
21 outcomes and the quality of the student
22 experience, that's one you hear.

1 The second one you hear is that they
2 are artificially harassed, strong institutions,
3 and are lax and give passes to weak institutions.

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

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

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

20 When I got there I found a Commission
21 that had also been listening to its critics and
22 instead of being defensive wanted to inquire and

1 get better and it went through a listening
2 process and in fact that it invited many of its
3 critics to come and talk to Middle States about
4 the things that needed to be fixed and improved.

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

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

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

20 Let me say a little bit about evidence
21 and data and maybe in responding to -- Well
22 that's another point I want to make. And while

1 we are uniforming the application of our
2 standards our response to those standards is
3 risk-based so that we have light touch for
4 institutions where all of the evidence in the
5 case that they are strong and robust and don't
6 really need much of our assistance, and some much
7 heavier touch if the data indicates that the
8 institution needs intervention, more
9 encouragement, and enforcement.

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

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

20 They had nothing to do with the abuses
21 of the maleficence of the institutions yet they
22 bear the burden more than anyone else, and that

1 has been an inhibiting factor.

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

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

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

19 Also, we had been committed to a
20 process of engagement of our institutions,
21 particularly at the level of the presidents, so
22 that there has been much more buy-in from the

1 institutions both in the new standards and the
2 processes and we are measuring everything now and
3 the polling data from our members is that the
4 support and alignment between the standards, the
5 process, and our members is very strong.

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

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

17 But the trap and the key is to use
18 evidence in a thoughtful and intelligence way.
19 My freshman professor in statistics told me
20 something that I have never forgotten and I wish
21 people in government would hear it and people in
22 the media would remember it, and that is

1 correlation does not mean cause and effect, and
2 we continually confuse that.

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

12 So if you are an adult-serving
13 institution that's serving working adults that
14 are working and going to school to talk about a
15 2-year, 4-year, 6-year graduation rate is just,
16 makes no sense.

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

21 I will also tell you candidly that I
22 have seen institutions use that argument to mask

1 behaviors of ineffective institutional work. So
2 how do you tell? The numbers can be the same and
3 the numbers don't give you the truth.

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

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

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

19 There is even variation of that. We
20 use the data to flag institutions where we need
21 to find to have a closer look at what's going on.
22 So the idea of a red line, bright line,

1 graduation rate really doesn't make sense for an
2 association that has diverse institutions dealing
3 with diverse students.

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

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

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

18 So we want to look at well then what's
19 our graduation rate. Well graduation rate
20 assumes a normative pattern of progress which is
21 referenced around a fairly obsolete notion that
22 today American higher education is for people who

1 graduate from high school at 18, they go to
2 college full-time, and then graduate after four
3 years.

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

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

18 So metrics are good, but they are only
19 good if they are thoughtfully and appropriately
20 applied for the right purpose and what Middle
21 States is attempting to do is to create the
22 dashboard that gets the metrics so that we can

1 stay in touch with our institutions, have flags
2 go up when we need to have interventions, to
3 leave institutions alone that are robust, but if
4 we get a flag it's a flag that says we need to
5 have a deep examination, it doesn't say that we
6 kick you out, because at that point the metrics
7 becomes the outcome and that's a misuse of
8 metrics.

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

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

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

20 What we would like to do is to provide
21 a very brief overview of how MSCHE uses our data
22 as a way to respond to the pilot questions.

1 So what we believe is a measuring
2 institution performance is difficult and nuance,
3 as much as George was saying. The historically
4 available data on institutions can be useful but
5 provides only a glimpse into the overall
6 performance.

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

11 So this is an institution with an
12 average graduation rate of 50 percent. So in
13 that what we know when we look at the graduation
14 rate is that we know the story for 21 percent of
15 the total student population because we know that
16 21 percent of the students graduated on time.

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

21 We don't know about the 27 percent
22 admitted in spring and we don't about the 30

1 percent who were transfers in or part-timers who
2 are also part of that institution's population.

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

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

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

22 Our mid-point peer review is

1 specifically focused on a peer review of these
2 data to aid in the ongoing monitoring of the
3 institution's students achievement and financial
4 health.

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

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

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

19 Most of our institutions that fall
20 below the benchmark are open access serving non-
21 traditional students and serving students with
22 low socioeconomic status.

1 As one of our institutions put it
2 "Students with lower SES status are often
3 disadvantaged by social and economic forces often
4 resulting in more complicated and demanding
5 lives."

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

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

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

21 Union serves a population that is
22 characterized by high percentages of ESL

1 students, low income students, and students in
2 need of developmental course work.

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

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

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

19 While I am happy to answer your
20 questions about our institution's experience with
21 the new standards I want to focus on the fact
22 that Union County College is an institution that

1 is much more than can be understood by the data
2 using the college scorecard.

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

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

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

18 In 2011 our 150 percent IPEDS
19 graduation rate for first-time full-time students
20 was 8 percent. Thus, Union was one of the
21 institutions identified as needing further
22 follow-up during the C-RAC project.

1 With a renewed emphasis on the student
2 success that began back in 2011 Union County
3 College implemented best practices initiatives
4 that were identified through Complete College
5 American GPS Initiative, Guided Pathways to
6 Success.

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

17 As a result of this GPS model Union
18 County College graduation rates doubled from 10
19 percent in 2014 using the first cohort in GPS to
20 over 24 percent in 2017 which coincided with the
21 year of our Middle States self-study and site
22 visit.

1 We were able to make these
2 improvements through leveraging data and through
3 the Middle States self-study process which helped
4 us to focus on the data and then need for
5 continued improvement.

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

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

20 While we have chosen to focus on
21 efforts that are improving our IPEDS graduation
22 rate, I will repeat it again, the metric is this

1 measure of the success of only a segment of our
2 population.

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

8 Furthermore, this metric ignores the
9 possibility that some of our students enter the
10 community college not to earn an associate's
11 degree but to prepare for early transfer out to a
12 4-year university.

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

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

20 MR. RICHMAN: Thank you, Dr.
21 McMenamain. One of the other ways that we are
22 using data is by looking at information in

1 aggregate.

2 Again, if you will take a look at the
3 slide we have here this is the performance of the
4 MSCHE member institutions compared to all other
5 institutions in the scorecard dataset.

6 Overall MSE membership is above
7 national averages on every metric here. In
8 addition to the data collected on these key
9 metrics we also regularly examine data created by
10 the Commission actions and other functions at
11 MSCHE.

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

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

22 The observed peaks for warning and

1 probation on the graph largely reflect the
2 Commission's higher expectations regarding an
3 institution's use of data to improve their own
4 institutional effectiveness, our Standard 14, and
5 student learning, our Standard 7, and their
6 institutional effectiveness, our Standard 14.

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

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

19 The Commission has created three new
20 research positions which adds a robust analytics
21 unit to the operation of the Commission. This
22 research unit will continue to dive into the data

1 to improve monitoring and risk evaluation by
2 using new data field from IPEDS, like the part-
3 time graduation rate, as well as data from
4 additional partners like National Student
5 Clearinghouse.

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

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

19 MS. SIBOLSKI: Thank you, Allen.
20 Before we conclude our remarks I want to note
21 that what we have said so far here has really
22 focused a lot on both the use of and leveraging

1 of data within our accreditation process and a
2 little bit on some of the cautions that need to
3 be recognized as we do work with data.

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

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

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

19 We have, in fact, changed the timeline
20 for accreditation cycle. Henceforth, we will be
21 operating under a shorter 8-year cycle instead of
22 the previous decennial timeframe.

1 Accreditation processes have also been
2 revised. The annual data submission has been
3 redefined and enhanced and will form the basis
4 for a midpoint peer review at the fourth year.

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

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

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

21 In 2017 we formed the new unit, the
22 new research unit that Dr. Richman has noted

1 previously, and as he noted there are a total of
2 three positions in that unit focusing on
3 analytics and with a capacity to work toward
4 predictive analytics as we are more ready to do
5 that and work with the data a bit more.

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

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

17 That gives them and us a bit better
18 perspective from which to base some conclusions.
19 Increased emphasis has been placed on training
20 both our accredited institutions and our
21 volunteer reviewers and commissioners.

22 Training programs are available both

1 face-to-face and in online formats. It is our
2 goal to have everyone involved prepared and fully
3 ready to participate in the accreditation
4 process.

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

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

19 In short, this is not at all the same
20 accreditation that was in practice when I joined
21 the Commission in the year 2000 and it is not the
22 same accreditation that was in place when I

1 became the Commission's President in 2009.

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

7 CHAIRMAN KEISER: George? Bobbie?

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

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

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

21 MS. SIBOLSKI: Thank you, Allen. Well
22 let's start with the financial issues. There are

1 within the NACIQI database notations that there
2 are two of our institutions on HCM-2.

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

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

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

18 The second institution that was on
19 HCM-2 is a small college of nursing, I believe,
20 it's health sciences, actually, and this was an
21 institution that was placed on HCM-2 by the
22 Department because of some issues surrounding a

1 CIO issue and looking at the very most recent
2 data on HCM they have cleared that with the
3 Department and they are off the list at this
4 point. So that's where we are with the finances.

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

11 In 2012, or 2011, rather, there were
12 12 institutions that showed up on the database
13 with single-digit graduation rates in our region.
14 By now we have reduced that number to five, so a
15 58 percent reduction over the past few years,
16 which is wonderful to see, but you still don't
17 really like to see what's here with the five that
18 are still left on the list.

19 However, what can I tell you about
20 those, that a lot of what has already been said
21 about the demographics of the institutions being
22 served are true here.

1 Three of them, three of the five are
2 community colleges, so public open access serving
3 populations of students that are first generation
4 probably needing remedial education courses
5 before they can even engage in regular academic
6 course work at the collegiate level.

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

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

18 It is an institution that has been on
19 probation with us and is still on monitoring and
20 those monitoring requirements for the institution
21 have been with regard to both finances and the
22 assessment of student learning, so we are aware

1 of what's going on there.

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

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

19 But you have also spoken to sort of
20 the distinction between the light touch versus
21 heavy touch, you've talked a bit about some of
22 the heavy touch strategies related to

1 institutions that are presenting particular
2 challenges.

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

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

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

16 We also will be using annual reviews
17 of the enhanced data submissions that Dr. Richman
18 spoke of and when we get to a point where there
19 are triggers, and we would not expect those of
20 the strong institutions, we will inquire of
21 institutions about what has been triggered and
22 ask for some explanation.

1 At the midpoint, which is now going to
2 be four years instead of the five that it has
3 been, we will be doing trend analysis of the
4 annual submissions of data.

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

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

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

22 MEMBER DERLIN: Thank you. Those are

1 my questions.

2 CHAIRMAN KEISER: George? Frank?

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

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

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

21 Does it happen? Yes. Does it happen
22 in Middle States? Yes. And over the course of

1 the last few years we have seen some of that come
2 about.

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

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

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

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

22 CHAIRMAN KEISER: Rick?

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

16 And what I am getting at is I
17 personally believe that the federal government's
18 student loan program is very predatory and any
19 private lender that lent money without regard to
20 ability to repay use of funds would be, you know,
21 the CFPB or state attorney general would go
22 after, but colleges are the dealers of federal

1 student debt and when -- and with predictive
2 analytics we're hearing a lot about data, are you
3 all working with your institutions on, are they
4 using predicative analytics to understand that
5 they may be enrolling students who have a very
6 low likelihood of ever completing?

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

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

22 MS. SIBOLSKI: Let me start and then

1 perhaps Dr. McMenamin would want to add in terms
2 of her knowledge and example for her institution
3 in particular.

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

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

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

21 More specifically, do we ever uncover
22 cases of suspect behavior, yes, we do, and when

1 that happens we deal with what we find when we
2 find it and I would say it's more likely that
3 something is going to come to our attention when
4 we are not in the middle of a review with an
5 institution and that is why at this point in time
6 we have so many more requests for supplemental
7 information reports from our institutions.

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

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

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

22 MS. MCMENAMIN: Sure, thank you. This

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

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

20 MEMBER O'DONNELL: Thank you.

21 CHAIRMAN KEISER: Simon?

22 MEMBER BOEHME: Great. Thank you so

1 much for coming and it's evident that you guys
2 have been paying attention to at least questions
3 I have been asking about the regionals, about
4 single digit graduation rates.

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

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

22 So I do appreciate your guys'

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

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

15 So with this project that you guys are
16 working on and collecting more information about
17 people who transfer and other things, can you
18 share with us what you have learned and if there
19 are other institutions at risk that you have
20 maybe put on additional monitoring, I believe it
21 was New England that has created a separate type
22 of way of monitoring some of their 11 schools

1 that, you know, I think there were seven of the
2 11 that provided sufficient answers and three of
3 the 11 did not provide sufficient answers for
4 their graduation rates and they are under a
5 separate kind of monitoring, what have you
6 discovered when you don't just look at the IPEDS
7 data and you look at the data that the schools
8 submit and that maybe it's not so flattering in
9 how you examine them?

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

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

20 We did a survey. As we noted we did
21 look at timeline data for this group of
22 institutions. It is something that is going to

1 require a little bit more thought process from
2 us.

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

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

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

18 One of the things that has come out of
19 that, and it just dovetailed very nicely into a
20 time when we are making changes in the annual
21 data collection for our institutions is to ask
22 questions in the annual data collection that will

1 start this year that are very much about what's
2 in the dashboard.

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

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

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

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

22 And so when we look at them through

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

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

20 MEMBER BOEHME: Right. So, for
21 example, the University of Maryland University
22 College received hundreds of millions of dollars

1 in Title IV, they have an 8 percent graduation
2 rate, 40 percent repayment rate, so are they one
3 of the five and can you walk me through --

4 MR. RICHMAN: Now --

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

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

12 MEMBER BOEHME: Okay, right.

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

18 MEMBER BOEHME: Okay.

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

22 MEMBER BOEHME: So it sounds like you

1 guys, unlike previous regional accreditors, have
2 a definition of a graduation rate. What is that
3 definition?

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

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

9 MR. RICHMAN: Well --

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

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

14 MEMBER BOEHME: So what's your
15 definition?

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

18 MEMBER BOEHME: So I will just
19 reiterate to the Committee, I think it's really
20 hard for us to have this conversation if we can't
21 come up with some sort of common definition about
22 what a graduation rate is and when different

1 regionals come up here and say they are looking
2 at these different, you know, HLC is doing this,
3 they're doing this, I understand it's a part of a
4 broader system that needs reforming.

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

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

16 (No audible response.)

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

1 for those first-time, full-time.

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

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

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

20 It is important that professional
21 judgement be applied. I just think we are all
22 going to get frustrated if we ever are going to

1 look for the graduation rate.

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

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

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

16 I am presuming this, I don't know
17 about the University of Maryland or their data,
18 but I know for our data, and we have very similar
19 populations, and we would show similar graduation
20 rates, but if you go out over time that
21 graduation rate would continue to go up and then
22 if you looked at well what happened to those that

1 didn't graduate, we have good data about, we want
2 to know why a student doesn't graduate.

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

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

16 So the University of Maryland
17 University College, Thomas Edison State
18 University, there are a couple others of us like
19 that, we have got all kinds of data because we
20 have to ask the right question and we can answer
21 the question that we are a good steward of the
22 public resources, that our students are satisfied

1 with the experience they have, aspirationally
2 they go out and they do wonderful things in the
3 world and we can back that up with evidence, not
4 just the nice language that says we want to do
5 the things to improve humanity.

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

15 CHAIRMAN KEISER: John?

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

22 And I guarantee that it is impossible

1 to come up with one measure that makes sense at
2 all the various different kinds of institutions
3 that we deal with, that we have in the U.S.

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

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

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

20 And it's unfortunate you haven't heard
21 me harp on this before, but it's -- and I think
22 the biggest critique that I have of regional

1 accreditation, the fourth one that you're
2 missing, is that oftentimes they have been asleep
3 at the wheel.

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

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

16 And accreditors, certainly regional
17 accreditors have a role to play. And since 2013,
18 and if my time wraps up here sooner, I will be
19 proud that we are starting to push what I believe
20 students care about. And, John, I hear you and I
21 don't want to push for just one percentage or
22 something, I think it should be a combination of

1 those metrics.

2 But I think a common definition can
3 involve multiple different components of how we
4 look at -- I was a transfer student, so I
5 certainly didn't help the University of
6 Michigan's rate, right?

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

9 CHAIRMAN KEISER: Ralph?

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

14 (Laughter.)

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

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

22 Puerto Rico, you accredit a lot of

1 institutions there and I'm really curious to
2 know, how are you responding to the tremendous
3 issues there? Are you suspending your reviews?
4 Financial issues have always been, but are a huge
5 issue.

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

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

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

21 And you all have read the reports in
22 the news about the problems that are concentrated

1 right now on provision of power on the island.
2 We're aware of that. We're also aware that the
3 colleges are being pretty creative in what
4 they're doing, but that it's creating some
5 problems for them.

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

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

17 There's a lot we don't know about how
18 this is going to come out. A lot of colleges on
19 the mainland were kind enough to open their doors
20 to students from Puerto Rico. And I think the
21 students and the colleges there are thankful for
22 that.

1 What we don't know is to what extent
2 those students will return to Puerto Rico or not,
3 it's going to take a little while to sort that
4 out. We have already asked for one round of
5 supplemental information reports from all of
6 these institutions to try to figure out their
7 operational status.

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

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

20 So, there's some time for them to try
21 to come to grips with the situation and fix it.
22 I hope that they can, it would not surprise me if

1 there was some consolidation that will go on in
2 the middle of this.

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

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

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

18 But if I go to the directory, I can't
19 identify, is anyone on probation, is on show-
20 cause, and I will say, I find that to be a
21 problem as a consumer. Unless I'm mistaken, but
22 I tried -- it's not a search engine element.

1 So, I looked up Cheyney, which I know
2 had been a problem, and the only way I could
3 discover was underneath the statement of
4 accredit, it said it had a public disclosure
5 statement.

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

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

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

22 And we do have information so that --

1 it should have been reasonably easy for you,
2 knowing that you wanted to look for Cheyney, to
3 be able to discovery not only that they were on
4 show-cause, but the standards that were in
5 question as well.

6 CHAIRMAN KEISER: Rick, and then,
7 Federico.

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

14 And one way to boost graduation rates
15 is to make it easier to graduate. And the
16 institutions that are boosting their graduation
17 rates with better predictive analytics and better
18 pathways is great, but have you all done anything
19 dramatically different or new in recent years in
20 how you measure student achievement and how you
21 look at student achievement of your institutions?
22 That's my first question.

1 DR. SIBOLSKI: I'm going to start and
2 then, maybe somebody else will want to add. I've
3 always found it fascinating that we've got sort
4 of a dual-pathway that goes on here, with regard
5 to outcomes.

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

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

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

1 inform teaching and learning.

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

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

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

20 We look at capstone exams, like NPLEX
21 exams and other professional exams, to monitor,
22 are we allowing people to graduate who shouldn't

1 have graduated? That's one of the data points.

2 We look at employer survey
3 information, are the employers satisfied with the
4 graduates that they're getting?

5 We're looking also at -- I know the
6 four year institutions look at the results on
7 professional exams, like GRE exams and LSATs and
8 MCATs and things like that, is that being
9 affected by this push to improve graduation? Are
10 we negatively impacting integrity and rigor?

11 And we also look for anecdote. The
12 community colleges use, in addition to all of
13 those, anecdotal information from transfer
14 institutions and data from transfer institutions.
15 How are our community college graduates doing as
16 compared to native juniors?

17 And these are things that we're using
18 to ensure that we're not just giving away
19 diplomas and degrees.

20 MEMBER O'DONNELL: Great. Thank you
21 for that very much. I'm going to switch slightly
22 for my second question, which is, I believe you

1 mentioned you have roughly 60 institutions that
2 you're either monitoring or asking follow-up
3 questions for.

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

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

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

22 DR. SIBOLSKI: Again, let me start and

1 we'll see if somebody wants to add to what I'm
2 going to say. Recall that I said that we are
3 changing a whole bunch of things. So, we're in
4 the process of trying to update all of what we
5 look at.

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

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

18 And where previous generations of
19 accreditation were really about snapshots and
20 perhaps a little bit more than that, this is
21 really going to be, I think, in the future,
22 something where we've got both institutional

1 improvement on one side and some of the rest of
2 this, which is looking at the data and trying to
3 make sense of it on the other.

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

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

18 It's always difficult, when you're
19 holding an individual or an institution
20 accountable for something where they had no
21 control on the front-end decision. And that's a
22 major structural gap.

1 And until we fix that one, it's always
2 going to be difficult to make it a better fit
3 about the accountability for the institutions in
4 terms of a loan. And that's a broader question
5 and we need help on that one.

6 MEMBER O'DONNELL: Thank you.

7 CHAIRMAN KEISER: Federico?

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

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

21 Earlier, the issue was raised about,
22 we can explain a lot of what's going on through

1 socioeconomic indicators. And so, kind of that
2 resonated with me. Where I'm going with that is
3 that the kind of initiatives that you're taking
4 cost a lot of resources.

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

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

16 DR. MCMENAMIN: It was more of a
17 realigning of existing resources. As opposed to
18 funding an art gallery, where members of the
19 community came in and showed their art, and we
20 had chicken wings and pigs-in-a-blanket for them
21 to eat, we allocated that \$25,000 to our student
22 success initiatives.

1 So, it's a refocusing, an
2 institutional refocusing, frankly in part because
3 of your work and the Commission's standards
4 saying, the resources need to be allocated to
5 initiatives that have a direct impact on student
6 success, as opposed to making friends with
7 members of the community who like to do artwork.

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

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

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

18 CHAIRMAN KEISER: Would the primary
19 readers like to make a motion? Oh, no, we've got
20 -- the third-parties decided not to speak, is
21 that correct? Okay. I'm sorry. So, I would
22 entertain a motion from the primary readers.

1 MEMBER DERLIN: I would like to move
2 that we accept the staff recommendation to renew
3 this agency's recognition for five years.

4 CHAIRMAN KEISER: Is there a second?

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

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

10 (Show of hands.)

11 CHAIRMAN KEISER: All those opposed?

12 (Show of hands.)

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

16 We are going to stand adjourned for
17 lunch. It is 12:05. If we could be back at
18 1:15? We have two agencies to review, the New
19 York State and we have WASC. And then, we have
20 our conversation on the legislative agenda.

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

1 1:16 p.m.)

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

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

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

15 (Laughter.)

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

22 It accredits -- well, the staff

1 reports it has 14, the website lists 15, so
2 they've grown -- 15 institutions of their own,
3 that they independently accredit.

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

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

14 CHAIRMAN KEISER: Thank you, Ralph.

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

21 The staff recommendation for the
22 agency to the Senior Department Official is to

1 continue the agency's current recognition and
2 require the agency to come into compliance within
3 12 months and submit a compliance report 30 days
4 after the 12-month period that demonstrates the
5 agency's compliance.

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

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

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

22 Secondly, the other issue remaining is

1 a documentation issue in regards to the agency's
2 use of extension for good cause

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

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

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

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

22 MEMBER WOLFF: I just thought, I didn't

1 ask you this before, and I'll be asking them, but
2 did they -- I didn't see a response to your
3 recommendation. So, it is something that when
4 you made the areas that they were in
5 noncompliance, to your knowledge, have they
6 accepted the recommendation and are working to
7 address it?

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

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

21 MEMBER WOLFF: Thank you.

22 MS. LEFOR: Yes, you're welcome.

1 CHAIRMAN KEISER: Thank you. Will the
2 members of the agency come forward and, please,
3 introduce yourselves?

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

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

19 We're pleased to be here today to talk
20 to you about the role of New York State Board of
21 Regents and the Commissioner of Education in
22 Institutional Accreditation.

1 This is a role, as was pointed out,
2 that we proudly carried out for the last 65
3 years, since 1952. And I'd like to again
4 underscore the very length of time that the
5 Regents have guided higher education policy in
6 New York State, since 1787.

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

17 The reason I mention the institutions
18 in particular is that it gives me an opening to
19 mention that one of the recipients of the 2017
20 Nobel Prize for the discovery of molecular
21 mechanisms of circadian rhythm, which governs
22 biological clocks that regulate sleeping, eating,

1 metabolism, is a Rockefeller Institute biologist,
2 Dr. Michael Young. Dr. Young is the 25th
3 scientist associated with the Rockefeller
4 University to be honored with the Nobel Prize.

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

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

16 Unlike membership accrediting agency,
17 historically we've not charged fees for our
18 accrediting activities. The problem this creates
19 for us in terms of resources and capacity has
20 been ongoing and we're pleased that we've
21 obtained the necessary authorization from the
22 state legislature and our governor to begin

1 charging fees to support the accreditation work
2 and to hire additional staff to focus
3 specifically on the important work.

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

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

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

22 MEMBER WOLFF: I think it's up to me to

1 ask questions. And thank you very much for,
2 first of all, making it here, and for your
3 presentation.

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

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

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

20 MEMBER WOLFF: When you -- just for
21 those that might be, do you do joint visits or is
22 your visit process independent?

1 MS. TEMPLEMAN: No, it's entirely
2 separate. And, again, the authority of the Board
3 of Regents and the Commissioner for Accreditation
4 is only for those institutions that have selected
5 us as their primary accreditor.

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

10 MEMBER WOLFF: I see.

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

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

16 MS. TEMPLEMAN: Yes.

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

19 MS. TEMPLEMAN: Oh, absolutely, right.

20 MEMBER WOLFF: You were approved for
21 distance education and when I looked at your very
22 highly selective graduate programs, I didn't

1 think they would be doing distance ed. But which
2 of your programs actually do distance education?

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

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

10 MS. TEMPLEMAN: We do, and the
11 experience.

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

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

1 understand your context.

2 MS. TEMPLEMAN: Well, I -- sorry.

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

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

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

15 MR. D'AGATI: That's changing.

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

22 Now, I know at the graduate level,

1 these programs, completion is a very
2 individualized, high-end research, but as you
3 look at the colleges that you accredit, do you --
4 I didn't see anything that demonstrated attention
5 to -- for the baccalaureate and associate
6 colleges that you accredit that pays attention to
7 the data on completion and how you address that
8 data.

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

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

18 But for our undergraduate program
19 institutions, we do collect annual data and we
20 look at it and we address -- that's another sort
21 of opportunity for us in our dual role to address
22 with them any indications where there might be

1 problems coming down the pike with a drop in
2 completion rates.

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

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

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

20 MS. TEMPLEMAN: No. I mean, for
21 consideration of graduation rates, we pretty much
22 stick to the first-time full-time completion

1 rates for associates and baccalaureate degrees.

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

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

17 MS. TEMPLEMAN: Right.

18 MEMBER WOLFF: -- and the like. So,
19 that would be an important consideration, given
20 how incomplete IPEDS data is. I will have -- I
21 just will raise an issue and then, I'll turn it
22 over to Frank, our other reader.

1 I'll consider this a bit of a nitpick,
2 but I think an important one. I went through
3 searching on some of the websites of your
4 institutions and could barely find that they were
5 accredited by you all.

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

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

16 And I know you do have a policy, both
17 on student complaints and a policy on complaints
18 to you as an agency, but as one who ran a
19 regional accreditor, we required that the
20 institutions identify who they were accredited by
21 and how to contact us if they needed to, for more
22 information or a complaint.

1 And I would just say, I had a very
2 hard time deciphering what I would do if I were a
3 student or somebody wanted to file a comment.
4 So, I would pass that on.

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

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

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

20 MS. TEMPLEMAN: Right.

21 MEMBER WOLFF: Whatever -- we have a
22 biblical year and it begins after the letter and

1 then, it's 30 days after the year, that kind of
2 thing. But it will be about 18 months.

3 (Laughter.)

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

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

8 (Laughter.)

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

11 MS. TEMPLEMAN: Yes.

12 MEMBER WOLFF: Thank you.

13 CHAIRMAN KEISER: Okay, Frank?

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

19 Different from each other, and one of
20 the great things about American higher education
21 is the tremendous institutional diversity, and
22 you show that. So, I don't know that your

1 institutions are any more or less at-risk than
2 those of anyone else.

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

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

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

19 So, I think with some of the smaller
20 independent or for-profit institutions that we've
21 accredited over the years, and, frankly, some of
22 those other ones that have closed of recent,

1 they're facing the same fiscal issues that all
2 higher education institutions are facing, they're
3 just having more difficulty addressing them in a
4 way that will allow them to stay open and stay
5 competitive.

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

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

21 The school utilized their right to
22 appeal that recommendation. The process in our

1 standards is that they appeal to the
2 Commissioner. The Commissioner upheld the
3 recommendation of the Regents Advisory Council.

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

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

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

20 MEMBER WU: There's a different type of
21 case I'm wondering about. And maybe your schools
22 -- you have such a small sample, and as you note,

1 some of the small ones you have are actually
2 quite wealthy, so it's not a concern for them.

3 I'm wondering more about institutions
4 that run out of money, not institutions that you
5 put out of business, but that are actually
6 unbeknownst, perhaps, to you or to their
7 students, really teetering fiscally.

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

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

15 And we have worked closely with Middle
16 State and worked with them on teach-out plans,
17 opportunities for credit transfer, bringing
18 transcripts, transferring transcripts to either
19 the state agency, us, or as caretaker, if you
20 will, another state agency, to ensure that
21 students have access to transcripts after the
22 institution closes.

1 We've made available lists of similar
2 programs where students might transfer to. And
3 we've talked to those institutions about being
4 aware of the fact that they might have an influx
5 of students for those particular programs.

6 We've even gone so far as, the Regents
7 have the authority in New York to grant a degree,
8 and in those instances, we will do a transcript
9 evaluation if the students are close enough to
10 graduating.

11 So, it's kind of a dual role. We
12 worked very closely with Middle States on a
13 couple of these.

14 MEMBER WU: So, one last follow-up. I
15 now realize why, as you heard, the two co-readers
16 were wondering, and this is a friendly question,
17 what accounts for your existence given the tiny
18 number of institutions that you have. But I now
19 understand, this work is one little, little piece
20 of a --

21 MS. TEMPLEMAN: That's exactly right.

22 MEMBER WU: -- huge apparatus that

1 you're a part of. So, this is really -- this is
2 not -- you all wear more than one hat. This is
3 not what you spend your days on. So, it makes
4 perfect sense to me now. So, you are aware of
5 these issues in your other capacity?

6 MS. TEMPLEMAN: That's right.

7 MEMBER WU: Thank you, that's very
8 helpful.

9 MS. ELIA: And we've become very
10 involved with some of those unfortunate
11 situations where students were really having
12 difficulty, we stepped in to work with other
13 colleges and universities in proximity to them to
14 really help us all and to help those students.

15 We also, at New York State Education
16 Department, we give licensure to over 985,000
17 professionals in New York State. And that's
18 another part of the Department.

19 CHAIRMAN KEISER: Brian?

20 MEMBER JONES: Thank you for an
21 informative presentation. I want to talk a
22 moment about outcomes, if I could. It really is,

1 I think, a question that is not specific to you,
2 but one that I would have of any agency here.

3 And so, I note that you require
4 institutions to report annually things like grad
5 rates and placement rates, where an institution
6 has a mission for job preparation, licensure exam
7 pass rates, et cetera.

8 And I'm curious how you think about
9 outcomes and measuring outcomes that get at not
10 just things like job placement, but employability
11 of graduates.

12 As we have heard here today and we've
13 seen, more and more students going to college
14 with the idea of finding a place that prepares
15 them for the marketplace. We've heard legions of
16 stories about the disconnect between what
17 employers expect and what institutions produce.

18 And I know that the agency that will
19 follow you does require institutions to report on
20 certain employability skills, like communication
21 and things of that nature.

22 And so, I'm curious how you, going

1 forward, are thinking about grappling with
2 institutions and ensuring that the outcomes that
3 you're measuring are in fact consistent with what
4 the employment marketplace is demanding.

5 MS. TEMPLEMAN: I think that's been an
6 issue, again, that we've been sort of mulling
7 internally, as we plan our next formal standards
8 review.

9 I'm advocating for our highly
10 specialized scientific institutions that perhaps
11 a measure could be how many Nobel Prizes your
12 scientists win, but I'm not sure that would be a
13 fair standard to apply to everybody.

14 But some of the other institutions, I
15 mean, again, you're right, where the mission is
16 job preparation, we look at job placement rates.
17 Where the mission is -- where they're nursing
18 schools that we've institutionally accredited, we
19 look at pass rates on the licensure exams.

20 That's an issue in the Department, not
21 just wearing our accreditor hat, but also our
22 regulator hat, which is, are you doing a good

1 enough job preparing your students to pass the
2 exams they need to pass to get jobs in the fields
3 that they've spent money being trained to do?

4 So, I think for the other, for those
5 institutions that don't necessarily have a stated
6 mission around job placement, we need to do a
7 better job of looking at, what's a way to measure
8 success, not just graduation, but where do you go
9 from there?

10 And maybe, what your ultimate income
11 is two years down the road, or at whatever point
12 we measure it? But we've talked -- and
13 especially around the nontraditional student,
14 again, at what point -- where is success and how
15 do you know what it looks like at the time?

16 MEMBER JONES: Could you -- I'm sorry.

17 MR. D'AGATI: Just to add to that, for
18 a more specific example. So, the American Museum
19 of Natural History in New York has a master of
20 arts in teaching, so people graduate with a
21 certificate in teaching earth science.

22 And we work with them, and we accredit

1 them, and we work with them to monitor their
2 students as they progress out of their program
3 and into school districts in New York State. And
4 we've talked about, I know the Commissioner is
5 interested in surveying these individuals as they
6 progress through their career.

7 MEMBER JONES: And that example you
8 cite actually is interesting and I think gets to
9 my follow-up.

10 And that is, do you see ways that the
11 end consumer, and that is often employers, do you
12 see a place for them to be engaged in the
13 institutional evaluation oversight accreditation
14 function? It sounds like, in that example,
15 certainly --

16 MS. TEMPLEMAN: That's right.

17 MEMBER JONES: -- that is the case.
18 But do you foresee other ways to bring that end
19 consumer into the process?

20 MS. TEMPLEMAN: As part of our review
21 during an accreditation renewal process, or even
22 an initial process, when we're looking at how the

1 institution does their evaluation of student
2 achievement, one of the things we look at is
3 whether they've done surveys, both of their
4 graduates, to see how satisfied the graduates are
5 and where they ended up, but also surveys of
6 employers that have hired their graduates.

7 Again, with very small institutions,
8 you're not going to get hundreds and hundreds of
9 responses, but we do ask our institutions to do
10 that kind of survey and get feedback about the
11 institution, about the instruction, and then,
12 about the employability of the graduates.

13 MEMBER JONES: Very helpful, thank you.

14 CHAIRMAN KEISER: I have a little
15 question. I'm not sure I understand your
16 structure. You're a Commissioner, is that a
17 voluntary position?

18 MS. ELIA: I'm selected by the 17 Board
19 of Regents who are appointed and voted on by the
20 Assembly and the Senate in New York State. They
21 represent --

22 CHAIRMAN KEISER: But this is a part-

1 time job for you, you're president of a
2 university?

3 MS. ELIA: Yes. I'm President of the
4 University of New York. It's a full-time job as
5 Commissioner of Education, since we have PreK-12,
6 we have higher ed and the work that we do there.
7 We also have the professions.

8 We also have a Department of Cultural
9 Education. So, we have oversight of all the
10 libraries, all of the museums, and all of the
11 institutions that are public agencies across the
12 state.

13 CHAIRMAN KEISER: But is your
14 institution one of the institutions accredited?

15 MS. ELIA: The University of the State
16 of New York, yes.

17 MS. TEMPLEMAN: USNY is all of those
18 pieces.

19 MS. ELIA: It's all of those pieces
20 together.

21 MS. TEMPLEMAN: It's not an
22 institution.

1 MEMBER WU: It's the name given to all
2 of it.

3 MS. ELIA: Yes.

4 MS. TEMPLEMAN: That's right.

5 MS. ELIA: It's the name given all of
6 state ed and the work that we do across all of
7 those areas.

8 CHAIRMAN KEISER: Okay. You understand
9 that better than I do?

10 (Laughter.)

11 CHAIRMAN KEISER: So, you're not
12 president of an institution, you're president of
13 a system?

14 MS. ELIA: Yes.

15 MS. TEMPLEMAN: That's correct.

16 CHAIRMAN KEISER: But are parts of your
17 system accredited by you?

18 MS. ELIA: No.

19 CHAIRMAN KEISER: No. That would make
20 me a whole lot more comfortable. Thank you. Any
21 other questions? Sensing none, thank you very
22 much. We'll call the staff back. Valerie?

1 MS. ELIA: Thank you very much, we
2 appreciate your time.

3 MS. LEFOR: I have no additional
4 comments at this time.

5 CHAIRMAN KEISER: And you understand
6 the corporate structure there, you're comfortable
7 that --

8 (Laughter.)

9 MS. LEFOR: Yes. So, as part of the
10 review, we looked at the org chart. It makes a
11 little more sense when you see it.

12 CHAIRMAN KEISER: Oh, okay. Thank you.

13 MS. LEFOR: I can share it with you.

14 CHAIRMAN KEISER: I didn't have the org
15 chart in here. Great. There's a motion by one
16 of the readers, I'll entertain it.

17 MEMBER WOLFF: Yes, to adopt staff
18 recommendation, the agency is to continue current
19 recognition, require the agency to come into
20 compliance within 12 months, submit a compliance
21 report 30 days after the 12-month period,
22 demonstrating the agency's compliance.

1 CHAIRMAN KEISER: There's a second?

2 MEMBER WU: Second.

3 CHAIRMAN KEISER: Seconded by Frank Wu.

4 Any further discussion? Will all those in favor
5 of the motion, signify by raising your hand?

6 (Show of hands.)

7 CHAIRMAN KEISER: All those opposed?
8 Motion carries. Congratulations. Move to our
9 next agency, and our last agency, that doesn't
10 mean -- not probably the best agency, because our
11 former Chair is now head of it.

12 (Laughter.)

13 CHAIRMAN KEISER: Please welcome --
14 Val, are you the staff person? Okay. Welcome.
15 Who is the -- the readers are, oh, I'm sorry --
16 oh, we have recusals, I'm sorry.

17 MEMBER WU: This is WASC?

18 CHAIRMAN KEISER: I'm getting excited,
19 because it's the last one. Bobbie, you do not
20 have to recuse yourself.

21 MEMBER WU: This is WASC?

22 CHAIRMAN KEISER: WASC.

1 MEMBER WU: Okay.

2 CHAIRMAN KEISER: Frank, you do.

3 MEMBER WU: I'm noting my recusal.

4 CHAIRMAN KEISER: Okay. So, Brian and
5 Steve are the two primary readers. And when
6 Frank leaves, we will get started. The three
7 recusals are Ralph, John, and Frank. Okay.
8 Brian, Steve, you are up. Steve, you are up,
9 Brian's pointing at you.

10 MEMBER VAN AUSDLE: So, the Washington
11 Association of Schools and Colleges.

12 CHAIRMAN KEISER: Turn your mic on.

13 MEMBER VAN AUSDLE: We'll start over.

14 (Laughter.)

15 MEMBER VAN AUSDLE: We're talking about
16 the Washington Association of Schools and
17 Colleges -- or, excuse me, Washington, when this
18 thing crashed, I crashed too.

19 (Laughter.)

20 MEMBER VAN AUSDLE: So, the Western
21 Association of Schools and Colleges, and then,
22 comma, the Senior College and University

1 Commission is recognized as a regional
2 accrediting body for the accreditation and pre-
3 accreditation of senior colleges and universities
4 in California, Hawaii, the United States
5 Territories of Guam and American Samoa, the
6 Republic of Palau -- I think I got that right --
7 the Federated States of Micronesia, the
8 Commonwealth of the Northern Mariana Islands, and
9 the Republic of the Marshall Islands. Big
10 geography.

11 This accrediting agency currently
12 accredits approximately 160 institutions. And
13 it's interesting, as you look at these
14 institutions, kind of a profile, 65 percent of
15 them are nonprofit, about 21 percent of them are
16 public, and a little over ten percent of them are
17 private. So, a very diverse group of
18 institutions.

19 Another characteristic I would point
20 out is their accreditation status. They have
21 five institutions accredited with notice of
22 concerns, two with warnings, one with show-cause,

1 and one with probation, which I'm sure will be
2 addressed.

3 The NACIQI considered the agency's
4 last full petition for renewal of recognition at
5 its Fall 2012 meeting. At that time, the
6 Secretary continued the agency's grant of
7 recognition and requested a report on a number of
8 outstanding compliance issues.

9 That report was reviewed and accepted
10 at the Fall 2014 NACIQI meeting and the agency's
11 grant of recognition was renewed. Now, the
12 agency's current submission represents its next
13 regularly scheduled review for continued
14 recognition. Valerie?

15 CHAIRMAN KEISER: Thank you, Steve.
16 Valerie, you're up.

17 MS. LEFOR: Great. Good afternoon, Mr.
18 Chair and Members of the Committee. For the
19 record, my name is Valerie Lefor and I will be
20 presenting a summary of the petition for
21 continued recognition submitted by the WASC
22 Senior College and University Commission, or

1 WSCUC.

2 The staff recommendation for the
3 agency to the Senior Department Official is to
4 renew the agency's recognition for a period of
5 five years.

6 Based on our review of the information
7 in the agency's petition, supporting
8 documentation, and an observation of a site
9 visit, Department staff found that WSCUC is in
10 compliance with the Secretary's criteria for
11 recognition with no issues or concerns.

12 The Department received one written
13 third-party comment and it has received two
14 complaints during this review cycle regarding the
15 agency. Of the two complaint, one complainant
16 did not avail themselves to WSCUC's complaint
17 process; therefore, it was not reviewed by the
18 Department.

19 The other complaint was reviewed by
20 the Department and the Department found no
21 evidence that WASC did not follow its policies
22 and procedures or failed to meet regulatory

1 requirements.

2 Therefore, the staff recommendation,
3 again, is to the Senior Department Official to
4 renew the agency's recognition for a period of
5 five years.

6 Representatives are here from the
7 agency and I'm happy to answer any questions that
8 you may have. This concludes my report. Thank
9 you.

10 CHAIRMAN KEISER: Thank you, Valerie.
11 Any questions to Val? All right. Hearing none,
12 I'd like to invite the members of the WASC
13 Commission to come forward.

14 And, again, I do -- would not go
15 without saying, we recognize our former Chair and
16 former member, Jamienne Studley, thank you for
17 being with us in your new position. And if you
18 good folks would introduce yourself?

19 MS. STUDLEY: Thank you, Mr. Chair.
20 I'm Jamienne Studley and I'm honored to be
21 President of WASC.

22 My distinguished colleagues here on

1 behalf of WASC as well and the topics that each
2 will address are: Professor Reed Dasenbrock,
3 Commission Chair from the University of Hawaii at
4 Manoa, who will speak about student learning
5 outcomes. We put that subject first, because we
6 put it first in all of our considerations.

7 Second, you will hear from Dr. Mary
8 Ellen Petrisko, the outstanding former President
9 of the organization who served in that position
10 until January 15. I assumed office on January
11 16. She will speak about data innovation,
12 improvement, and risk management.

13 Dr. Christopher Oberg, the COO and
14 Vice President, will speak about for-profit
15 financial framework that we have.

16 And Professor William Ladusaw, former
17 Commission Chair, professor emeritus at UC Santa
18 Cruz, will speak about whatever he wants.

19 (Laughter.)

20 MS. STUDLEY: About a couple of topics
21 that we'll bring you at that point. We want to
22 begin by thanking Herman Bounds and his staff and

1 Jennifer Hong for their cooperation during this
2 process.

3 We appreciate the background that has
4 been provided on contemporary accreditation by
5 the three regionals that you have heard from and
6 by the discussion that you have had about the
7 changes in this universe.

8 To paraphrase Beth Sibolski, this is a
9 very different world of regional accreditation
10 from the one that I met when I joined NACIQI in
11 2010. I believe that all my colleagues here can
12 say the same thing. The collective sense of
13 urgency in service of students and stronger
14 outcomes is palpable.

15 Let me talk about WASC. As with each
16 agency that comes before you, our universe has
17 some distinctive features. Our region is the
18 only one with a senior and junior Commission.

19 Our region, as Steve noted, has a
20 large population of students in public
21 institutions, with our highest enrollment totals
22 in three systems: the University of Hawaii,

1 California State University, and the University
2 of California.

3 We also have the largest number of our
4 institutions in the private nonprofit category.
5 And we accredit 21 for-profit institutions, three
6 of them publicly traded, one of the higher
7 proportions among the regional accreditors. We
8 have many Hispanic-serving institutions, but no
9 Tribal or Historically Black institutions.

10 As I said last week at a CHEA meeting,
11 we are agnostic as to institutional type and
12 control, while being fiercely devoted to
13 standards and student protection. We are
14 explicitly outcome-aware.

15 WASC collects data from schools at the
16 regular and mid-cycle reviews, including on
17 graduation, using rates from IPEDS, the National
18 Student Clearinghouse, and our own graduation
19 dashboard, about which you'll hear more. And
20 also about debt level and cohort default rates,
21 about enrollment change and Pell enrollment.

22 We train our reviewers, and we

1 recently revamped that training, to use that data
2 to help schools benchmark and to identify areas
3 for improvement and areas of concern. We
4 collaborate with C-RAC, IHEP, and many others to
5 be as smart as we can be.

6 Looking at our relative performance in
7 the NACIQI dashboard, in that context of our
8 bachelors and graduate degree granting
9 institutions, our cohort has a higher than
10 average Pell, at 43 percent versus 38 percent.

11 Our student population includes 58
12 percent students of color, compared to 39 percent
13 for regionals overall. We note that 50 percent
14 of our schools have repayment rates above 80
15 percent, in contrast to the overall regional rate
16 of 33 percent that have repayment rates at 80
17 percent or above.

18 Earnings for students in our region
19 are much higher than for other regions, which is
20 understandable given both the degree mix and the
21 relatively high incomes in our region.

22 WASC had three institutions that were

1 triggered for attention by virtue of the IPEDS
2 graduation rates below the 15 and 25 percent
3 trigger levels. In each case, when we applied
4 additional graduation metrics, including measures
5 that include the full student population,
6 different time horizons for graduation rate, and
7 our own grad rate calculation, each school had a
8 satisfactory performance outcome in one or more
9 of those categories and also had plans for
10 further improvement.

11 We're proud to the extent that these
12 relative outcomes reflect good institutional
13 success and positive results for students.

14 We also quickly acknowledge that here,
15 in making comparisons, just as across all of
16 higher education, the metrics only make sense
17 when coupled with institutional mission, student
18 characteristics, economic conditions, and so
19 forth. That said, we are strongly committed to
20 further and continuous employment in the service
21 of students.

22 We offer a tremendous range of

1 educational programming and staff support to help
2 our member institutions understand both
3 Commission requirements and the ways that they
4 can strengthen their students' success in
5 achieving learning outcomes and other performance
6 measures.

7 We have an annual academic resource
8 conference that is attended by more than 1,000
9 people. And this year's programming will include
10 workshops on assessment, program review, building
11 a culture of quality. And we hold presidents and
12 trustee retreats to deal with the issues of
13 particular interest to leadership.

14 WASC vice presidents have an average
15 of fewer than 40 institutions with which they
16 work, which enables them to devote significant
17 time to institutional support.

18 With that, I'll hand off to our Board
19 Chair, Reed Dasenbrock.

20 DR. DASENBROCK: Aloha and good
21 afternoon. Jamiene said that WASC has always
22 been outcomes-aware, I think that's an

1 understatement. Perhaps at times we've been
2 outcomes-obsessed, but I think we have been --
3 this has been a major focus, beginning from the
4 time when your colleague Ralph Wolff was
5 President of WASC for a very long time.

6 The focus, then, I would call Outcomes
7 Assessment 1.0. We were very focused on the
8 essentially major-by-major assessment, and to a
9 certain extent, what's happening in general
10 education. We continued to do that work.

11 We have an Assessment Leadership
12 Academy, which brings in people from all over the
13 region, and also from other parts of the country,
14 and actually internationally, to train -- to get
15 champions on campus in assessment practices.
16 We're in our ninth cohort on that.

17 We publish -- sorry, we require that
18 institutions publish their student achievement
19 data on their website, and we link to that on our
20 own website. So, this is a gesture in terms of
21 transparency, in terms of public accountability.
22 And so, this data are public and they are known.

1 So, that has been, I think, a force
2 for the last 15-20 years pushing institutional
3 and continuous improvement. We, in the last few
4 years, have moved towards what I would call
5 Outcomes Assessment Version 2.0, which is to say,
6 we're really continuing to push continuous
7 improvement.

8 Beginning with our 2013 handbook, each
9 institution has to report to us during their
10 reaffirmation their students achievements on five
11 core competencies: written communication, oral
12 communication, quantitative reasoning,
13 information literacy, and critical thinking.

14 These need to be assessed towards the
15 end of their graduation. So, it's not a matter
16 of assessing what happens at the introductory
17 courses, it's a matter of assessing what happens
18 during the entire educational experience.

19 And this links with another theme of
20 the 2013 handbook, which is, we're asking
21 institutions to assess and to document and to
22 discuss the meaning, quality, and integrity of

1 their degrees.

2 And that's shorthand, I think --
3 people ask us what does that mean? That's
4 shorthand for really asking about the whole
5 experience, how it coheres.

6 So, it's not just the approximately 40
7 credits in most majors, 40 credits in general
8 education, there's another 40 credits which often
9 have been left out in assessment. So, how does
10 it all combine together?

11 How does it combine together with co-
12 curricular as well, so that there is a coherent
13 experience and we are able to establish that the
14 difference has been made at every level? We're
15 some years into that.

16 That process will continue and it's a
17 sign that we continue, I think, to drive change,
18 continuous improvement at our institutions. So,
19 that is really our major focus, I think, as an
20 accreditor.

21 I did want to touch on one other
22 issue, which is the issues of conflict of

1 interest, in terms of the Commission and all of
2 our members. We, I think, are highly rigorous in
3 terms of avoiding, not just the appearance of
4 conflict of interest -- not just conflict of
5 interest, but also the appearance.

6 We ask that all reviewers, all staff,
7 all Commission members, sign conflict of interest
8 forms. We have combined all of those into a
9 single form. And we actually now are taking one
10 more look, and at our Commission meeting next
11 week, we actually have a revision of our policy
12 under consideration. So, we did want to touch on
13 that issue as well.

14 So, the President in-between Jamiene,
15 who has been President for 20 days, and Ralph
16 Wolff, who you all know very well, is our next
17 speaker, Mary Ellen Petrisko.

18 DR. PETRISKO: Thank you. And it's a
19 pleasure to be here with you. As Jamiene
20 indicated when we got started just now, I'm going
21 to be talking to you about mitigating risk and
22 about improvement, and that's mitigating risk to

1 students by making sure that institutions are
2 continually improvement and are maintaining
3 compliance with our standards.

4 So, we have a number of processes to
5 do this. And the first one I'd like to talk to
6 you about is our eligibility process.
7 Institutions who want to become accredited ask
8 about us and learn about us.

9 And then, through workshops on their
10 campuses, decide whether they will actually put
11 an application in, whether they have a good
12 chance of reaching eligibility with us.

13 And to show you that there is
14 mitigating risk even at this very early stage
15 before there's any status with the Commission, in
16 the period between 2015 and 2017, there were 89
17 inquiries about possible accreditation with WASC.

18 After having gotten a lot more
19 information through those workshops, it was only
20 46 that actually applied. And of the 46 that
21 applied for eligibility, 35 were granted
22 eligibility. So, that's 40 percent of those who

1 aspired to WASC accreditation who actually made
2 it to the stage of being eligible.

3 Of course, it doesn't end there. The
4 rigor with which we look at mitigating risk,
5 institutions don't always get from eligibility to
6 candidacy, from candidacy to initial
7 accreditation. There are those that drop off
8 between eligibility and candidacy.

9 And even at the stage of candidacy,
10 when it is discovered that they, although they
11 have promise at a certain point to reach initial
12 accreditation, that they cannot, do not have the
13 wherewithal and capacity to continue in that
14 improvement and strengthening, or perhaps go
15 backwards.

16 We had a candidate recently that was
17 put on warning and then, eventually had to close,
18 because a financial situation got more serious.
19 So, there's a mitigation of risk at that point.

20 Our Commission also, if I may still
21 say our Commission, their Commission, our
22 Commission grants a six, eight, or ten-year

1 period of accreditation. That's been going on
2 for three to four years now.

3 And newly accredited institutions
4 automatically are given a six-year period of
5 accreditation. Institutions that are coming off
6 of a sanction also automatically get a six-year
7 period of reaffirmation.

8 And any reaffirmation can be for that
9 six, eight, or ten-year period, which are defined
10 in our handbooks. So, that's what might seem to
11 many to be the periods that we really take a good
12 look.

13 But there's also mid-cycle review.
14 And if an institution is on a six-year cycle,
15 that would be at three years. So, it's a three
16 or a four or a five-year mid-cycle review. And
17 that review is primarily focused on student
18 achievement.

19 And a number of metrics and trends are
20 evaluated at that point, to see whether the
21 institution might seem to appear to be in danger
22 of falling out of compliance between those big

1 six, eight, or ten-year periods.

2 So, the metrics that we look at are
3 ones that you might anticipate as being the
4 likely candidates. So, completion rates, four-
5 year, six-year, IPEDS, and our own Graduation
6 Rate Dashboard, which I'll talk about later;
7 enrollments; enrollment changes; composite
8 scores; student debt; faculty/student ratio;
9 cohort default rates.

10 We look at all of that as one piece of
11 student achievement, but we also ask institutions
12 to update a form, which we ask them to keep
13 current, our Inventory of Educational
14 Effectiveness Indicators, which is a sort of
15 summary of what they're doing on student learning
16 outcomes assessment and program review.

17 So, they update that so that we can
18 see what has happened, what has changed, where
19 they are in their ongoing look at student
20 learning.

21 So, after that is reviewed, a report
22 is sent to the institution commenting on how

1 they've done with regard to those metrics against
2 a set of benchmarks or best practices.

3 If it is determined at that point that
4 it would be good for further review, another
5 report, a visit, something like that, the entire
6 review report is referred to the Interim Report
7 Committee, which I'll talk a little bit more
8 about in just a minute.

9 So, a lot has been said during this
10 meeting over the last couple of days about how
11 often commissions work with their institutions
12 and how much of an interaction there is to ensure
13 that institutions are meeting standards,
14 continually improving.

15 An amazing, I think, 93 percent of our
16 institutions get some sort of follow-up between
17 their accreditation actions. And those follow-
18 ups can be of a number of different varieties.
19 There could be a progress report, an interim
20 report that's a little bit lighter, a little bit
21 more intense report, all the way up to a special
22 visit, in-between those other actions.

1 And so, it's only seven percent of our
2 institutions who do not get some sort of follow-
3 up like that. And I think it's also interesting
4 that, of the 93 percent who get those follow-ups,
5 38 percent get the interim report, the more
6 heavy-duty report, and 35 percent will get
7 another visit, get a special visit.

8 So, we are indeed very careful about
9 ensuring the institutions are continuing to do
10 what we expect them to do in compliance and to
11 continue to improve and follow the
12 recommendations that are given by the Commission
13 during the various Commission actions.

14 So, our first reader, Mr. Van Ausdle,
15 mentioned the specifics of the notice of concern
16 and sanctions that we have currently.

17 The notice of concern, there are five
18 institutions of our membership that are currently
19 on a notice of concern, that is not a sanction,
20 but that is a special flag to institutions that
21 the Commission does have a concern, that there
22 may be a danger of falling out of compliance

1 unless certain issues are attended to very
2 carefully.

3 So, those issues are flagged by that
4 notice of concern and there's only a limited
5 period of time under which an institution can
6 continue under a notice of concern without having
7 ameliorated whatever that situation is.

8 Warning, probations, show-cause, those
9 sanctions all require that institutions meet --
10 the president, the board, and the faculty
11 leadership meet with WASC staff in our offices,
12 very occasionally on the campus of the
13 institution itself, so that there is a direct,
14 clear interaction between the leadership of the
15 agency and the leadership of the institution
16 about what this sanction means, what options
17 there are, that they certainly understand what
18 the expectations are.

19 So, that is a standard part of what
20 happens when there is a sanction with one of our
21 institutions.

22 So, I'm going to relinquish the mic in

1 just a second to my colleague, Christopher Oberg,
2 who's going to tell you about some exciting
3 things that we've been working on recently.

4 But before I do that, I do want to
5 talk about innovation and about a topic that's
6 come up quite a bit here, and that is graduation
7 rates and how we understand them.

8 And I think it's important to note
9 that, as we talk about institutional improvement,
10 it's very important to know and have an accurate
11 basis of what the reality is, before you start
12 talking about getting better.

13 Where are our institutions actually
14 with regard to the metrics and the student
15 learning that we expect from them? So, we do use
16 IPEDS, we do use the National Student
17 Clearinghouse, and those are clearly defined by
18 those bodies, what those mean.

19 But what we've also done, and John
20 Etchemendy, who is one of our Commissioners,
21 referred to this in the last discussion, we have
22 a -- and he developed a metric called the

1 Graduation Rate Dashboard.

2 And the Graduation Rate Dashboard is
3 a tool that allows us to, for any member
4 institution, to determine without -- and I want
5 to underscore this -- without regard to
6 enrollment status or time to degree, how many
7 students who come into an institution eventually
8 earn a degree from that institution.

9 So, if a student comes in as a
10 transfer, as a part-time, drops in, drops out,
11 first-time, full-time, all of those students will
12 show up eventually, no matter how long it takes
13 them to get through, as a graduate of the
14 institution.

15 And we've seen some really dramatic
16 differences between IPEDS rates for a number of
17 institutions, say at the CSU, where there are
18 large numbers of transfer students, the IPEDS
19 rate and the Graduation Rate Dashboard rate.

20 So, basically, the way this works,
21 I'll say it very simply, it's a tool that will
22 enable an institution to, on the basis of six

1 data points, show how many credits it gives out
2 and how many are cashed in for a degree.

3 So, we've been working with this for
4 a few years now and we have seen that there are
5 some really significant differences in those
6 rates. I can answer some questions about that
7 later, if you have some specific questions that
8 you would like to ask.

9 So, again, it's very valuable to have
10 multiple metrics with regard to completion, to
11 know how they are defined and who is represented
12 by those rates, and to look to whatever rate is
13 going to capture the student population,
14 enrollment states, time to degree, that you are
15 really looking at.

16 So, I'm going to turn this over now to
17 Christopher Oberg, and he's going to talk about
18 something that we've done recently with regard to
19 our for-profit institutions.

20 MR. OBERG: Thank you, Mary Ellen.

21 I'd like to begin by affirming, as
22 President Studley already has noted, that the

1 Commission is agnostic as to the business model.

2 It requires all institutions to meet
3 the standards, irrespective of their governance
4 structure.

5 However, the Commission has concluded
6 also that different business models require
7 different modes of examination, different tools
8 and perspective.

9 And a major change in perspective is
10 that this analysis has to be comprehensive,
11 calling for reviewers to examine related
12 decisions in financial transfers that take place
13 outside of the educational institutions'
14 customary disclosures.

15 I'll give you a very quick example of
16 what that means. I have an institution that is
17 owned by an LLC. That LLC has a sole member
18 which is another LLC.

19 That LLC has a sole member, which is
20 a venture capital firm. Being able to penetrate
21 all those layers is critical to the work of a
22 review team.

1 The framework that we will be
2 implementing has four components or areas of
3 inquiry: organizational structure and governance,
4 capital allocation, financial performance, and
5 last but not least, student outcomes.

6 We believe the framework gives
7 reviewers complementary tools to those that
8 already exist in the nonprofit sector, both
9 private and public, such as strategic financial
10 ratio analysis.

11 And indeed, we are being assisted in
12 our work by the creator and now co-author of that
13 type of strategic analysis, Prager & Company.

14 The framework will be used for the
15 first time with institutions undergoing their
16 comprehensive evaluation reviews in Fall 2018.

17 I close with this note, that this
18 framework also complements the two initiatives
19 undertaken by the CRAC Working Group on for-
20 profits.

21 First is an effort to identify a group
22 of national experts in finance and corporate law

1 who can be called upon when complex for-profit
2 transactions present often across regional
3 boundaries.

4 And the second is the creation of an
5 orientation seminar for all new for-profit CEOs
6 about the processes and obligations of regional
7 accreditation.

8 Thank you.

9 MR. LADUSAW: Thank you, Christopher.
10 I have two things to introduce into the
11 conversation very briefly.

12 In 2012, at the time of our last
13 recognition, the Commission had decided to make
14 public the two key documents that it produces
15 during accreditation reviews, the Team Reports
16 and the Commission Action Letters.

17 We now have a full five years of
18 experience to reflect on, and we want to do a
19 report on that.

20 First, the sky did not fall. Of
21 course, public institutions were already
22 accustomed to even higher levels of transparency

1 than we require, so we have naturally been alert
2 to the concerns of our private institutions.

3 But on the whole, we have had no
4 problems.

5 We know from the web analytics that
6 the documents do get read but the traffic is not
7 enormous.

8 Transparency has led the Commission to
9 give attention to making the language of its
10 Action Letters focused and consistent across
11 reviews to avoid over-interpretation.

12 It has also been a matter for team
13 training for the fact of the Team Reports.

14 In a few cases, it has also led to
15 thoughtful consideration of what types of
16 information could reasonably be considered
17 proprietary.

18 But we stress that the Commission sees
19 a vital principal distinction between making
20 public documents that it itself authors versus
21 keeping confidential the materials that we expect
22 from institutions.

1 Expectations of confidentiality in
2 these are foundational to building the kind of
3 frank interactions and effective engagement of
4 the institution in critical reflection.

5 The second point I would make is that
6 for several years, the Commission has been
7 blessed by the participation of outstanding
8 public Members.

9 Individuals who have expertise in and
10 commitment to educational quality, but whose
11 career paths are clearly in contrast to those of
12 institutional representatives.

13 During this period of recognition, the
14 Commission has decided to ensure that every
15 cohort of elected Commissioner joining the
16 Commission contains at least one such Member.

17 This ensures that the effective dialog
18 between the perspectives of public and
19 institutional Members will be reinforced in the
20 annual new Commissioner orientations.

21 And as a result, the proportion of
22 public Members on our Commission is and should

1 remain slightly above the statutorily required
2 level.

3 President Studley?

4 MS. STUDLEY: Thank you all. Let me
5 briefly mention four additional ways that we are
6 looking to the future.

7 The third involves our Thematic
8 Pathway for Reaffirmation, TPR.

9 You've heard other Agencies speak
10 about streamlined pathways that they've adopted,
11 embodying risk-sensitive strategies. We have one
12 too.

13 To qualify for TPR, an institution
14 must do three things: satisfy any prior
15 recommendations that we had for action,
16 demonstrate compliance with our standards, and
17 select and work through a meaningful priority
18 project that's important to that institution and
19 significant in scale.

20 We determined the 23 institutions were
21 eligible using the mid-cycle review metrics, plus
22 a set of qualitative measures like leadership

1 stability.

2 21 of those 23 decided it was a road
3 they would like to go down with us in this
4 inaugural round.

5 Schools will submit their proposed
6 projects this summer, and we will begin this new
7 focused review process and look forward to
8 telling you about it in our next cycle.

9 Second, we are working on a project to
10 make learning outcomes visible, supported by the
11 Lumina Foundation.

12 We're assisting institutions in doing
13 a better job of presenting student learning
14 results and making them accessible to the public
15 so that people can understand and act on them.

16 The model that we're using for the 22
17 institutions is a community of practice, which is
18 proving to be a very good structure for the
19 interchange of experiences and helping each
20 school achieve its own goals to develop and
21 showcase their best practices in assessment, and
22 then help us gather those practices so that we

1 can share them beyond our own community of
2 practice into the wider national conversation.

3 Third, we last reviewed our standards
4 leading to a handbook revision in 2013 and we
5 will soon begin the process of another round of
6 standards review.

7 Again, likely to be comprehensive in
8 asking about what changing considerations from
9 student populations, educational practices and
10 directions, and national priorities we need to
11 consider, along with any legislative or
12 regulatory changes that we need to take into
13 account.

14 Finally, we are working on predictive
15 analytics as the national companion to the
16 graduate-rate dashboard of which Mary Ellen
17 spoke.

18 We want to marry Better Outcomes data
19 with a richer picture of the purpose, population,
20 and other differences that she talked about, so
21 that we can sensibly compare across institutions,
22 and provide better contextual information so that

1 people can benchmark against real peer
2 institutions and we can enrich the conversations
3 that we have about performance.

4 We have identified a set of
5 characteristics, we've done our initial analysis.
6 We plan to collaborate with others who are also
7 doing predictive analytics and share the
8 expertise.

9 And we'll be bringing this forward to
10 make that work real and available to our
11 institutions as they think about getting better,
12 and as we understand what quality performance
13 looks like in our cohort.

14 With that, we appreciate this
15 opportunity to speak with you and welcome your
16 questions.

17 CHAIRMAN KEISER: Thank you.
18 Questions from the primary readers?

19 MEMBER JONES: Well, first, thank you
20 for that comprehensive and really impressive
21 presentation. My first question is for you, Dr.
22 Dasenbrock.

1 I love this notion of requiring
2 institutions to assess those core capabilities
3 and, I assume, to report on them.

4 And I'm curious about two things, one,
5 how you identify that particular set of
6 competencies, and I ask in part because at my own
7 institution, we have an entity that is focused
8 on, again, working with employers to deliver non-
9 degree skill training.

10 And we worked with companies like
11 FedEx, Fiat, Chrysler, and part of that work
12 involves trying to reverse-engineer given roles,
13 and to identify skills and competencies and
14 mindsets that drive the variance between top
15 performers and others in a role.

16 And it's remarkable to me how much
17 overlap there is with the competencies you've
18 identified here.

19 In fact, I think the only thing I
20 would add would be something around collaborative
21 effort, teamwork, that sort of thing. But I'm
22 curious how you found these competencies.

1 And then the second part of that, I
2 suppose, is are institutions expected to come up
3 with their own assessment of these things? Or
4 are you guiding them towards assessments?

5 How does that process work?

6 MR. DASENBROCK: Thank you for the
7 questions.

8 I think there are a couple parts I can
9 answer but I think I probably should also hand it
10 back to Mary Ellen, who oversaw a good deal of
11 it.

12 The biggest complexity we had in
13 getting this through was the misunderstanding
14 that we were basically asking everybody to set a
15 single bar across institutions.

16 And so as would occasion little
17 surprise, the UC campuses and Stanford and
18 CalTech were a little worried that, well, wait a
19 minute, are you really expecting the same
20 quantitative reasoning for a calc major in
21 physics, as opposed to a classical musician?

22 And so that was an important challenge

1 because it required us to clarify they set the
2 standards. And what we're asking them to do is
3 to assess the standards that they themselves have
4 set.

5 Now, obviously, does that mean any
6 team might have some questions about certain
7 standards?

8 Yes, but in the first place, it falls
9 to their responsibilities to set the benchmarks
10 and to figure out the assessment methodology.

11 We will help in the sense of the
12 Assessment Leadership Academy and trying to build
13 a set of expertise.

14 So, that was the major one I remember,
15 but that was as a Commissioner. So, I think I
16 should turn it over to Mary Ellen who was
17 President when this was gone through.

18 MS. PETRISKO: So, I would first like
19 to note that core competencies have been
20 mentioned in our standards since the '80s.

21 And in the handbook where we talk
22 about specific CFR criteria for review, where we

1 talk about undergraduate education, these
2 competencies and some other things that might be
3 expected of undergraduate education are listed.

4 I think if one would ask, across the
5 board, people who think that certain outcomes are
6 very important in higher education, many, many,
7 many people would land on the ones that we landed
8 on.

9 We hear about written and oral
10 communication all the time, how important those
11 are no matter what someone's going to do further
12 in life.

13 Critical thinking, clearly very, very
14 important; quantitative reasoning, can't live
15 without it.

16 And information literacy, that people
17 have the ability, and this is ever more
18 important, have the ability to analyze
19 information for accuracy, for validity, for
20 applicability, for source, to really be able to
21 determine if what they are seeing, hearing, and
22 being told is valid or not.

1 So, I think to some extent, it's
2 something that we've always known.

3 Focusing on these, I think listening
4 to what some of the criticisms have been of
5 higher education institutions over the recent and
6 maybe not-so-recent past, about what all students
7 need to be able to do, I think culminates in that
8 selection.

9 With regard to how they are assessed,
10 one of the things that I have said always about
11 accreditation is the good news and the bad news
12 for the institutions is that we ask you to do it
13 but we don't tell you how. And that's because
14 institutions are very different.

15 Reed mentioned CalTech; so, what
16 quantitative reasoning is going to be necessary
17 for students at CalTech is going to be quite
18 different than what's necessary at the Academy of
19 Art.

20 So, the institutions themselves have
21 to know what the balance is for what they're
22 delivering and what their students need.

1 And then they need to determine how
2 they're going to know that the students have
3 actually achieved that.

4 So, we want them to present that to us
5 in the terms it make sense to them, with evidence
6 that that has been reached, if that answers your
7 question?

8 MEMBER JONES: Yes, it does, thank
9 you.

10 And just one other question, so, Dr.
11 Studley, you obviously inherit an Agency with I
12 think a well-earned reputation for innovation.

13 And during our data conversation this
14 morning, one of our speakers made the argument
15 that having a better, more comprehensive Federal
16 data system actually may enable greater
17 innovation at the Agency level.

18 And I'm just curious what your
19 thoughts are about the data that is available to
20 you today either from the Department or other
21 sources, or from your institutions.

22 And I'm thinking about whether what is

1 available in any way constrains your ability to
2 sort of harness innovation among your
3 institutions?

4 MS. STUDLEY: A very good and
5 important question.

6 The lack of coherent data, the lack of
7 reliable information of certain types, the
8 inability to translate across metrics and
9 institutions, is definitely a problem.

10 And for those of us in whatever
11 capacity trying to set benchmarks or talk across
12 institutions, it would be helpful to have more
13 complete and consistent and timely -- there
14 wasn't that much discussion of timeliness, but
15 the speed from action to availability of data
16 constrains anybody who's trying to work on
17 improvement and understand how their efforts are
18 making a difference.

19 There's no shortage of numbers. I
20 think we can all agree whatever -- we've looked
21 at the presentations this morning.

22 The series of reports that an IPEDS

1 representative reminded us of tell us that it's
2 not that there aren't enough numbers or people
3 trying to count them out there.

4 It's that we haven't found convergence
5 among them to answer the key questions that we
6 want to answer.

7 I'm going to answer Simon's question
8 at the same time, or anticipate Simon's question,
9 which is we start with IPEDS -- you've got us
10 drained -- we start with IPEDS because it is the
11 one that has the greatest degree of consistency
12 across institutions.

13 And as a trigger, as a suggestion to
14 look further, many different numbers would
15 suffice for that.

16 What we then do is take the National
17 Student Clearinghouse, which has certain
18 advantages, the numbers that we developed under
19 the grad-rate dashboard, which is a very subtle
20 but different picture that has to be used in
21 context, understanding exactly what it stands
22 for, plus the numbers that the institution uses.

1 I thought the Union City College
2 President did a wonderful job of reminding us
3 that you use the numbers that will help you
4 understand the work you're trying to do and the
5 people you have and the patterns that they
6 present.

7 Having spent several years hearing
8 about the deficiencies of the Federal data and
9 working on development of the first upgraded
10 version of the scorecard, we know what's wrong.

11 What we now need to do is come
12 together about a smaller set so that we can have
13 conversations that are comprehensible to
14 accreditors and other oversight Agencies,
15 comprehensible to people who help us by studying
16 our institutions, translatable to the
17 institution, so that they can do the kind of
18 improvement work that we've spoken about here.

19 And then help us make the information
20 that we provide to the public clearer and
21 crisper.

22 Anybody who has tried to read the

1 footnotes of the simplest of those forms knows
2 how much we've had to try to pack into what this
3 is and what it's not.

4 So, I know you deal with those same
5 kinds of challenges as well.

6 CHAIRMAN KEISER: Steve?

7 MEMBER VAN AUSDLE: Thank you, I just
8 want to share with you how impressed I was with
9 your work, the work of the Staff, and your
10 presentation here today.

11 Looking at your website, you've talked
12 about your innovations that you have underway, I
13 was left with the impression that you're an
14 organization that is creating a very strong
15 student assessment and outcomes culture for your
16 member institutions.

17 And when I look at the training you're
18 doing, I look at the work that you're doing with
19 the Lumina Foundation, it tends to lead to
20 confidence that maybe educational attainment
21 rates in your Region will increase as a result of
22 your work.

1 So, I just commend those actions.

2 And I learned some new terms; I've
3 been around the business a while, but unit
4 redemption rates, that's John's work, right?

5 Very insightful as to how they were
6 taking data that's available that isn't wrapped
7 up just in a graduation rate, and equating that
8 to an equivalency, kind of like it's an education
9 bank.

10 And it shows that education's paying
11 a much higher dividend than you get just from
12 looking at regular graduation rates. But then I
13 saw the term of absolute graduation rate and I
14 thought there is a step.

15 Your innovations, I think, are going
16 to lead to some discoveries that the rest of us
17 can get some insightful information from.

18 The fact that you have two strong
19 commitments that lead to your standards showed a
20 very solid foundation to me of what you're doing.

21 And when I could go on your website
22 and immediately see the institutions that you had

1 marked that needed special attention, right
2 there, I thought, you know, that's full
3 disclosure.

4 Or, then, some of them might feel
5 uneasy about that, I suppose, but you know,
6 that's what we're about. So, I was also going to
7 commend you on majoring student learning.

8 I think that's one of the hardest
9 steps and, Brian, you got right on that.

10 What happens if you find an
11 institution or if students get through their
12 studies -- this test was given just before
13 graduation, right? -- and they don't do very well
14 on one or two sections of that.

15 Now, is that just the way it is?
16 We've done the assessment of student learning?
17 We know what it is? Or are there consequences?

18 If the student doesn't pass in
19 information technology core competencies, is
20 there a prescription of additional work so that
21 by the time they leave the institution they do
22 have all those learning competencies?

1 MR. LADUSAW: I didn't get to talk
2 about that.

3 Well, that question spans the very
4 delicate relationship between what the
5 institution is doing for its purposes and
6 standards and things, and then our observing of
7 their behavior.

8 So, from the accreditor point of view,
9 we're not micromanaging what they do at that
10 point.

11 But the innovation -- this grew out
12 of this contemplating this phrase that Reed
13 meant, the meaning, quality, integrity, of the
14 degree.

15 A lot of outcomes-assessment had begun
16 to concentrate on just the major, as if the
17 degree was reduced at the end to the major.

18 And this was a step to make
19 institutions take some concrete steps in closing
20 the assessment loop on how is it all adding up?

21 Because the historical view that
22 writing was something you inoculate people with

1 in the first year and then they get over it, and
2 then nothing else happens to learn how to write,
3 the idea of disciplinary communication, it's
4 everyone's job to teach you to be a good
5 communicator in those areas.

6 So, the particular answers and
7 particular institutions look different, but the
8 task is the same. Of course, someone has to look
9 at that.

10 And I think Reed now wants to --

11 MR. DASENBROCK: Let me say a little
12 bit about the effect it's had on our campus, just
13 to flesh this out a little bit.

14 When this was approved I brought it
15 back and I had at least one person say wait a
16 minute, aren't you on WSCUC to prevent this kind
17 of thing from happening?

18 (Laughter.)

19 In other words, more stuff for us to
20 do.

21 After we got through that, we took a
22 look at how our core mapped onto these core

1 competencies, and we already had really good
2 written communication, we already had really good
3 oral communication.

4 We had nothing corresponding very
5 clearly in information literacy, and we had a
6 symbolic reasoning requirement as opposed to a
7 quantitative reasoning requirement.

8 So, through a long process, we
9 actually did change our core from symbolic
10 reasoning to quantitative reasoning. So, we made
11 an adjustment in the core.

12 Information literacy, we said we can't
13 do that in the core.

14 So, then, we're now working on how do
15 we get those things across the curriculum in the
16 same way that writing -- you don't get a shot in
17 one semester and then your writing competence
18 lasts for a long time. You need that reinforced.

19 So, we've done a mixture of one change
20 in the core, but some looks at what's happening
21 in the whole campus.

22 I can't say that that process is

1 complete, nor do we actually need it to be
2 complete now.

3 The point is that it's actually
4 beginning to stimulate the campus-wide
5 conversations, and then when the next report is
6 due, 2021, then WSCUC will find out, okay, so
7 where is (unintelligible) on that?

8 And we're right in the middle of that
9 process now.

10 MEMBER VAN AUSDLE: So, you folks are
11 very strategic and it comes across in your
12 material, and you've done a lot of things right.

13 And you talked about the future, so
14 what are your top-two priorities going forward to
15 strengthen accreditation?

16 MS. STUDLEY: We're having a
17 Commission meeting this weekend and starting the
18 process of looking at our existing strategic
19 directions and priorities to decide how to
20 populate them for the round going to beyond?

21 Right now, you're seeing the results
22 of several years of very intentional planning to

1 accomplish the things you've heard about here.

2 And under the priorities that you
3 probably found on our website, the new ones, we
4 will be asking our Members, asking our Region,
5 processing this process for us, and giving us an
6 opportunity to work together to identify what
7 linear continuations there are of the work that
8 we're doing and what new ideas we want to pursue.

9 So, we'll get back to you.

10 MR. DASENBROCK: And we want to give
11 the new president a few more days on the job.

12 (Laughter.)

13 CHAIRMAN KEISER: Claude?

14 MEMBER PRESSNELL: Yes, thank you all
15 very much. I appreciate the presentation.

16 You had mentioned that you have your
17 graduation rate dashboard and that it was showing
18 you new information because you weren't using the
19 IPEDs.

20 So, did the rates go up or did the
21 rates go down?

22 MS. PETRISKO: So, the rates for just

1 about everybody went up, unless their data were
2 problematic, which in itself is something very
3 good to learn.

4 When you count all students who
5 graduate, no matter what their time to degree is
6 and no matter what their enrollment status has
7 been, it would be anticipated that the rates are
8 much better.

9 One of the things -- and I actually
10 wrote an article about this a couple years back
11 when this was being implemented.

12 And one of the institutions that we
13 cited with their permission was from the Cal
14 State system, Dominguez Hills, which had an IPEDS
15 rate of 30 and a graduation-rate dashboard rate
16 of 60.

17 So, that was an indication that
18 students were taking longer, they were maybe
19 dropping in and dropping out, they were not
20 taking as many credits as others, not as many
21 were coming first-time, full-time.

22 One of the things that I didn't

1 mention when I mentioned the graduation-rate
2 dashboard is that of about 900,000 undergraduate
3 students in the Region, IPEDs only captures
4 360,000, which means 540,000 are invisible with
5 that measure.

6 So, to capture all 900,000, however
7 they get through, whenever they get through, we
8 thought was a very important thing to do.

9 MEMBER PRESSNELL: Yes, I was just a
10 little taken aback this morning when the
11 presenter from Third Way said that almost all the
12 rates went down when you included other student
13 populations.

14 So, I was really struck. I thought
15 that was an odd analysis that they had as well.

16 MS. PETRISKO: I think if you count
17 the time to degree for the part-time and then
18 some of them fall off the map, that's going to
19 happen.

20 But if you keep track of them until
21 they're graduated, I don't have the source but I
22 was told that the average graduation rate for the

1 time to degree for Latino Males is nine years.

2 They're not going to show up anything
3 if you're saying it's a four or six-year rate.

4 MEMBER PRESSNELL: Well, first of all,
5 thank you for describing in detail the Thematic
6 Pathway.

7 I think doing that is -- thanks for
8 taking those steps towards really reducing the
9 regulatory burden on campuses that are performing
10 well, and also freeing up resources to pay
11 attention to those institutions that need
12 assistance.

13 I think that's very positive.

14 Related to that, on your annual and
15 mid-cycle reviews, in particular your annual
16 reviews, are there red-flag thresholds in there
17 that would pop up that would make you have a
18 contact with a campus, to say, hey, what just
19 happened?

20 I know that probably the mid-cycle,
21 you're looking at trends more than you are
22 annually, you're looking at a snapshot, but could

1 you address that?

2 MS. STUDLEY: Yes, we're going to ask
3 Christopher to handle that one.

4 MR. OBERG: The simple answer is yes,
5 that there are, from enrollment to finance to
6 graduation rates, certain triggers that would
7 cause us to immediately contact the institution
8 and those are tied to perhaps the California
9 State Commission's default rates.

10 So, all those are looked at on an
11 annual basis.

12 MEMBER PRESSNELL: Do you have an
13 example of when a red-flag came up,
14 unanticipated, that you actually made a contact?

15 MR. OBERG: I had an institution that
16 suffered a 12 percent enrollment decline, which a
17 10 percent is the trigger, and that immediately
18 caused the Vice Presidential liaison to contact
19 them and find out what was going on.

20 It's that type of thing.

21 We're not as successful in the
22 financial side because the audits that we get are

1 so far lagging as an indicator, but the
2 enrollment was pretty marked.

3 MEMBER BOEHME: Since my colleague,
4 Frank Wu, isn't here, and I think for
5 consistency, it would be interesting if you also
6 address the same question that he's been asking.

7 And I know you're a few weeks --

8 MS. STUDLEY: Struggling small
9 colleges?

10 MEMBER BOEHME: Yes.

11 (Laughter.)

12 MS. STUDLEY: Sure, the benefit of
13 listening, that is an important consideration for
14 us, certainly having been the president of a
15 small liberal arts college in a fairly rural
16 community.

17 Although, Arthur always said that it
18 was as big advantage, that it was in a lovely
19 small community, I have a particular sympathy for
20 those institutions and the challenges that they
21 face.

22 As my colleague said, we have the

1 challenge that it's hard to see the financial
2 data.

3 So, we need to be looking at their
4 enrollment, their student performance, and their
5 own sense, to us, of what they're trying.

6 Because I think the colleges
7 themselves, even if they struggle with the
8 solutions or the finances, start to see that they
9 have a problem, that there's some indicator,
10 either the competition or the loss of enrollment,
11 the projections that they had for new programs
12 that aren't panning out.

13 We have no magic solution but we hope
14 that being able to work with us will help them
15 see some pathways or identify practices that
16 might, particularly with retention, assist them
17 where the problem is that an institution has
18 people coming but they don't persist and
19 complete.

20 That is one of the solutions that's
21 most amenable to the kinds of engagement and
22 professional development and models that we can

1 offer to them.

2 Our Region is a little different from
3 some of the others that you've spoken to in that
4 there is a student population eager to go to
5 college, and for which our schools are within an
6 easy geographic range for students who don't want
7 to leave where they're currently living.

8 So, we have the demand but it's
9 unevenly spread across institutional types, and
10 we've already recognized that thinking about how
11 to satisfy the student need while helping them
12 identify institutions, the whole thing being done
13 in an affordable context, is a public policy
14 question that our Region needs to face.

15 MEMBER BOEHME: In your District,
16 using your metrics, do you have any schools that
17 have a single graduation rate, a single-digit
18 graduation rate?

19 MS. STUDLEY: We have no school that's
20 meeting the CRAC 15 to 25 percent trigger, and we
21 have no schools with a single-digit graduation
22 rate.

1 MEMBER BOEHME: Right, okay, that's
2 what I thought, and so I think that's swell.

3 MS. STUDLEY: I misspoke. We have
4 schools that are meeting the trigger but we have
5 satisfied, I should correct that.

6 But none of them are single-digits and
7 we have satisfied ourselves that there are other
8 measures of successful, although need for
9 improvement, graduation rates.

10 MEMBER BOEHME: And one last question.

11 I'm looking at a 2013 article and I
12 can read the quote that you say, but I really
13 agree with it, which to sum it up is consumers
14 should have some sort of comparative tool when in
15 other industries, such as going to restaurants or
16 where to eat.

17 Shouldn't students have a similar
18 framework to help them decide whether to invest a
19 year of their time, significant amounts of money,
20 and their opportunities for the future, in a
21 particular educational institution?

22 And what I really admire about WSCUC

1 is there is a clear transparency. For example,
2 when you go online, you can read the reports.

3 You know me, I'm very strongly in
4 favor of students being able to -- I think
5 students should learn more about accreditation.

6 I think this is an important process.
7 I knew very little before, I'm still learning.
8 Students, though, are probably unlikely to go to
9 the WSCUC website and read an 860-page report.

10 Do you foresee potentially, not
11 necessarily a comparative tool, but maybe WSCUC
12 doing something like that, but maybe making and
13 continuing to make your transparency maybe
14 student friendly?

15 Or working on ways to improve that
16 transparency?

17 Because you are clearly transparent,
18 but looking towards the next five years, where do
19 you see it?

20 MS. STUDLEY: Well, let me give you a
21 preview of one of the questions I will ask my
22 Commission, and that is, is there a role for us

1 to play, and if so, what, in making the
2 information that's available more understandable?
3 It's a very complicated question.

4 I'm not sure that it ought to be
5 WSCUC-specific, given the travel across all sorts
6 of institutional and accreditation boundaries by
7 students.

8 It would be interesting to hear
9 offline your set of pros and cons about where
10 students are likely to turn and what would be
11 most helpful to them.

12 But the other part of what I think is
13 we should go to where students are and the people
14 inadequate in terms of training and numbers who
15 help them make choices about where to go to
16 school, and see what they're already using and
17 whether it could be made better, or whether they
18 are missing tools.

19 But where they would turn.

20 I think you're right that having them
21 come to an accreditor website may be a heavy lift
22 and not the right solution, but that is just very

1 much a question I think we and other accreditors
2 and NACIQI need to ask.

3 There are student tools available, of
4 course, as you know.

5 MS. PETRISKO: I would like to add
6 that looking at the Google analytics, I was
7 actually quite surprised at one point to see the
8 large percentage, how they knew the ages of these
9 people I have no idea, between 18 and 35 that
10 were looking at the website.

11 Are those students, potential
12 students? Very possible.

13 CHAIRMAN KEISER: Are there any
14 questions, any further questions? Thank you very
15 much. And I'll call Valerie back up to the
16 table?

17 Oh, we do have third party. I'm
18 sorry, thank you very much. We actually have two
19 third-party comments. I'm not sure if the first
20 one is here.

21 Ms. Antoinette Flores, are you here?
22 Welcome back, and you know the story, you have

1 three minutes, and I do time you.

2 MS. FLORES: Hello again.

3 Good afternoon, Members of the
4 Committee, my name is Antoinette Flores and I'm a
5 Senior Policy Analyst at the Center for American
6 Progress.

7 NACIQI frequently hears a lot of what
8 can sometimes sound like excuses, how accreditors
9 are working on it but not quite there, why they
10 shouldn't be responsible for a particular
11 outcome, the reasons why accreditors can't or
12 shouldn't act differently.

13 I think WSCUC's example shows
14 accreditation's immense potential for change.

15 For that reason, I speak today in
16 support of WSCUC's application for renewal,
17 though they certainly don't need my support.

18 It leads as a role model for
19 accreditation in its focus on student outcomes,
20 its dedication to transparency, and its
21 commitment to equity.

22 Instead of just criticizing current

1 Federal data measures, WSCUC has invested years
2 of effort into creating its own graduation rate
3 and data-reporting system.

4 Its dashboard provides a comprehensive
5 way for the Agency to measure graduation, compare
6 across institutions and nationally.

7 It is now working to use predictive
8 analytics, compare to National Clearinghouse
9 data, and potentially make its data available to
10 the public, all of which are steps forward for
11 accreditation.

12 The Agency recently developed a risk-
13 based pathway with student outcomes at its
14 center.

15 Colleges that demonstrate strong
16 performance on things like retention, graduation,
17 student learning, and financial indicators, will
18 have a streamlined approach and gain more freedom
19 over the process.

20 The clear reliance on outcomes is,
21 again, a step forward for accreditation.

22 Third, WSCUC is one of two Agencies

1 with a sincere commitment to transparency and the
2 only Agency to post its accreditation review
3 reports.

4 Fourth, WSCUC is one of only two
5 Agencies that have shown a serious commitment to
6 ensuring equity in student outcomes.

7 It goes beyond a single measure,
8 requiring colleges to dis-aggregate outcomes by
9 demographic groups, and then act to fix gaps. It
10 works to ensure colleges are serving all students
11 well.

12 These reforms are not magic wands and
13 this work is certainly hard, but I think it
14 proves that a focus on outcomes and a commitment
15 to transparency and equity are not impossible.

16 These are reforms accreditors could
17 take today to better ensure quality, but WSCUC
18 mostly stands alone.

19 So, as Congress moves towards
20 reauthorizing the Higher Education Act, NACIQI
21 should consider WSCUC's example in the reforms it
22 chooses to support.

1 Thank you.

2 CHAIRMAN KEISER: Thank you. The
3 second commenter is Justin Cohen? Oh, do you
4 have a question for the presenter? Any
5 questions?

6 I'm sorry. If not, Mr. Cohen, if you
7 could come forward? Or Dr. Cohen, whichever it
8 is.

9 MR. COHEN: Hello, my name is Justin
10 Leopold Cohen. I'm here representing the
11 interests of the Council for Education, CED.

12 CED believes that the State of
13 California is in breach of its contract with the
14 U.S. Department of Education in the
15 administration of the Federal Student Loan
16 Program, and that WSCUC conspired to conceal from
17 the Secretary of Education material evidence of
18 fraud in the administration of the Federal
19 Student Loan Program.

20 From December 8, 1993, through July
21 20, 1995, proponents of the California Civil
22 Rights Initiative and state officials formed an

1 enterprise design to increase the dropout rate of
2 African American students.

3 On January 20, 1995, the State of
4 California breached a contract with the Federal
5 Government when Regions failed to notify the U.S.
6 Secretary of Education of a scheme designed to
7 increase the African American student dropout
8 rates, in violation of 20 U.S. Code, Section
9 1099A.

10 On August 17, 2017, CED filed public
11 comments asking for NACIQI to delay WSCUC's
12 application for a renewal of recognition until
13 the Agency certifies whether the record of the
14 1994 UC transcript complies with the recognized
15 academic accreditation standards.

16 Copy of CED's public comments is
17 available at WSCUC.cforedu.com.

18 On January 24, 2018, California State
19 Assembly Member, Sharon Quirk-Silva, sponsored a
20 request for a state audit by California State
21 Auditor before a joint legislative Audit
22 Committee.

1 One of the objectives of the state
2 audit is to review WSCUC's operational activities
3 to determine compliance.

4 Empirical data on the dropout rate of
5 African American students from 1991 to 1994 is
6 available at Ucrates.cforedu.com.

7 A copy of the audit questionnaire
8 sheet is available at JLAC.cforedu.com.

9 Since 2001, WSCUC continues to deny or
10 ignore requests to certify records if the
11 university transcript complies with academic
12 accreditation standards.

13 In conclusion, CED believes that WSCUC
14 continues to conspire with proponents of this
15 enterprise by failing to certify the 1994
16 University Grievance Hearing transcript for
17 compliance with Section 602.13 of Sub Part B of
18 the criteria for recognition of an accreditation.

19 For these reasons, CED recommends a
20 delay in WSCUC's application for renewal of
21 recognition by the Secretary until the Agency
22 demonstrates that they are no longer in

1 violation.

2 Thank you.

3 CHAIRMAN KEISER: Now, I'll bring the
4 Staff back up. Valerie?

5 MEMBER PRESSNELL: Should we give the
6 Agency an opportunity to respond to that last
7 comment?

8 CHAIRMAN KEISER: I'm sorry, I jumped
9 ahead. It's the second time.

10 First, are there any questions of the
11 Committee to the presenter? No?

12 Would you like to respond to that,
13 Members of the WSCUC Commission? Okay, you waive
14 that right.

15 Okay, the Agency goes first if they
16 want to respond to the comment. Yes, I'm sorry.

17 MS. STUDLEY: As to the first comment,
18 we appreciate Ms. Flores' compliments obviously,
19 and we aim to continue to be a leader and a good
20 colleague with accreditation in moving in exactly
21 the directions she described.

22 With regards to the second, it seems

1 to be beyond the purview of this Committee's
2 recommending scope and outside the scope of our
3 petition for re-recognition.

4 CHAIRMAN KEISER: Thank you, any
5 questions for the Agency?

6 MEMBER FRENCH: I have a question.

7 CHAIRMAN KEISER: George, go ahead.

8 MEMBER FRENCH: It may be outside the
9 scope, but my question is do you have any
10 information or any knowledge about this
11 conspiring of WSCUC to reduce African American
12 dropout rates?

13 MS. STUDLEY: We have received nothing
14 on this subject to us. We're not familiar with
15 the criticism or the alleged conspiracy or
16 problem.

17 Thank you, George.

18 CHAIRMAN KEISER: Thank you very much.
19 Now, finally, for the third time, Val, you're up.

20 MS. LEFOR: Third time's a charm,
21 we'll get it right.

22 All right, the Department Staff has no

1 comments on the first comment there, but in
2 regards to the second one, Department Staff was
3 made aware of the concerns that CED just
4 mentioned to you guys during the written
5 third-party comment period for the Agency's
6 petition.

7 We were not able to discern, based on
8 the information submitted in the petition, the
9 full extent of these concerns.

10 Department Staff has reached out to
11 CED to provide instruction on the process for
12 filing a complaint.

13 Preliminary documentation provided
14 from CED shows that the complaint dates back to
15 1994, and we have instructed CED that further
16 consultation with OGC would be needed on this
17 topic.

18 Department Staff will further review
19 the concerns within scope of the Secretary's
20 criteria for recognition when the information is
21 fully submitted to us.

22 CHAIRMAN KEISER: Thank you.

1 Do you have any other comments on the
2 presentations?

3 MS. LEFOR: Nothing additional, thank
4 you.

5 CHAIRMAN KEISER: Okay, we have our
6 two readers. If you'd like to entertain the
7 motion?

8 MEMBER VAN AUSDLE: So, Valerie, I
9 just want to understand your Staff recommendation
10 does not change? Okay.

11 Then, I would accept the Staff
12 recommendation, which is to renew the Agency's
13 recognition for a period of five years.

14 MEMBER JONES: Second.

15 CHAIRMAN KEISER: Motion is seconded
16 by Brian. Now there's discussion? Wow.

17 Okay, sensing no discussion, all in
18 favor of the motion, signify by raising your
19 hand?

20 All opposed, same sign? Please make
21 sure that Simon has voted for --

22 (Laughter.)

1 Wow, we made a convert today. Motion
2 passes.

3 That concludes our specific results on
4 working with Agencies. We will now take about a
5 ten-minute break. Is that about right?

6 And we will then go into our policy
7 discussion which will be led by Claude and the
8 Subcommittee.

9 (Whereupon, the above-entitled matter went
10 off the record at 3:04 p.m. and resumed at 3:16
11 p.m.)

12 CHAIRMAN KEISER: While we still have
13 everybody here I want to first of all thank all
14 the members. I want to thank -- even Frank, I
15 want to thank you.

16 PARTICIPANT: Even me, thank you.

17 CHAIRMAN KEISER: I want to thank the
18 members of the committee for their hard work.
19 This was a -- a very efficient and, I think,
20 effective meeting. We cover a lot of ground. We
21 have a lot of very complicated agencies. So I
22 want to thank you. I also want to thank the

1 staff. This was a really good meeting. You guys
2 did a great job and -- I shouldn't say that. You
3 people. I got to -- I'm not very good at these
4 things, so --

5 (Laughter.)

6 CHAIRMAN KEISER: I say that in a
7 positive -- I meant in a positive way. Guys and
8 gals -- is that better? I guess. Okay. I want
9 to thank the staff for their hard work. And
10 Jennifer your team, and Herman, your teams did a
11 great job at this meeting. We'll now move into -
12 - you have a couple announcements?

13 MS. HONG: Just one quick
14 announcement. On the right side of your folder
15 there's -- we are in receipt of a letter from
16 Senators Warren, Brown, Murray, Durbin and
17 Blumenthal. And if you -- this was distributed
18 to all of you electronically, but it's also in
19 your folders -- regarding conversions for for-
20 profit institutions. So if you want to take a
21 look at that. And it's proposing that NACIQI
22 consider putting this on their agenda. So I just

1 broach it as an acknowledgment of receipt and the
2 chair and I will discuss what will be put on
3 forthcoming agendas in the future.

4 CHAIRMAN KEISER: My understanding it
5 was received after the -- after the publication
6 of the agenda in the -- in the Congressional
7 Record. So. Okay, we move on. Claude, you are
8 the chair of our subcommittee on regulatory
9 reform. You have a report that you would like to
10 present to the rest of us?

11 MEMBER PRESSNELL: I do. Thank you,
12 Mr. Chairman. And first let me thank all of
13 those who served on the subcommittee. Jen
14 provided incredible staff support for it. But
15 Simon and Anne and Paul and Ralph and Kathleen
16 were on -- all on the subcommittee and provided
17 input on this. So you have a copy of the report
18 in front of you. It was printed for you in your
19 packets and it's been online as well. So let me
20 just briefly kind of cover the report. I am not
21 going to read it by any means, which is a relief
22 to everybody in the room. And I am not going to

1 read the report.

2 But I just kind of get through the
3 highlights of the report and then we can open it
4 up for a discussion. Basically, the -- the
5 introductory comments deal with the -- with the
6 rationale or the reason for the report largely in
7 response to President Trump's issuance of
8 Executive Order 13777. And then followed up by
9 Secretary DeVos's call for public comment on
10 seeking ways to de-regulate higher education.

11 So when we met in 2017, Mr. Chairman,
12 you responded to the secretary's call by forming
13 a subcommittee to draft some recommendations.
14 This subcommittee met a number of times -- just
15 strictly by phone -- to have phone conversations
16 about this to see what direction we might be able
17 to go, but did adopt the following working
18 purpose statements. So the purpose of the
19 subcommittee is to develop recommendations for
20 NACIQI to provide advice to Secretary DeVos on an
21 approach to accreditation that can promote
22 innovation, reduce unnecessary regulatory burden

1 while ensuring quality and accountability.

2 So the discussion kind of ended up in
3 three different -- three buckets. One, the first
4 bucket that we discussed in the -- in the report
5 is looking at regulatory relief in the -- in --
6 in the form of process changes within the current
7 statutory framework. So -- you know, that we
8 talk about the risk-informed model and -- which
9 we've heard a lot about during this hearing.
10 Second, does suggest some specific statutory
11 changes. And then finally, the last one is a
12 recommendation related to NACIQI's work.

13 So the bulk of the paper actually
14 deals with the risk-informed model. And the
15 resources in that discussion -- one resource was
16 the report by the task force that was staffed by
17 the American Council on Education, ACE, that was
18 entitled Recalibrating Regulation on Colleges and
19 Universities -- a Report on the Task Force for
20 Federal Regulation in Higher Education. And then
21 the other written document was actually from
22 Undersecretary of Education Ted Mitchell who at

1 the time was undersecretary -- issued a paper --
2 or a letter April 22nd, 2016 dealing with --
3 really calling for flexibility within the
4 accreditation model that would lead toward a
5 risk-informed approach. And then I want to give
6 -- also I mention in the paper, but I want to
7 recognize as well, we had -- those on the
8 committee who could -- had conversations with
9 WASC and with HLC on what they were doing in
10 risk-informed.

11 So -- and I really appreciate the
12 timing of all this in the sense that they were
13 able to testify before -- over the last couple of
14 days about their progress on it. And I do want
15 to again commend them for moving in that
16 direction and seeking ways to reduce some of the
17 regulatory burden on the campuses. So as a
18 result the -- the committee -- first
19 recommendation was that the committee recommends
20 that the secretary request enabling legislative
21 language to be drafted which allows for
22 accreditors to create and implement risk-informed

1 reviews.

2 I think that what we heard yesterday
3 was that when we heard from New England that they
4 weren't sure as to whether or not they really
5 have the authority to do it creates the confusion
6 among accrediting bodies as to whether or not
7 they can take aggressive steps forward in this
8 area. Now HLC and -- and WASC are taking steps
9 that way, but we have -- again, one regional body
10 saying they weren't sure if they have the
11 authority to do it. And then we have
12 programmatic accreditors saying I am not sure I
13 know what you're talking about. So -- so it's
14 obvious that we need clearing tension in statute
15 that enables these -- these accreditors to move
16 in that direction.

17 And I do want to note that that
18 recommendation actually reaffirms a
19 recommendation made by NACIQI back in 2015 which
20 is stating -- which states that granting
21 accrediting agencies greater authority to develop
22 standards tailored to institutional mission to

1 create different substantive tiers of
2 accreditation and use a differentiated process
3 for those institutions including expedited
4 processes. So we lifted that directly out of the
5 2015 report.

6 So the bottom line is we -- I -- we
7 spent some additional time in the report to kind
8 of unpack what we mean by this. And that in
9 essence -- and it was described, I think, quite
10 well by HLC and by WASC in that looking at those
11 institutions that performed very well on key
12 student success measures that are widely
13 recognized as well as performing well in their
14 financial ratios and financial stability would be
15 allowing those institutions to have a lesser
16 reporting burden than those that are in a high-
17 risk category. And we're talking about not just
18 four-year institutions, but we're talking about,
19 again, community colleges and also -- any other
20 category. So I -- I was encouraged by HLC when
21 we asked them, how many are in that -- kind of
22 the positive end of the risk-informed review?

1 And they said, well, literally every
2 institutional type is represented in that.
3 Because I wanted to kind of dispel the myth that
4 a risk-informed approach only works for elite
5 institutions. That's just not true. A risk-
6 informed approach works for everybody within --
7 within bands of institutional types. So I think
8 that's important.

9 What the approach ultimately will do
10 -- I am on line 70 on the report -- is that it
11 will allow accrediting agencies to focus more
12 attention on struggling institutions with the
13 goal of moving them toward high-performing
14 institutions, or seeking student-protecting
15 strategies for failing institutions. So the idea
16 is, too, within the midst of scarce resources,
17 let's focus the resources where they're needed
18 with the goal of success -- to move institutions
19 into a low-risk range or protecting students in
20 the -- with those institutions that might be in a
21 failing standpoint.

22 So again, largely focusing on student

1 success measures and also on financial stability
2 measures. So, down to line 88 on the report, we
3 call therefore the accreditors to make very clear
4 eligibility criteria for institutions that might
5 qualify for this. Also it was reinforced by
6 testimony yesterday and today -- now on line 94 -
7 - is that accreditors may want to consider
8 collecting annual- and mid-cycle data for review
9 to look for red flags, do the best that they can
10 to rely on existing data stats in order to
11 reduce, again, the burden on institutions. We
12 mention IPEDS and College Score Card. Obviously
13 there are other data sets in there that -- that
14 can be used as well. And in the next paragraph
15 gave some -- some examples of possible
16 indicators. This -- the report, by the way, was
17 not intended to be prescriptive. It was just to
18 cite examples. But student success data --
19 success areas may include rates and trends
20 related to enrollment, retention, course
21 completion, graduation, relevant state licensure
22 exams, job placement, student loan repayment --

1 and then again, possibly other areas. We as a
2 committee -- we're not seeking to be overly
3 prescriptive. Just putting out there potential
4 examples.

5 On the financial stability side,
6 obviously, annual audit submissions and then
7 sector-relevant financial indicators that might
8 be used as well. But we see, again, the two
9 large areas of review should be in the area
10 student success measures and then financial
11 stability measures. So on line 105 and following
12 says the mid-cycle data reviews would examine
13 data to look at any concerning trends over time.
14 So annually looking at snapshots, mid-cycle
15 looking at concerning trends. And this can
16 address not only the high-performing institutions
17 but also provide cautionary action that may be
18 necessary for low-performing institutions, too.

19 So what I might -- then draw your
20 attention down to 122. The -- basically this
21 whole approach is to seek to accomplish what then
22 Undersecretary Mitchell suggested in his 2016

1 letter -- the differentiation in terms of
2 recognition that an agency may provide a shorter
3 period of recognition, i.e. fewer years, for an
4 institutions or program that has met the
5 threshold standards but for which the agency
6 continues to have concerns and longer period of
7 recognition for an institution or program that
8 has regularly exceeded the standards with no
9 ongoing concerns. More frequent monitoring or
10 unannounced visits can be applied to institutions
11 or programs with less satisfactory reviews, and
12 accreditors may also develop tiers of recognition
13 with some institutions or programs denoted as
14 achieving the standards at a high -- higher or
15 lower levels than others.

16 So it goes -- it goes back and forth.
17 But again, the idea is to move towards success,
18 remove kind of a standard way of reviewing
19 everybody, but allowing a differentiated review.
20 I would draw attention to the Task Force Report
21 that -- again, the ACE staff report. In their
22 Appendix 3, pages 59-89, they provide a

1 tremendous model of what risk-informed review
2 looks like and also cites other government
3 agencies that have been doing this for years. So
4 this would not be groundbreaking for the DOE to
5 do it. It would actually fall in line with what
6 other federal agencies have been doing. But
7 obviously, internally I think it would be rather
8 groundbreaking.

9 So that was the first section. The
10 second section dealt with some specific statutory
11 considerations. And you can find those on page
12 four, really starting with line 147 on the
13 report. There were three areas that the report
14 identifies. One is the striking of the
15 definition of credit hour. And these are taken -
16 - taken from -- from the task force report that
17 was done. So striking definition of a credit
18 hour largely because the -- one -- the mingling
19 of and getting into interference into the
20 academic enterprise, this is a very specific way
21 that the department has done it and a way that
22 gets right into the weeds of the institutions.

1 That's one, but two, trying to allow institutions
2 to be far more innovative and progressive in
3 their programs. Credit hour is not a -- a
4 reasonable measure, obviously, for competency-
5 based education. It creates a lot of problems in
6 reference to innovation. Our -- you know,
7 institutions are constantly criticized for not
8 being quick to respond and being innovative in
9 their approaches. But then we laden them with
10 some issues here that cause problems in delay of
11 innovation.

12 So striking credit hours would be one
13 of those -- maybe looking more at student
14 progression as a good way to -- to mark time at
15 an institution. Especially what we were hearing
16 about competencies and so forth and student-level
17 outcomes in that way. The other one was the
18 approval of substantive changes by accreditors to
19 limit reporting and look at the scope of the
20 substantive change based not only in terms of
21 campus -- or -- yes, campus innovation, but also
22 again going back to a risk-informed approach on

1 looking at substantive changes. And then also
2 the same with additional procedures --
3 requirement regarding branch campuses. Again, to
4 take a more risk-informed approach to those.

5 So we looked at those three specific
6 things -- credit hours, substantive change and
7 then the additional procedures. And then
8 finally, the recommendation related to NACIQI
9 itself is basically to allow NACIQI to make
10 changes according to these new innovative
11 approaches and risk-informed approaches at the
12 accreditation level and also at the institutional
13 level. So that final recommendation on line 173
14 simply states the committee recommends the
15 drafting of legislative language that will
16 support ongoing adjustments to NACIQI's work to
17 accommodate this newly developing risk-informed
18 procedures and consider ways in which it might be
19 implemented for institutional programmatic and
20 specialized accrediting agencies within the
21 advisory capacity of the committee.

22 So again, three large areas. The one

1 we spent most of the time on is looking at risk-
2 informed approach. Then we had some specific
3 recommendations. And then one recommendation
4 related to the work of NACIQI. So Mr. Chairman,
5 that concludes my comments.

6 CHAIRMAN KEISER: Thank you very much
7 for a very comprehensive report. Questions?
8 Comments? Susan first, Brian second, Stephen
9 third, Frank fourth, Alan fifth. So remember
10 where you are.

11 (Laughter.)

12 MEMBER PHILLIPS: Thank you. Very
13 clear, concise report, thank you. I wondered if
14 you could speak a little bit to the substantive
15 change issue. Let's limit the kinds of
16 substantive change to what? What's the thing
17 there? And also the same issue on limiting
18 additional procedures for the branch campuses.
19 Just to give me a feel for the parameters of that
20 discussion.

21 MEMBER PRESSNELL: And other committee
22 members feel free to -- well, actually, you're

1 over here. The other are not -- they're not -- I
2 -- the -- the fundamental -- really the report is
3 to be taken as a whole, if you will. And so
4 those are really moving more toward, again, the
5 risk-informed approach as to the -- allowing for
6 some limitations in those particular areas. So
7 for instance, on the substantive change, a good
8 example is there was a -- a university that I was
9 lecturing -- where I was lecturing, and they were
10 wanting to add a major in chemistry even though
11 they had a number of other related measures that
12 had very strong chemistry backgrounds. So they
13 just thought, well, let's go ahead and add the
14 chemistry major because we have the faculty, we
15 have good reviews by our accreditor. And so it -
16 - it took over a year before they could actually
17 get that substantive change done.

18 So they had the capacity, they had the
19 faculty. So maybe looking at ways in which that
20 could just simply be a report to them
21 demonstrating the -- the faculty competence and
22 the enrollment expectations of that program and

1 let them move a little bit quicker instead of a
2 year delay on that. And the -- and be the same
3 for, again, a high-performing institution that is
4 wanting to add a satellite site that -- but with
5 no change to the academic offerings. In other
6 words, to be able to do it in -- in that area as
7 well. So does that make sense?

8 MEMBER PHILLIPS: It does. And now
9 you've added a -- a new feature to my question.
10 So the credit hour substantive change and
11 additional procedures are only for the expedited
12 side of the risk-informed review? Or are they
13 for everybody?

14 MEMBER PRESSNELL: I think -- well, I
15 -- yes, and that's a good point. I think that we
16 probably -- it would be good to maybe break those
17 down. I think the credit hour piece is for
18 everybody. I think that the others -- the other
19 two might be more in a risk-informed format. But
20 the credit hours is obviously -- I mean, it's our
21 traditional currency that we've been using for
22 quite some time, obviously, but it definitely

1 creates difficulty within our current academic
2 environment with the direction we're going. But
3 Ralph, you got?

4 MEMBER WOLFF: Yes, let me just say
5 that with respect to substantive change, the
6 issue is that every change -- there are too many
7 changes that fall within the definition and that
8 it's difficult to say an institution that's
9 really demonstrated it's done well can be
10 exempted. And what are the conditions? So you
11 still have to have the final report. So
12 additional locations are sometimes I've heard --
13 one of the regions talked about -- if you move
14 the location you have to go through the whole
15 process as a new branch even though it's the same
16 thing. But it's about the regulatory
17 interpretation that doesn't allow any
18 flexibility. So that's to --

19 MEMBER PHILLIPS: For all
20 institutions, not just for the ones who are on
21 the flexible end of --

22 MEMBER WOLFF: Correct.

1 MEMBER PHILLIPS: The risk-informed --

2 MEMBER WOLFF: Well, they would be to
3 allow the accreditor -- the goal would be to
4 allow the accreditor make a determination which
5 institutions qualify for either an exemption or a
6 -- a different kind of process. Whether that's
7 the same --

8 MEMBER PHILLIPS: On those dimension?

9 (No audible response.)

10 MEMBER PHILLIPS: On those three
11 dimensions? The sub-change --

12 (Simultaneous speaking.)

13 MEMBER WOLFF: And additional
14 location.

15 MEMBER PHILLIPS: Credit hour?

16 MEMBER WOLFF: Well, the credit hour
17 is totally different. I -- I would say.

18 MEMBER PHILLIPS: So -- so it's just
19 a --

20 MEMBER WOLFF: The credit hours is a
21 regulatory provision that was adopted by the
22 department. Substantive change is in the

1 legislation and in the -- it's in the legislative
2 group and the regulations. But I think most
3 agencies feel that it's over-regulatory where
4 there are institutions that have demonstrated the
5 capacity to open new branches or to -- or
6 locations, rather than call them branches -- or
7 to deliver new degree programs online or
8 otherwise. So it's more flexibility.

9 CHAIRMAN KEISER: Ralph, just -- just
10 to make a clarification -- and I need a
11 clarification. Are you talking about a branch?
12 Because the federal government has a very
13 different interpretation of what a branch is from
14 what most of us have when we talk about an
15 additional location. So, were you meaning to say
16 branch? Because a branch is a separate -- has to
17 have two years of its own operation in order to
18 be recognized. So are you talking about a
19 branch? Or are you talking about additional
20 location?

21 MEMBER WOLFF: I think we're really
22 talking about additional locations.

1 CHAIRMAN KEISER: That's what I think.

2 MEMBER WOLFF: And to --

3 CHAIRMAN KEISER: Yes, don't -- we
4 need to change the word branch.

5 MEMBER WOLFF: And kind of -- I'm not
6 sure if this is actually copied from the ACE
7 report. But I think that's what the issue --

8 CHAIRMAN KEISER: Well if they are,
9 they're wrong too, so --

10 MEMBER WOLFF: So -- but I think the
11 issue is -- was -- I was on that committee, but
12 it's quite a while back. I think part of the
13 issue was defining what is a branch campus, what
14 is an additional location, first of all? And
15 secondly, limit -- you know, allowing more
16 flexibility for additional locations.

17 CHAIRMAN KEISER: If -- if we mean
18 additional locations, then we need -- because a
19 branch, to the federal government, is a
20 completely different animal.

21 MS. HONG: Just -- I think when we had
22 that discussion we were talking expressly about

1 additional location as we define it in the
2 regulations, and not about branch campuses.

3 MEMBER BOEHME: I recall from the
4 phone conversation additional -- do we need a
5 motion to make that? Or can we just make that --
6 so I'll make that friendly amendment that it's
7 additional campus, not branch. Additional
8 location, excuse me.

9 CHAIRMAN KEISER: Who was next? I'm
10 sorry, Arthur, because I know you -- you're after
11 lunch. Okay, Brian, Frank and then Arthur.

12 MEMBER JONES: Yes, so to Claude and
13 committee thank -- thank you all. This is really
14 some useful thinking. So a question, though, and
15 maybe kind of pressure testing the procedure. Is
16 the conclusion that you all reached that the
17 department today lacks the authority to do these
18 things on the risk-informed model? Or is it
19 viewed that there may or may not be authority and
20 just the rules aren't clear? And so, I guess, if
21 it's the latter, is the -- should we at least
22 make some allowance for -- rather than

1 immediately turning to new legislation, instead
2 making asking the department to consider
3 clarifying guidance in this direction?

4 MEMBER PRESSNELL: Well the assumption
5 is that the committee was that there needs to be
6 express statutory authority to do it. You know,
7 Undersecretary Mitchell issues a letter of
8 guidance for which there's really been little to
9 know movement. And there's confusion among the
10 community about authority to do it. So the
11 thought among the subcommittee members was that
12 we needed express statutory authority to move
13 this direction.

14 MEMBER WOLFF: Comment -- Art, could
15 I just -- I mean, there is a letter from Ted
16 Mitchell when he was the undersecretary that did
17 call -- say that accreditors had the flexibility
18 for somewhat of a differentiated model. And I
19 think the issue is what authority does that have?
20 What does it really mean? And will the
21 accreditors be able to move in that direction
22 without being found that they didn't have a -- a

1 self-study and a visit that was comprehensive for
2 every standard -- for every comprehensive review?
3 And so I think the lack of clarity.

4 I think the department would have to
5 declare whether or not it fully endorsed that
6 model. I mean, with -- rather than -- and go
7 beyond the letter from a previous administration.

8 MEMBER ROTHKOPF: Maybe add a little
9 bit to this. I -- I think the committee's done
10 an excellent job of describing the problem and
11 following up on the previous report, which came -
12 - which was the 2015 report. And I have a --
13 sort of to the fact that the department at an
14 earlier time said it didn't have the authority, I
15 think I and my recollection is perhaps Anne Neal
16 may have met once with Jamie when she was working
17 with Ted. And I think the answer came back no,
18 we don't have the authority to do this without
19 legislation. I don't want to get you into the
20 middle of this, but that's my -- my -- at least
21 my recollection.

22 But the point is that we -- NACIQI

1 appointed a committee. I think they've done a
2 good job. And it picks up and carries forward a
3 recommendation that we made in 2015 and I don't
4 know if there's a motion on the table, but I move
5 that we endorse this report as a -- a NACIQI
6 decision, or -- a NACIQI decision.

7 CHAIRMAN KEISER: Well that motion
8 trumps everything else. There's a motion on the
9 floor. Is there a second?

10 MEMBER BOEHME: Simon will second.

11 CHAIRMAN KEISER: Simon will -- it's
12 like Simon will say.

13 MEMBER BOEHME: Simon says.

14 CHAIRMAN KEISER: Okay.

15 (Laughter.)

16 CHAIRMAN KEISER: Now we can have a
17 discussion because we have a motion and a second.
18 And Jennifer had something to say.

19 (Pause.)

20 CHAIRMAN KEISER: Motion is to approve
21 the report. The -- Steven's next and then
22 George. And then Frank. Oh, Frank, I left you

1 out.

2 MEMBER VAN AUSDLE: Claude, my
3 question was around credit hours. I couldn't
4 pick up the entire discussion you had down here.
5 But -- and this came up yesterday. And one of
6 the reporters saying that, you know, dollars are
7 driven out from the federal government on credit
8 hours, et cetera. And that kind of confounds our
9 issue here to a degree, I think. Your statement
10 talks about the definition. I assume you would
11 anticipate many colleges would still use credit
12 hours as a way of working, but it just wouldn't
13 be a federal definition. Does that open it up
14 where ten different schools could have ten
15 different definitions of a credit hour? And that
16 dollars could be driven out on an inequitable
17 basis? Or -- see what I'm getting at?

18 MEMBER PRESSNELL: Yes. No, I see --

19 MEMBER VAN AUSDLE: So how do we deal
20 with that? How can you still keep the credit
21 hour but -- not having it restrain creativity?
22 That's what I'm looking for.

1 MEMBER PRESSNELL: Well, I think
2 that's -- I think that's right where we are. You
3 know, and I -- as a higher education, you know,
4 community right now. So the -- the federal
5 definition, you know, of a credit hour outside of
6 the FSA -- the Federal Student Aid definition --
7 in terms of the academic definition is -- is
8 relatively new. And so it -- it's -- it's
9 striking that and allowing -- does that mean
10 institutions won't use anymore? No, they're
11 going to use it. But it's going to have to --
12 we're going to have to figure out, also, ways of
13 measuring like competency-based education and
14 self-directed learning models and those types of
15 things as well.

16 So it allows some creativity around
17 looking at student progression toward
18 competencies or toward other thresholds, you
19 know, in the academic community for sure. So I -
20 - I think that, in my opinion, there needs to be
21 a lot of thought and a lot of discussion that
22 goes into this that, again, enables institutions

1 to flourish in a more innovative capacity, while
2 ensuring quality at the same time. But -- but
3 not -- not saddle them with the definition that
4 came up years ago basically on program
5 transferability and so forth.

6 CHAIRMAN KEISER: I think we had
7 Frank, Frederico and Bobbie.

8 MEMBER WU: Okay. I actually jotted
9 some notes. So in 1992, Admiral James Stockdale
10 appeared in the vice presidential debate and
11 opened with a line that may be remembered, but --
12 and much mocked -- but, which I think was
13 actually a wonderful question. He said, what am
14 I doing here? And some of you may recall that.

15 (Laughter.)

16 MEMBER WU: That comes to mind for me
17 whenever we have NACIQI meetings. I wonder what
18 is it we're trying to accomplish? So I think
19 this is a -- a great draft. I'd like to support
20 it. But I thought we should back up for just a
21 minute and answer Admiral Stockdale's question.
22 What is it we're doing here? And I was going to

1 suggest that we're trying to strike a balance
2 between on the one hand the appropriate
3 protection of students and their families, and
4 taxpayer dollars through the oversight of
5 accrediting agencies who in turn act as
6 gatekeepers and quality assurance entities.
7 That's on the one hand.

8 On the other hand, without regulation
9 that's meaningless -- meaning, it doesn't
10 correlate to anything that we care about -- or
11 excessive or too costly or overreaching or too
12 technical by either us or the agency. So that
13 seems to me to be the answer to what is it we're
14 doing here? And what I like about this report
15 that I wanted to speak to are two aspects. The
16 first is I take it to have a general spirit of
17 promoting progress, innovation, experimentation
18 by both agencies and schools. And that's good.

19 I also take it at the end where it
20 speaks to NACIQI -- so this is the second message
21 that I get out of it that I like to support --
22 that we, NACIQI, should also be able to innovate

1 a little bit and do some things to support that.
2 So we've seen over time -- since NACIQI was
3 reconstituted. So this is eight years now that -
4 - that I'm thinking that over. We've
5 progressively said to agencies, to staff, to
6 others, that we don't really like this incredibly
7 technical focus on, is it 72 violations of some
8 rule about did you list on your website such and
9 such? And it's not to belittle those rules. It
10 is important that they be complied with, but that
11 that's -- to use the cliché -- missing the forest
12 for the trees. Right?

13 So -- I fully in support of this with
14 the idea that we want to innovate. We actually
15 want adaptation by agencies and by colleges. And
16 I was going to refer back to the last meeting --
17 to a specific issue, which is that effective date
18 issue that we heard about and turned out to be a
19 little bit contentious between NACIQI and staff
20 where because of the way the effective date was
21 interpreted we heard from an institutions such as
22 Johns Hopkins -- in full disclosure, that's where

1 I went to college -- which has the number one
2 nursing school in the nation, if not the world,
3 say we have problems enrolling people in a new
4 program because it's only one year and the people
5 enrolled think I might not graduate from an
6 accredited program because no matter how fast
7 they move, it might not get accredited fast
8 enough. And in nursing, if you don't graduate
9 from an accredited program, you didn't do
10 anything -- for practical purposes.

11 So I am just offering that as an
12 example. There are many, many others. This
13 report's got a few. But I see this as a positive
14 shift away from highly technical compliance with
15 obscure rules that most of us at the table, I
16 would think, regardless of who appointed us agree
17 don't actually match up to anything in the world
18 that has to do with the quality of higher
19 education. So, I fully support this. Thank you.
20 That's my answer to what is it we're doing here?

21 MEMBER ZARAGOZA: Yes, I too want to
22 commend the committee. My only suggestion would

1 be that within the spirit of -- kind of for the
2 discussion that we also kind of consider the
3 testimony we've heard on the limitations of the
4 data. This is going to be very data driven. And
5 I am not sure that -- while I agree that the --
6 the data sources mentioned, IPEDS and College
7 Score Board, are part of the equation. And that
8 there is a lot of existing data. I think some of
9 that data may not be connected, may not be
10 available. And so clearly an equal effort needs
11 to continue in that area if in fact it's going to
12 be a data-driven system.

13 MEMBER PRESSNELL: The -- I was just
14 going to respond, Mr. Chairman, if that's okay.
15 There was discussion about -- about the data
16 piece. We felt at the time that maybe that was a
17 rather complex separate discussion and was a
18 little bit outside the scope of where we were
19 here. And so I would encourage the committee to
20 maybe consider another committee to look at that
21 issue. I think what would be important is for us
22 to clearly state what it is that we need rather

1 than how we get it. I think that would help
2 steer us out of a radical political storm. But -

3 CHAIRMAN KEISER: Brian? Bobbie?
4 George?

5 MEMBER DERLIN: I -- I have a question
6 before I make my comments. So -- and the
7 question concerns timing. First, Arthur, I
8 really appreciate you putting the motion on the
9 floor. So what is our timing in terms of getting
10 this to somewhere to do something?

11 CHAIRMAN KEISER: ASAP because it's
12 moving through the House on the floor and in the
13 Senate they are in the middle of -- they're -- I
14 don't know if they're in the middle, but they're
15 in the beginning -- the middle -- somewhere. You
16 can't -- you talk -- depending on who you talk
17 to, where the discussions will be for the
18 reauthorization of higher education.

19 MEMBER DERLIN: And where's the
20 somewhere it goes to from here?

21 MEMBER PRESSNELL: I would assume it
22 would go to the secretary because we're an

1 advisory committee to the secretary.

2 MS. HONG: Yes.

3 MEMBER DERLIN: Okay. So I think this
4 is a really great report. I am prepared to
5 support it just as is, but I do have a couple of
6 comments that I -- I am -- are wording things. I
7 am not suggesting we rewrite as a group. These
8 are just for someone to think about. We talk
9 about a risk-informed model. We talk about a
10 risk-informed framework. And we talk about a
11 risk-informed approach. In different places in
12 the document I think that can be confusing.
13 Model and framework at least to me are more
14 concrete than the principles that you've defined.
15 So I should -- suggest just saying risk-informed
16 approach.

17 The other consideration is we talk
18 about banding schools within the risk-informed
19 approach. We talk about institutional-type
20 cluster, which I am assuming is different than
21 banding in risk informed. And of course,
22 Mitchell talks about tiers of recognition. I

1 think if there's a way to tweak the language so
2 we use consistent language throughout, it would
3 be helpful.

4 And last but not least -- and this
5 relates to Ralph's comments about the quotes from
6 the ACE report on the last page about substantive
7 change and additional procedures, additional
8 vocations. My preference would be that rather
9 than merely using these quotes we make it clear
10 we mean that agencies need flexibility and the
11 ability to limit or alter their procedures to
12 fit. You know, I'd like to see the onus put on
13 the accrediting agency rather than someone who
14 gets this after us say, well, gee, now how should
15 we limit those substantive changes? And get into
16 a long list that just makes life worse. I don't
17 know if that's clear. I don't know if you agree
18 with me, Ralph. But as I say, I -- I appreciate
19 this report. I am prepared to support it as is.
20 But those were my comments.

21 CHAIRMAN KEISER: Thank you, Bobbie.
22 George?

1 MEMBER FRENCH: Thank you. I too want
2 to thank the committee and Chairman for the
3 regulatory report and the work that you all put
4 in. Mine is a real simple procedural issue. Are
5 we on the final page of the report --
6 recommendations concerning NACIQI -- are we
7 incorporating by reference our entire 2015 report
8 and whatever that included? Because I take note
9 that it says for example we talk about the risk-
10 informed approach. And we give that one example.
11 Is that all we're submitting? Or are we
12 submitting what we submitted in 2015 to be
13 incorporated by reference into this report?

14 MEMBER PRESSNELL: Yes, we can clarify
15 it. The -- the italicized recommendation right
16 before -- above the bolded language is actually a
17 quote from the NACIQI report. So maybe we'll
18 just tighten that language up because we're,
19 again, reinforcing a recommendation of the 2015
20 report is what we're doing. The bold one is kind
21 of a -- a renewal of that. But we are
22 reaffirming the recommendation on the refocused

1 NACIQI reviews to direct greater attention to
2 assessing the role of accrediting agency. That -
3 - we're reaffirming that. So I'll -- I can
4 tighten that language up without altering the
5 intent.

6 MEMBER FRENCH: So do we need to
7 include anything else in the 2015 report?

8 MEMBER PRESSNELL: Well, there
9 actually is a previous --

10 (Pause.)

11 MEMBER FRENCH: And I say that because
12 I'm looking at 178 too, Claude. On line 178 --

13 MEMBER PRESSNELL: Yes.

14 MEMBER FRENCH: When we make reference
15 to the report there. That's why I am just asking
16 about the incorporation by reference. Are we --
17 are we including all of the report?

18 MEMBER BOEHME: My understanding was
19 no.

20 MEMBER PRESSNELL: No, we're just --
21 go ahead.

22 MEMBER BOEHME: All right, sorry. My

1 understanding was that again, to Frank's point --
2 and which I agree with and I -- in the 2015
3 conversation was, we don't want to be so
4 technical. I think -- and also we've, I think,
5 reiterated I believe in 2012 and 2015 that we
6 would like to be the final decision maker. But
7 obviously that falls upon deaf ears. And so I
8 think this is the one that from an early
9 conversation that this was something that we
10 would find -- would be more receptive.

11 MEMBER PRESSNELL: Yes, there are two
12 -- page two is a -- is a quote of a 2015
13 recommendation that we are reinforcing, which is
14 number five on page six is -- is the citation of
15 that. And then the -- so there are two
16 recommendations specifically that we are
17 reaffirming and we quote those two. So I will
18 make sure that language is absolutely clear.

19 MEMBER BOEHME: And maybe we can just
20 make it clear right now and just make it bold and
21 say the committee recommends again -- or, I don't
22 know if we want to go just -- but a quick

1 language thing would be the committee recommends
2 again and change the italicized part to bold.
3 And right before the word refocus put the
4 committee recommends again.

5 CHAIRMAN KEISER: We have a motion on
6 the floor. And those are good recommendations.
7 I -- I would -- unless we have further discussion
8 on the content, I would offer that the committee
9 and Claude and -- Arthur, I guess, you made the
10 motion. That we accept with some wordsmithing of
11 -- of the things to make it clear. And is there
12 agreement on that? And -- Jennifer you have
13 something you want to say?

14 MS. HONG: Yes, I just wanted to
15 reiterate -- and Claude you can correct me if I'm
16 wrong -- this is -- this was really meant to be
17 high-level paper -- recommendations based on risk
18 -- risk-informed reviews. And, you know, really
19 questioning the -- the concept of time in this
20 statute. Would you agree with that? We -- we
21 borrowed language from an existing report, but we
22 really -- the intent was to kind of question the

1 spirit of -- of this -- the law and the
2 regulation. So it's really meant to be high
3 level, broad language, broad based. And the
4 letter from Ted Mitchell, real quick Ralph, was
5 really to encourage risk-informed reviews by
6 accrediting agencies under the current regulatory
7 construct. But what we found was that it was
8 very limiting given -- given that the statute
9 requires review of all standards and self-study
10 and -- and, you know, site -- on-site reviews.
11 So this is really intended to free that up. And
12 so it really calls for legislative proposals.

13 MEMBER BOEHME: And just a point of
14 clarification to Frederico's and then Claude's
15 response about data -- and in terms of the
16 student level -- or what -- there's a new fancy
17 term for it that Jen has been using -- for a
18 student unit record. But I looked at the
19 transcript just now when we made this motion for
20 this committee, and we made a decision that we
21 would first create a committee to address the
22 secretary's -- or, President Trump's and

1 Secretary DeVos's call for deregulation. And
2 this student unit record which -- for the
3 question about data is -- and I forgot this --
4 was a committee -- a second committee we would
5 talk to discuss those issues. And so -- and so
6 that's something -- just as a point of
7 clarification, which I'd like to make a motion
8 afterwards. This, right --

9 CHAIRMAN KEISER: Afterwards. Frank,
10 did you have something? Because I'd like to get
11 the motion called.

12 MEMBER WU: Just -- it's a sound bite
13 version of what this says. So I am going to
14 offer it, and if Claude thinks this is good --
15 here's a sound bite version. Risk informed good,
16 highly technical, bad.

17 (Laughter.)

18 CHAIRMAN KEISER: There you go. Any
19 further discussions -- Ralph, real quick? You
20 don't have to be real quick. I -- just -- that's
21 my ADD taking over.

22 MEMBER WOLFF: Yes, well first of all,

1 I want to make sure that Art's motion includes
2 this shift from additional location to branches.
3 So I think we got that covered. I would like to
4 urge that we -- in adopting the resolution as for
5 response from the department. You know, if one
6 wants to use a metaphor, if a tree falls in the
7 forest will anyone hear it? And we've made two
8 series of recommendations in the past and never
9 had an official, that I'm aware of, any kind of
10 response. And I would just like to know, you
11 know, is there a -- could this be handled in a
12 regulatory manner? Could this be handled -- so
13 we can make the request. So I would just say I'd
14 like to add that.

15 The other thing I just want to comment
16 on is that I will just express a concern that the
17 regulatory framework is becoming out of alignment
18 with where we're going as a committee. And that
19 we are asking -- we are using data that's not
20 part of the staff review. We're now talking
21 about risk informed and following up. We're
22 asking more and more questions that are somewhat

1 divorced from the staff review.

2 And I think they're the right
3 direction to go in. We want to free up
4 innovation and the like. But as one who has had
5 to file a report and the incredible detail and
6 the enormous amount of attachments and all of
7 that that goes on, I am really concerned about --
8 you know, we're making these recommendations to
9 free up accreditors, but the regulatory framework
10 and the application process has to be aligned
11 with the direction we're going in.

12 And I feel like that -- the oral
13 interaction with the accreditors is now quite
14 independent from the staff review unless the
15 staff has found serious problems. But it's not
16 tied to the staff review. So my hope is that
17 there might be some follow up on this, regulatory
18 or some way that the connected -- the dots are
19 connected in a better way. Thank you.

20 CHAIRMAN KEISER: I think you have a
21 couple of issues there. And I do want to pass
22 this -- and this is a good conversation, however,

1 I do believe under the statute we are responsible
2 for outcomes. And the staff is required to look
3 at outcomes. And those outcomes are reported by
4 data. And so I think the staff does review the
5 data as best we can. Although, we don't tell the
6 institutions how to collect it.

7 MEMBER WOLFF: Well I would -- I would
8 -- if I may just comment. I have never seen a
9 staff review go to the level of detail about low-
10 performing institutions. It's all about
11 policies, not about performance. So I am just
12 saying, we're -- our conversation is at a very
13 different level.

14 MS. HONG: To your other point, Ralph,
15 about requesting a response -- I am not really
16 sure what -- what form of response you would be
17 requesting. I know with the previous
18 administration that if you look at all the
19 proposals that it -- that the previous
20 administration put in place, those were aligned
21 with many of NACIQI's recommendations. They
22 didn't come out of thin air. So certainly -- I

1 mean, the -- the actions that the previous
2 administration took were -- a lot of them were
3 directly related to NACIQI's recommendation.

4 So because this is an advisory body to
5 the secretary, I -- I -- I don't know what kind
6 of response you're searching for. I mean, folks
7 are aware we've had -- we had the assistant --
8 the acting assistant secretary present at the
9 meeting. So I think for future meetings we can,
10 you know, request her attendance once they've --
11 you know, have some remarks that they'd want to
12 share about accreditation. But certainly folks
13 are listening.

14 MEMBER WOLFF: It would satisfy me if
15 there was -- the new person actually came and
16 said I've received the report and -- even if I
17 have rejected it, I'd really rather know. Or
18 it's not where we want to go. It just would be -
19 - we're sending this into the ether at this
20 point.

21 CHAIRMAN KEISER: Okay, any further
22 discussion on the motion? Susan?

1 MEMBER PHILLIPS: Could we clarify
2 what has shifted from what's on the page here?
3 Just before we vote? There's a --

4 (Simultaneous speaking.)

5 CHAIRMAN KEISER: There were just some
6 typos. There were some rewording, the
7 wordsmithing which Bobbie recommended. And I
8 think the word branch was changed to additional
9 location.

10 MEMBER PHILLIPS: Just a quick recap
11 of that.

12 CHAIRMAN KEISER: Is that -- yes,
13 accept it -- it was to accept it with the
14 wordsmithing from the committee. I think the
15 concepts are there. John?

16 MEMBER ETCHEMENDY: So I was just
17 feeling left out because I haven't said anything.
18 But I --

19 CHAIRMAN KEISER: But you're all the
20 way over there.

21 (Laughter.)

22 MEMBER ETCHEMENDY: Yes, I know. No,

1 I want to say that this is a great -- I think a
2 great report. And you're to be commended on --
3 on the suggestions. I do want to -- there is one
4 worry. And it's not a worry that in any way
5 affects my support for this. And that is that
6 what we're really trying to do, I think -- and
7 this happens over and over again at various
8 levels in this whole process -- is we're -- we're
9 trying to leave space for judgment. Make good
10 judgment. Not be too niggly and -- and
11 technical. But leave some space for judgment
12 that can be applied to an institution or to an
13 accreditor, or -- and that's very hard to do.

14 And it's very hard to know where that
15 judgment can be applied and who can apply that
16 judgment. Is it something that the staff can
17 apply and say, well, you know, in my judgment
18 you're -- you're good enough here? I -- we had a
19 -- we had a case, for example, that came up where
20 the agency was given a one-year renewal because
21 they hadn't yet proven something. And yet, the
22 way it was reported is, they are doing it right.

1 They just haven't yet proven it to us. It sounds
2 -- it sounds in some ways contradictory. And it
3 would have been nice to be able to have the space
4 for that -- the staff to say, no, you've got it.
5 So this is -- just a general worry that I have in
6 any system of this sort. It is very difficult to
7 leave room for judgment and not end up having
8 that judgment second guessed all the way up to --
9 the line. That said, let's go for it. It's
10 great.

11 (Laughter.)

12 CHAIRMAN KEISER: I think everyone has
13 had a chance to discuss this. So I am saying no
14 more discussion. There is a motion made by
15 Arthur. A second by Claude, was it? Or Simon?
16 Simon said, right. I remember that. All in
17 favor of the motion, raise your hands.

18 (Show of hands.)

19 CHAIRMAN KEISER: All opposed.

20 (Show of hands.)

21 CHAIRMAN KEISER: Motion carries.

22 Excellent work, members of the committee. We

1 thank you because you did spend a lot of time on
2 this. And we will do the best we can to get it
3 moved forward to the right people in the right
4 places. So -- because what is -- the -- what's
5 going to happen is going to happen fairly
6 quickly. And you get that message, right? Okay.
7 What? You may.

8 MEMBER ROTHKOPF: I don't want to
9 extend this afternoon too far, but I'd like to
10 make a motion -- which also carries forward a
11 recommendation that was made by NACIQI in the
12 2012 report. And that was a motion that
13 encouraged looking at a student record system,
14 which we heard a great deal this morning. We
15 didn't hear both sides, but we heard in an
16 articulate way one side of it.

17 And at least I come away with the
18 feeling that the accreditors would benefit in
19 their work and NACIQI would benefit it there were
20 a more robust system of student records. And
21 whether it's through the College Transparency
22 Act, which I have not reviewed and I don't know

1 all that's in it. But it's interesting that you
2 had supporters from both sides of the aisle --
3 everywhere from Orrin Hatch, across -- across the
4 aisle.

5 Secondly, I think it's very important
6 -- we're focusing here on accreditors, but I'd
7 like to focus just for one minute on students.
8 And -- because they're the ultimate beneficiaries
9 here, or we're trying to help. The information
10 available to prospective students and their
11 parents about outcomes at all these institutions
12 is very, very mixed and not very helpful. And I
13 think if we went to a more robust system of a
14 student record system, then there would be the
15 opportunity to compare School X to School Y to
16 School Z. And that is simply not available.

17 So I -- I would urge -- and I would
18 make a motion that the NACIQI consider
19 endorsement of a student records system, or at
20 least the principles of that. And that we make
21 an analysis of it and then proceed to consider
22 whether our endorsement -- assuming someone wants

1 to pay attention to our endorsement -- is -- is a
2 direction in which we should go. So I would move
3 that we make this a major priority. And as
4 helping accreditors, helping NACIQI and most
5 importantly helping students in deciding where
6 they might or might not go to college.

7 MEMBER BOEHME: I'll second the
8 motion.

9 MEMBER WU: I'll second.

10 MEMBER BOEHME: To Frank. I'll yield
11 to Frank.

12 CHAIRMAN KEISER: And will we have --
13 would you make that clear? I wasn't sure -- that
14 we make it a priority? Or we advance? What was
15 -- what was the exact motion?

16 MEMBER WU: So I am going to try, for
17 Art, but feel free to tell me if I get this --

18 CHAIRMAN KEISER: One sentence.

19 MEMBER WU: One sentence. Be it
20 resolved that NACIQI supports the general
21 principle of a student unit record system and
22 commits to study the matter further. Period. Is

1 that accurate?

2 MEMBER ROTHKOPF: Fine.

3 CHAIRMAN KEISER: Did you second that,
4 Simon?

5 MEMBER BOEHME: Simone seconds.

6 CHAIRMAN KEISER: Simon seconds.
7 Okay. Further discussion? Claude? I thought
8 you would.

9 MEMBER PRESSNELL: Yes, I -- I guess
10 my only -- I think we're -- we're jumping into a
11 hornet's nest, real quick, on this. Is -- is
12 kind of my thought in -- in just in the way it's
13 worded. I -- I would like to have some type of a
14 statement that says that NACIQI is committed to
15 getting more robust and accurate data rather than
16 say student unit record level system. You know,
17 I -- I guess I'd like to not name it because --
18 and I -- I am all for more data. I just -- I
19 think it gets into the -- it gets into the how
20 rather than the what we need. I'd like to just
21 keep it in a what we need rather than how you go
22 get it.

1 (Simultaneous speaking.)

2 MEMBER ROTHKOPF: Do we have
3 information as to what we recommended in the
4 past? Do you have that, Simon?

5 MEMBER BOEHME: Yes --

6 CHAIRMAN KEISER: In the meantime,
7 while you're looking --

8 MEMBER BOEHME: I have it. 2012, the
9 policy report that we did under Chair Studley.
10 Some types of data may require that systems be
11 developed in order to compile the information in
12 the manner that protects privacy of individuals
13 appropriately. Recognizing the controversy
14 concerning national unit record systems, further
15 consideration could be directed to how
16 completion, parenthesis -- graduation data -- may
17 be gathered in a privacy-protected manner, which
18 is found on page seven of the 2012 NACIQI Final
19 Report.

20 CHAIRMAN KEISER: Brian?

21 MEMBER JONES: I -- I second what
22 Claude had to say. And quite frankly I think

1 that language is closer to what Claude suggests
2 that -- I think we all agree that better, more
3 comprehensive data would support the accrediting
4 function. But I thought John asked a very good
5 question this morning, probing whether there
6 might be an alternative way to do this beyond a
7 federal system.

8 And I think to Frank's point about
9 further study, I think part of that study should
10 be are there ways, for example, that the
11 clearinghouse could be reconstituted, reorganized
12 in the way that it does its work? And the answer
13 may be no. But I do think part of that study
14 ought to explore ways apart from the very
15 controversial student unit record notion to kind
16 of achieve the end I think we all want.

17 CHAIRMAN KEISER: John? And then I
18 have a question.

19 MEMBER ETCHEMENDY: So Arthur and --
20 and Frank, this -- this language from 2012, now I
21 just -- just heard it and I may not have
22 completely grasped it. But it sounds -- it

1 actually sounds really good to me because it
2 emphasizes -- I mean, emphasizing this protection
3 of privacy. And I don't think -- does it say
4 that the department should do this? Or that --
5 does it rule out having a -- a third party?

6 CHAIRMAN KEISER: That was a
7 recommendation for the Higher Education
8 Reauthorization.

9 MEMBER ROTHKOPF: Let me interrupt you
10 just a minute, John. The purpose of the 2012
11 report was responding to a request by the then-
12 secretary, Secretary Duncan, who asked for
13 recommendations for the department to present to
14 the Congress as part of the reauthorization of
15 the Higher Education Act. So it was intended to
16 go to the secretary, which it did. And for the
17 secretary then -- if -- of course, the Higher
18 Education Act was looked at a little bit since
19 then, but not much. It's a more serious look
20 right now. But it was not intended that the
21 department try to do it in its own. It requires
22 legislation because the current legislation says

1 you can't do it. So you've got to reverse a -- a
2 current item in the current law.

3 MEMBER ETCHEMENDY: I guess my
4 question was whether or not the language -- so I
5 understand that it -- it does require a change in
6 the law. But I -- wasn't clear to me whether the
7 language was contemplating the law being changed
8 in such a way that the government be instructed,
9 presumably the department, to collect this data,
10 or whether the law was to be changed to allow
11 this data to be collected some way or other,
12 which might or might not be by the -- the
13 department. In any event, I still liked that
14 language.

15 MEMBER ROTHKOPF: Fair to say, I think
16 the language in that report was intended to put
17 the issue on the -- on the agenda to try and get
18 a system that produced more data, but yet at the
19 same time took into account the concerns that
20 people have about security and individual rights
21 and privacy.

22 CHAIRMAN KEISER: I have a question to

1 Claude and -- I am kind of agnostic about this
2 because I don't know the impact of what the
3 negatives are. I've heard a lot of positives. I
4 know -- I understand the -- the need for data.
5 We have to have it. I did hear a lot of movement
6 as to what data would be collected and it kind of
7 broadened as different people spoke -- whether it
8 be post-graduate earnings and all kinds of other
9 things that might be part of it that go beyond
10 the scope of education or -- or schools. In
11 other words, what -- what -- why are the
12 universities or some of the -- why is NAICU
13 against this? And what's the downside?

14 MEMBER PRESSNELL: Well one I -- I
15 really don't want to speak on behalf of NAICU.
16 It would have been helpful, I think, today on the
17 panel is we had all pro, nobody against. I think
18 even the last time we were here it was all pro
19 and nobody against, and so --

20 CHAIRMAN KEISER: Well, we had
21 somebody from NAICU the last time.

22 MEMBER PRESSNELL: Oh, that's right.

1 My apologies. But I mean, it -- it just -- when
2 Frank has to say those against it seem to have
3 these concerns, he has to articulate the
4 opposition view. I think that -- I think that's
5 right. So my -- mine is more of a political
6 strategy standpoint in all honesty with you.
7 We're currently setting under a federal ban on
8 this, all right? So we have a federal ban. Yes,
9 we have some bipartisan support for one
10 legislative package that may remove the ban and
11 move in that direction, but that is -- that's not
12 unanimous among either of the two chambers. So I
13 think that you --

14 (Simultaneous speaking.)

15 CHAIRMAN KEISER: The Chair -- the
16 Chair --

17 MEMBER PRESSNELL: I'm trying to --

18 CHAIRMAN KEISER: Is opposed to it.
19 Virginia Fox is opposed to it. Very adamantly.

20 MEMBER PRESSNELL: And -- so there you
21 go. I'm trying to figure out a way, again, that
22 we could state what it is we're looking to

1 accomplish without dictating how to get there.

2 That's --

3 (Pause.)

4 MEMBER PRESSNELL: What's the end goal
5 versus this is how you do it? Because if you use
6 the word -- if you use the words student unit
7 record level data, boom, it lights up on fire and
8 I definitely don't want it in the regulatory
9 report. I know we've got two separate things
10 going on. But boy, don't want to even put them
11 in the same envelope together.

12 CHAIRMAN KEISER: Arthur, do you have
13 a friendly part of that amendment that might be
14 friendly to you? Or do you want to just go with
15 your motion and we can vote on it?

16 MEMBER ROTHKOPF: Well, I -- I'd favor
17 something -- and -- and actually my original
18 thought was does it talk about -- not use those
19 words that might inflame people? But rather say
20 -- to talk about the principles of the -- you
21 know, analyze the College Transparency Act,
22 which, you know, doesn't -- you know, everyone --

1 everyone these days is for transparency. At
2 least, most people are. So, you know, that was
3 another way to put it.

4 But I don't disagree with -- with
5 Claude when he -- when he says -- what -- what I
6 want is a serious discussion of the principles of
7 getting more data and better data. And getting
8 it, as they say, for accreditors, for NAICU. But
9 also for students who are trying to decide what
10 to do and there's a mishmash of data and they've
11 got to go to different places -- IPEDS and this
12 one and -- and they're not all that
13 sophisticated. And so I -- I think -- I know
14 Simon came on this committee saying we ought to
15 look at it from the students' standpoint. And
16 this is one thing that I think would be helpful
17 to them.

18 I'm willing to, you know, go back a
19 little. It's actually Frank's motion. But I --
20 I'm willing to say -- you know, put it -- not
21 quite so dramatically, but I do think we need to
22 look at it and try and be helpful to the

1 Congress, which may be set in stone against it.
2 But you know, there are members of Congress who
3 think that we ought to do something different.
4 And if they can -- you know, if that -- if that -
5 - that's -- that's also important.

6 MEMBER DERLIN: I guess my question to
7 the people who own the motion at this point in
8 time is could we resurrect the 2012 language in
9 lieu of the very specific motion about student
10 unit record? It's just a thought.

11 MEMBER BOEHME: I'd like to -- can I
12 -- I'd like to speak in favor of the motion. I
13 mean, I -- I see the spirit of it. I also
14 understand Claude's perspective on it. And
15 that's why Claude is shrewd and I am much more
16 bombastic. And I think we should make those
17 waves. I understand maybe there could be those
18 consequences. I -- again, I would default to
19 Frank. Frank is master wordsmith-er.

20 And so, but I -- I do think, again, to
21 -- to Arthur's point is there is a real urgency I
22 think on behalf of students as consumers, as

1 partners in education, to be much more aware
2 about the decisions they're making. But I think
3 as NACIQI members is that it's pretty clear that
4 accreditors -- and what C-RAC is doing and
5 regional accreditors are doing is they're
6 starting to take data seriously. And I think as
7 the federal -- maybe this is the wrong term, but
8 the federal cheer leaders of accreditation and
9 fulfilling our -- our statutory responsibility of
10 offering some recommendations to the secretary is
11 to say accreditors are starting to take data
12 seriously, we should also take this conversation
13 seriously and we are going to help accreditors
14 through this journey. And obviously there are
15 many ways of doing it. It -- I personally
16 believe it should be at a student unit level
17 record system. But I -- I am in favor of that
18 motion because I think that's also fulfilling our
19 responsibilities.

20 CHAIRMAN KEISER: Simon, I am just
21 curious, if I was a student, I'm not sure I want
22 to have my whole history as a separate data

1 element that any -- you know, that any -- you
2 know, whether it be appropriately, I guess,
3 access to that data. They'd have every bit of
4 historical data of mine on a record. And I'm --
5 is that what you think the students want?

6 MEMBER BOEHME: So I think certainly
7 student -- and so many people that I know have
8 expressed that concern. But I believe that the
9 College Transparency Act and the way that the
10 information would be collected -- hopefully it
11 would be obviously looking at security and
12 privacy. National Clearinghouse already collects
13 everyone's information. And I have not
14 explicitly signed off that National Clearinghouse
15 can. Probably somewhere tucked away in the terms
16 and conditions somewhere in Cornell when I am
17 signing away my life, I am actually granting the,
18 sort of, permission.

19 But I think you bring up a great
20 concern. And I trust Congress and I hopefully
21 trust our --

22 (Laughter.)

1 MEMBER BOEHME: I -- I'd like to trust
2 Congress.

3 (Laughter.)

4 MEMBER BOEHME: That they will be
5 responsible with that data.

6 MEMBER WU: Okay, so I am going to try
7 again with -- with one sentence. Yes -- it's not
8 short. Be it resolved that NACIQI supports the
9 general principle of their being an accurate and
10 complete system of data about institutional
11 performance in guiding individual students to
12 completion of their degree, comma, weighing
13 considerations such as privacy, period.

14 CHAIRMAN KEISER: Is that a
15 restatement of your motion? Did you withdraw
16 your motion and make this -- substitute this?

17 MEMBER WU: I am just offering it to
18 advance the discussion. It does not use the
19 word student unit record system. That phrase
20 does not appear. And it -- the idea is it's the
21 general principle. It's not something specific.
22 It's at the principle level. And it's about

1 institutional performance, not individual
2 students. So I -- I tried to take all that into
3 account. But feel free to edit away. I'm just
4 trying to get a statement that might generate a
5 consensus or at least a majority of the members
6 of this body. Oh, the -- there would be a second
7 system. And NACIQI commits to study the same,
8 period.

9 MEMBER WOLFF: You know, we've had two
10 panels on data and have a lot -- I personally
11 have, yet, a lot of questions. I totally support
12 the need for more comprehensive data. I don't
13 want to support a -- a model of a student unit
14 data record system because -- but we haven't
15 looked at cyber security in depth.

16 So I am willing to support --
17 personally, I am willing to support that we go on
18 record saying that we feel that more data is
19 needed to make better judgments -- for us to make
20 judgments around the process of accreditation and
21 that accreditors need better data from whatever
22 systems are available. But to say how we should

1 do it, I have a real concern about until we
2 actually have had more of a discussion of what
3 these two panels mean to us. What are the
4 concerns of security? And how can we address
5 those? What are the ways? So -- and how much
6 does the National Clearinghouse provide as an
7 alternative? So I like the study part. I'd just
8 like a much more general proposition about
9 supporting the need for more data rather than
10 getting into the how it would be done.

11 CHAIRMAN KEISER: Doesn't Frank's
12 alternative motion do that?

13 MEMBER WU: I can give you an even
14 softer version that's even shorter. How about
15 this? Be it resolved NACIQI commits to continued
16 study of systems for tracking institution -- for
17 assessing institutional success in guiding
18 students to completion.

19 CHAIRMAN KEISER: That's not true.

20 MEMBER WU: All right, but it just
21 commits us to study. It doesn't endorse any, it
22 just --

1 (Simultaneous speaking.)

2 MEMBER BOEHME: I think we need to
3 endorse.

4 MEMBER WU: We don't -- we don't even
5 -- we don't even need a motion to study something
6 if -- so here's the simplest suggestion. If the
7 Chair were to say we will study this including
8 the pros and cons and I as Chair commit to
9 bringing speakers on both sides and that we will
10 continue talking about it, that would achieve the
11 same effect without the formality. And my sense
12 is that would get a majority at this table with -
13 - without even a motion. If the Chair just said
14 we will do another panel, both sides, and then
15 we'll talk about it. How about that?

16 CHAIRMAN KEISER: I don't have a
17 problem with that. I'd like to hear what the
18 accreditors say and hear what data they need.
19 Because again, it depends on who intrusive we can
20 become in the process. But, Frank, you're the
21 maker of the motion. So you can go wherever you
22 want to go with this. Do you want the original

1 motion? Do you want your alternative first? Do
2 you want your second alternative? Or do you want
3 that -- do you just want to give it up to me and
4 I'll --

5 (Simultaneous speaking.)

6 MEMBER WU: So I'm fine with no motion
7 Because I think it would command unanimity around
8 this table if the Chair just said we will study
9 it, I will bring some people pro and con and the
10 agencies. And at the next meeting we'll talk
11 about it. Right? That -- that -- that would --

12 MEMBER PRESSNELL: Yes. I thought
13 that Simon was actually going to make a motion
14 for the second subcommittee to study this. But
15 obviously got into a -- I like it better.

16 CHAIRMAN KEISER: Jennifer.

17 MS. HONG: I think that's what we're
18 already doing. So, yes -- so I agree that we
19 don't need a motion on it. And we can continue
20 on the path. Nor do I think that we should
21 commit to doing it at the next meeting either.
22 But I think we should just continue on -- I mean,

1 we've had panel -- this meeting and the previous
2 meeting. So it's -- I mean, it's a continued
3 discussion, no doubt. So I -- I don't know that
4 we need a motion about that expressly.

5 MEMBER BOEHME: There was interest in
6 writing, last time we met in June, of writing a
7 NACIQI white paper on data. So maybe the motion
8 would be -- is let us create a subcommittee while
9 exploring the issues of data to ultimately write
10 a NACIQI white paper on data.

11 CHAIRMAN KEISER: I don't think we
12 need a motion for that. I can just do that. I
13 think -- I can create a subcommittee.

14 MEMBER BOEHME: Well we had a -- we
15 made a motion to create this subcommittee. So
16 maybe it's just to make a subcommittee on data.

17 CHAIRMAN KEISER: John? And then you
18 can make a motion if you would like to do that.
19 John?

20 MEMBER ETCHEMENDY: I missed the last
21 thing that Simon said. But -- I mean, I would be
22 comfortable, actually -- more comfortable saying

1 -- sort of committing to coming to a conclusion
2 in three months. That is, at our May meeting.
3 And -- and perhaps get together some input from
4 the people who -- who are concerned about this
5 kind of system. But actually decide, you know,
6 well we're going -- NACIQI is going to make a
7 recommendation at its May meeting. And then go
8 ahead and do it. But I -- I just feel that at
9 this point many of us just feel that we don't
10 quite have -- we didn't quite hear a balanced
11 presentation. We heard a very good but one-sided
12 presentation.

13 MEMBER BOEHME: But just to be clear
14 though. In June it was the state level panel on
15 data. Right? So we had NAICU, we had someone
16 from SHEEO. I mean, we did hear the opposing --
17 I -- I hear you on that. And I think maybe
18 moving forward it should be balanced. But we did
19 hear what a state-level system would look like.
20 And most of the people there did not endorse or
21 spoke.

22 CHAIRMAN KEISER: Jennifer and then

1 Frank?

2 MS. HONG: And we had -- remember, we
3 had opened it up to public comment. So one of
4 the commenters, I know, who was opposed to it
5 didn't show up -- wasn't able to make it --

6 MEMBER BOEHME: National Clearinghouse
7 showed up and said they --

8 MS. HONG: Right, so --

9 MEMBER BOEHME: Yes.

10 MS. HONG: So folks were able to
11 submit a comment on the agenda item today as
12 well.

13 MEMBER WU: So --

14 CHAIRMAN KEISER: Keep it short and
15 simple.

16 MEMBER WU: I'm not going to make
17 another motion. It seems to me there are two
18 desires that we have. One is to hear from more
19 parties including the agencies themselves and
20 some who feel strongly on the other side -- that
21 is, who are opposed whether because of privacy or
22 for some other reason. So everyone here wants to

1 learn more because we like to be educated and to
2 know what we're talking about somewhat. And
3 number two, there's also some sentiment, although
4 maybe not unanimous, that we come to some closure
5 and say something -- what the something is will
6 be subject to debate. But I think if the Chair
7 and our ED commit that we'll do this.

8 However, having said that I will note
9 -- and this is not a comment in any way in
10 anticipation of what may or may not happen in May
11 as to any particular agency -- but I would expect
12 that our May meeting may be prolonged and if we
13 set up something like this we will regret it
14 because we will be here for a long, long time.
15 So -- so we might need to look at the fall.
16 Although, I understand we're only two meetings a
17 calendar year. So this goes to Ralph Wolff's
18 biblical year of NACIQI. We would actually be
19 looking at doing this in 2019. I mean -- I know
20 that's crazy to say that. But I -- I would not
21 actually be in favor of packing more into May.
22 May is going to be plenty busy for us.

1 CHAIRMAN KEISER: Now, I have a motion
2 on the floor and a second. Would the maker of
3 the motion want to withdraw the motion?

4 MEMBER WU: I will withdraw the
5 motion. I can't recall the motion myself, so --
6 (Laughter.)

7 CHAIRMAN KEISER: That makes it easier
8 because if you withdraw it -- Ralph?

9 MEMBER WOLFF: As one who worked on
10 the subcommittee, and I have to say, Claude did a
11 great job gathering us -- I would prefer that a
12 subgroup address this issue -- conduct interviews
13 in the way in which WASC and HLC were interviewed
14 -- than to have a group of panelists come in
15 which they all do serial presentations, leave.
16 But I'd rather have something that's kind of
17 distilled around what our role is based on some
18 interviews. So with all due respect, knowing
19 that committees are the death of any issue, I
20 think this committee proved that it was possible.
21 And I'd encourage that there be a subcommittee
22 and work out what the right timing would be. But

1 I'd rather there be conversations on a more
2 private level about what data is needed.

3 I don't want to support -- it's not
4 our job to support the College Transparency Act
5 or any specific legislation. I'm really
6 concerned about how do accreditors get the kind
7 of data, or comprehensive kinds of data, that we
8 heard is a huge issue, that we can make better
9 judgments on about their performance. So I would
10 encourage you as chair, appoint another
11 subcommittee of -- it -- and work out the timing.
12 But not wait forever to get a report back.

13 CHAIRMAN KEISER: Well, as Simon said,
14 we did make a motion on -- to create the last
15 subcommittee. If you would like to make that
16 motion --

17 MEMBER WOLFF: So moved.

18 CHAIRMAN KEISER: And if somebody
19 would like to second that.

20 MEMBER PRESSNELL: I second.

21 CHAIRMAN KEISER: That was Claude.
22 And there is discussion from Frank.

1 MEMBER WU: Yes, so, a committee to do
2 what? So could I suggest a committee to look at
3 data generally? Because that way this is less
4 controversial. And there's all sorts of stuff
5 that we care about that's related to data. And
6 if we don't flag student unit record it will be
7 just much more palatable to people. If this is
8 one of ten different things. And it may turn out
9 to be the biggest one, but there's lots about
10 data that we care about.

11 CHAIRMAN KEISER: I think Ralph --
12 Ralph makes --

13 MEMBER ROTHKOPF: Isn't it -- isn't it
14 -- don't we want -- our focus should be not to
15 get all the data in the world, but the data that
16 we think as, in our regulatory role, that we want
17 the accrediting agencies to get and present to us
18 that will be helpful in our deliberations.
19 There's a lot of data that --

20 PARTICIPANT: That was part of the -

21 MEMBER ROTHKOPF: Wouldn't it be
22 particularly helpful? So we don't need it. They

1 may want to do it. Someone may want to get that
2 data. But we want to focus on what would help
3 the process that we are committed to keep. And
4 along the way I think it ought to -- we ought to
5 keep in mind the student. I don't think -- I
6 don't think the only thing should be what's
7 useful to us, but I think that should be the
8 prime thing. But my guess is that if we find
9 things that are useful to us, they're going to be
10 useful to prospective students and their parents.

11 CHAIRMAN KEISER: John and then Frank.

12 MEMBER ETCHEMENDY: So, Ralph, would
13 it be a friendly amendment to say, form a
14 subcommittee that -- that makes a recommendation
15 to NACIQI at the May meeting?

16 MEMBER WOLFF: I -- well, first of
17 all, that the committee would make a
18 recommendation is definitely my goal. Not to
19 have more panels and the like. And the same way
20 this subcommittee did. Whether it would be the
21 May meeting, I would prefer that, but I don't
22 know the agenda. So I -- I would leave that to

1 the Chair to arrange the agenda. But I think as
2 soon as practical would be important. Because we
3 -- we made previous recommendations on this and
4 my focus is on our role of reviewing accrediting
5 agencies -- particularly institutional ones.
6 Beneficiaries of that are students.

7 But I don't want to get involved in
8 the student perspective on this. It's -- it's
9 that accreditors are getting information. And
10 partly my concern is we're getting data analyses
11 that are so partial and picking on just a small
12 number of institutions. I'd like to look at what
13 are the alternatives for us to rely upon? So it
14 is a friendly amendment and I would say yes, that
15 it would lead to one or more recommendations as
16 soon as we could -- and to bring it before NACIQI
17 as soon as possible.

18 MEMBER WU: Not to complicate it, but
19 just briefly, there are actually three categories
20 of data that are distinct but overlap. Arthur
21 Rothkopf is right. The data we like, students
22 like and vice versa. But the three categories

1 are one, data that students and parents want.
2 All right, that -- that's in my mind the biggest
3 category. What do students and parents want to
4 know before they plunk down fifty grand to go to
5 such-and-such school. That's category one.

6 Category two is what is the data
7 accreditors want that they demand from
8 institutions? That's not the same. That's a
9 different category of data. And some
10 institutions may chafe at what accreditors want.
11 But the third paragraph is even more specialized
12 and that's what does NACIQI want when we do this?
13 And this goes back to what Ralph pointed out. If
14 we start asking for lots and lots of stuff and
15 the agencies don't know that we're going to ask
16 for the stuff, we're going to have frustrating
17 meetings for all sides. So these are three
18 different categories of data -- the data for the
19 students, the data for the accreditors and the
20 data for NACIQI. They're not the same.

21 CHAIRMAN KEISER: If I may, I think we
22 are all on the same path now. We have a motion.

1 We have a second. We'll let the subcommittee
2 focus on the data that we need and the data that
3 the feel is appropriate. I -- I would call the
4 question unless there's absolutely somebody who
5 is opposed to doing that. All those --

6 MEMBER PHILLIPS: Could you repeat the
7 motion?

8 CHAIRMAN KEISER: The motion --

9 MEMBER PHILLIPS: Could you repeat the
10 motion?

11 CHAIRMAN KEISER: Motion is to set up
12 a subcommittee to provide information to us on
13 the data that we need as soon as practical. You
14 have it written down, but that's -- that's the
15 essence of the motion.

16 PARTICIPANT: That good enough for
17 you?

18 (Laughter.)

19 CHAIRMAN KEISER: And it was second by
20 Claude. All in favor of the motion, signify by
21 raising your hand.

22 (Show of hands.)

1 CHAIRMAN KEISER: All opposed?

2 (Show of hands.)

3 CHAIRMAN KEISER: And I'd love to have
4 anybody who would like to serve on that committee
5 to come to see me and we can get that done.
6 Okay? And if you'd love to chair it, we would
7 love to have you chair it. Okay, now --

8 (Laughter.)

9 CHAIRMAN KEISER: You served. You
10 served. Is there any other discussion that we
11 need to -- that you want to bring before the
12 Chair today?

13 (No audible response.)

14 CHAIRMAN KEISER: This has been --

15 (Simultaneous speaking.)

16 MEMBER BOEHME: I will make a motion
17 to adjourn.

18 CHAIRMAN KEISER: Okay, I think that's
19 a very timely motion. I do want to say thank you
20 to everybody for your patience. We covered a lot
21 of material today and -- and yesterday. So thank
22 you. You are adjourned and we will not be

1 meeting tomorrow.

2 MEMBER WU: And Jen, could you refresh
3 our memory? Dates for May? Dates for May?

4 MS. HONG: These are on the website.
5 We're holding on to May 22nd through 24th. Those
6 are the dates that we're -- we're holding. We
7 haven't formally announced it. We have not
8 formally announced it, so -- but that's what
9 we're aiming for. May 22nd through the 24th.

10 (Whereupon, the above-entitled matter
11 went off the record at 4:44 p.m.)

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