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U.S. DEPARTMENT OF EDUCATION

OFFICE OF POSTSECONDARY EDUCATION

NATIONAL ADVISORY COMMITTEE ON
INSTITUTIONAL QUALITY AND INTEGRITY
(NACIQI)

WEDNESDAY, MAY 23, 2018

8:30 a.m. – 3:40 p.m.

DOUBLE TREE BY HILTON WASHINGTON DC

CRYSTAL CITY

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1 **FOR THE APPROVAL OF PUBLIC**
2 **POSTSECONDARY VOCATIONAL**
3 **EDUCATION/PUERTO RICO STATE**
4 **AGENCY FOR THE APPROVAL OF**
5 **PUBLIC POSTSECONDARY VOCATIONAL,**
6 **TECHNICAL INSTITUTIONS AND**
7 **PROGRAMS**

8 **NACIQI Primary Readers:** Roberta L. Derlin,
9 Ralph Wolff

10 **Department Staff:** Valerie Lefor

11 **Agency Representatives:** Ann M. Mockford

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1	SPEAKER LIST
2	Arthur Keiser, Chairman
3	Frank Wu - Vice Chair
4	Jennifer Hong - Executive Director
5	Herman Bounds
6	Sally Morgan
7	Roberta (Bobbie) Derlin
8	Rick O'Donnell
9	Brian Jones
10	Jill Derby
11	Steven Van Ausdle
12	Anne Neal
13	George French
14	Susan Phillips
15	Ralph Wolff
16	Claude Pressnell
17	John Etchemendy
18	Kathleen Sullivan Alioto
19	Simon Boehme
20	Chuck Mula
21	Erin Dutton Valerie Lefor
22	Elizabeth Daggett

1	Stephanie McKissic
2	Dr. Nicole Harris
3	Jamienne Studley
4	Henry Hernandez
5	Dr. James Walker
6	Dr. Francis Gerbasi
7	Dr. Laura Bonanno
8	Bernard Fryshman
9	Rabbi Yaakov Applegrad
10	Gitty Rosenbaum
11	Karen Moynahan
12	Richard F. Mann
13	Tom Killiam
14	Ann Annie M. Mockford
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1 **WELCOME AND INTRODUCTIONS**

2 CHAIRMAN KEISER: Good Morning welcome to
3 day 2 of the National Advisory Committee on Institutional Quality
4 and Integrity. And if I may have for the benefit of the people in
5 the audience us introduce ourselves. Rich you start.

6 MR. O'DONNELL: Good morning I'm Rick
7 O'Donnell, CEO of Skills Fund.

8 MR. JONES: And I'm Brian Jones, President of
9 Strayer University.

10 MS. DERBY: And I'm Jill Derby, Senior
11 Consultant with Association of Governing Boards of Universities
12 and Colleges.

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

15 MS. NEAL: Anne Neal, Senior Fellow American
16 Council of Trustees and Alumni.

17 MR. FRENCH: George French, President of Miles
18 College, I can't figure out how to work the system.

19 MS. MORGAN: Sally Morgan, I'm with the Office
20 of General Counsel at Department of Education.

21 MR. BOUNDS: Herman Bounds I'm the Director
22 of the Accreditation Group at the Department of Education.

1 MS. HONG: Jennifer Hong, Executive Director,
2 Designated Federal Official of NACIQI.

3 MR. KEISER: Art Keiser, Chancellor of Keiser
4 University.

5 MS. DERLIN: Bobbie Derlin, Associate Provost,
6 New Mexico State University.

7 MS. PHILLIPS: Susan Phillips, Faculty, University
8 of Albany, State University of New York and Leadership Fellow,
9 SUNY Sail Institute.

10 MR. WOLFF: Ralph Wolff, President, Quality
11 Assurance Commons.

12 MR. PRESSNELL: Claude Pressnell, I'm the
13 President of the Tennessee Independent Colleges and Universities.

14 MS. SULLIVAN ALIOTO: Kathleen Sullivan
15 Alioto, Advocate for Read, Play and Sing with Your Child 10
16 Minutes a Day.

17 MR. BOEHME: Simon Boehme, Student Member.

18 MR. MULA: Chuck Mula, Department staff.

19 MS. LEFOR: Good morning, Valerie Lefor,
20 Department staff.

21 MS. DAGGETT: Elizabeth Daggett, Department
22 staff.

1 MS. MCKISSIC: Stephanie McKissic, Department

2 Staff.

3 MS. HARRIS: Dr. Nicole S. Harris, Department

4 staff.

5 **PRESENTATION BY THE WASC SENIOR COLLEGE**

6 **AND UNIVERSITY COMMISSION (WSCUC)**

7 **GRADUATION RATE DASHBOARD**

8 CHAIRMAN KEISER: I'll again welcome

9 everybody to our meeting. This morning we're going to start with

10 a presentation from the Western Association of Senior Colleges

11 and University, the WASC Senior College and University

12 Commission and they were here last time and we were very

13 impressed with what they were doing with their graduate

14 dashboard.

15 And we would like to have you welcome -- we

16 welcome you. Would you introduce yourselves, especially our

17 former Chair, we do appreciate that you're here and make your

18 presentation, thank you.

19 MS. STUDLEY: Thank you very much Chair

20 Keiser. It's good to be back at NACIQI. Not everybody says that

21 every time but we truly mean that. Thank you very much for this

22 opportunity to speak with you today.

1 We're very excited to talk about one of my favorite
2 subjects -- student success. The data part follows along from that
3 commitment to student success. I'm joined here by Henry
4 Hernandez, the WASC CIO.

5 WASC is a membership organization of about 200
6 institutions at the Bachelor's level and above operating in
7 California, Hawaii, the Pacific Islands and internationally and it's
8 also a regional accrediting agency recognized by the U.S.
9 Department of Education.

10 To put our presentation in context I thought I'd dial
11 it back a bit to 2011 when here in NACIQI we were beginning to
12 discuss student outcomes and ask every accreditor how they
13 thought about student learning outcomes and other performance
14 measures.

15 In 2013 the President challenged the Department of
16 Education to find new and better ways to understand access,
17 affordability and outcomes leading to a national search for better
18 questions, measures and strategies for understanding student
19 success and institutional effectiveness.

20 In 2015 the revised college scorecard launched to
21 provide user-friendly ways to understand exactly that. And late in
22 2015 the first stages of accreditor dashboards were introduced.

1 They've been improved steadily by the staff. I'm very impressed
2 by what that rudimentary dashboard has turned into and used very
3 effectively by NACIQI.

4 For WASC student success is deeply rooted in
5 learning outcomes. For us that means that students are prepared
6 for success in their personal, civic and professional lives and that it
7 embodies the values and behaviors that make each institution
8 distinctive.

9 Success is understood in part in through strong
10 retention and degree completion rates and by a variety of other
11 metrics that we all work on to understand the different dimensions
12 for each student, for each institution of what success can look like.

13 On one level this is complicated -- that's why we've
14 chosen a nuclear power plant control room. But on another level
15 this is really quite straightforward. We want to understand what's
16 happening with students in the classroom and beyond so that we
17 can make improvements for students wearing our institutional
18 improvement hat and so that we can make critical decisions about
19 gatekeeping, about access to precious taxpayer funds and
20 understand the performance of institutions in a rounded and
21 complete way.

22 Let me just make a couple of comments and then

1 I'll hand off to my colleague. Our intention is not to make
2 accreditation decisions solely on the basis of these data but to use
3 them in concert with other sources of information and other
4 sources of data from IPEDS and other places to put together -- the
5 multiple measures to surround the complex issues of performance
6 that are at the heart of our gatekeeping and also of our institutional
7 improvement.

8 Ultimately we want evidence of sufficient breadth
9 of student success at member institutions that we can make those
10 important gatekeeping decisions and help institutions and improve
11 the national conversation around degree attainment, student
12 success and ultimately the value of higher education.

13 I've given you a time line for a variety of projects in
14 which you were involved. Now Henry will talk about what was
15 going on in WASC at the same time and how we developed the
16 tool that we are going to talk to you about today. At the end I'll
17 come back and talk a bit about some benchmarking activities that
18 we're doing that are the next frontier for us.

19 But as we do all of this let's think about how can we
20 work together collectively on these efforts? How can we continue
21 our work across regional accreditors, across the universe of all
22 accreditors in partnership with the Department and with our

1 institutional members in the interest of student success, with that
2 Henry.

3 MR. HERNANDEZ: Thanks Jamie, good morning
4 everyone, can you hear me okay. Okay I'm going to switch back
5 and forth between my glasses because I'm of that age where I can
6 either see you or I can read -- I haven't quite graduated to bifocals
7 yet.

8 Anyway I'll be showing some slides. Hopefully
9 you guys can follow along with me and the slides -- just switch to
10 the next one. This is our Agenda today, I'm hoping to keep our
11 formal presentation short so we have time for discussion. And
12 again please jump in because I don't want this to be too formal.

13 We want this to be a conversation. You'll also
14 notice as I run through the slides that I might skip a few, we'll
15 share the slides with you so you have this deck and we'll also point
16 out where a lot of this information could be found on the WASC
17 Senior website so don't feel compelled to take meticulous notes.

18 And so that's just in the interest of time so we can
19 get to the fun part of discussion. And before I click through the
20 slides I just wanted to clarify again like Jamie said, the graduation
21 rate dashboard for us is part of a broader effort to understand and
22 improve student success so yes, this is an important tool but it's

1 only one tool in a toolbox that we want as accreditors and we want
2 our institutions to engage in.

3 So Jamie gave you a brief overview of the kind of
4 institutions we serve. I know you guys get a dashboard as well as
5 our performance but I just wanted to bring up for you one slide that
6 this is a data point that we've been tracking for a while and we find
7 quite interesting.

8 The line graph simply shows the proportion of the
9 undergraduates in our region, the graduates actually, that are
10 members of the IPEDS first-time full-time cohort. And you know,
11 it's right around I don't know 37, 38, 40% or so. So for us that
12 says roughly 60% of the student success in our region for under
13 grads isn't being captured by the more traditional measure of
14 IPEDS.

15 And we all know that but just to put this in context,
16 this is part of what motivated us back in the day when we started
17 looking at these data to find better ways to measure student success
18 so we could capture all the success in our region.

19 And let's go to the next slide. I know this one is
20 tough to read so I'll read it to you. Just in summary but this
21 presentation and what we're talking about here is really a story of
22 how we've searched for this better way to measure student success.

1 And as we thought about this we came up with a
2 wish list -- here's all the things we would want to be able to do.
3 We'd want to be able to see institutional efficiency and the
4 effectiveness of their student success efforts. We'd want to see
5 what's happening with students regardless of time to degree. We
6 needed an annually updated format, disaggregated by race,
7 ethnicity and gender.

8 We want to be able to account for both the
9 graduating students as well as those that didn't keep going. We
10 want to be able to track the transfer activity of students to
11 understand where they're coming from or going to so we can
12 account for all that success.

13 We'd love to see this as a nationally comparable
14 data set, of course, with results in an easy to understand graphical
15 and publicly available format and finally in a way that is attuned to
16 the unique populations and missions of each of our students or
17 each of our institution students.

18 So in essence we have this wish list of something
19 that doesn't exist. And one of the things this reinforced for us as
20 we looked at different models out there -- things like IPEDS or
21 data we could get for the clearing houses, we must have multiple
22 measures as Jamie said to surround the issue -- different ways

1 where we can look at facets of the problem because no one
2 measurement system alone was capable of producing all that detail.

3 So just a quick time line here, Ralph will remember
4 this clearly as the lead up to the 2013 version of our handbook, the
5 Commission identified student success as one of the central issues
6 that we wanted to grabble with so they formed a task force. The
7 task force did some work, came up with a method.

8 We iterated again that first method was
9 cumbersome and highly detailed. John Etchemendy, one of your
10 colleagues and some other Commissioners rebooted that effort and
11 that's what came to produce what we now know today as the
12 graduation rate dashboard.

13 We piloted it, we piloted it again and then as of
14 2015 this is a required piece of the data elements that institutions
15 have to submit to us every year. So since 2015 we've been
16 collecting 8-year chunks of data. So we actually have quite a large
17 data pool already on this measure.

18 But what is the graduation rate dashboard is what
19 we're really here to talk about. And simply it's a tool for tracking
20 institutional level performance related to retention and graduation
21 and it's focused on units. The method looks at 6 data points and
22 from those data points it develops two completion measures.

1 The first one is called the unit redemption rate and
2 the second one is called the absolute graduation rate. I'll also add
3 on that there's actually a third completion measure on the
4 dashboard which is the IPED's first-time full-time graduation rate,
5 because we use that as a reference point.

6 And if any of you guys have been sailing or doing
7 any kind of hiking it's nice to have a point by which to triangulate
8 your position -- like oh, I know that mountain over there and what
9 that means so I think I'm right about here.

10 So another important thing to keep in mind before I
11 get into the explanation what the data points are and the measures
12 is that this is not a cohort based model. And what I'd like to tell us
13 all to do is if you could just take the idea of this cohort based
14 model, put it in a little boat and just push it out to sea for a second
15 because this is an entirely different way to think about it and
16 getting rid of the cohort idea is going to be key to your
17 understanding.

18 Instead, I'd like you to think about it like this -- and
19 luckily it's not right before lunch so this isn't going to get your
20 tummies grumbling but let's call this the student success sandwich.
21 And with the dashboard we're in essence collecting yearly slices of
22 data -- these 6 data elements that make up the unit accumulation

1 and redemption patterns.

2 Each slice is on the academic year defined by
3 IPEDS so that's the July 1 - June 30 year. So we do that to keep it
4 aligned so we can use IPEDS as a cross reference. And now let's
5 just jump into the data points themselves because I think this will
6 start to make a lot more sense for you.

7 So there is in essence three buckets of data we're
8 looking at in the dashboard. The first two are about those students
9 who were actively enrolled as degree-seekers at the institution and
10 the units that they accumulate during that year -- pretty simple.

11 The second two -- number 3 and 4 on the slide are
12 the students that graduated in that year in the units that they got
13 from the institution that were redeemed in essence for a new
14 degree.

15 And then finally, and very interestingly is the 5th
16 and 6th which are those students who did not continue at the
17 institution. Who were they and how many institutions have they
18 accumulated that in essence, will not go redeemed by this
19 institution for a new degree?

20 And there's deep definitions -- again I'll point you
21 to the WASC website and I'll have a link to this later where you
22 can really get into the finer points of detail on what these

1 definitions are -- but those are the three basic buckets -- the
2 students that are enrolled, the students that are graduating and the
3 students that didn't come back. And what do we do with those?
4 Glad you asked.

5 The first measure that we developed is called the
6 unit redemption rate and this is simply the proportion of units
7 granted by the institution that are eventually redeemed for a degree
8 from that institution -- that's irregardless of time and irregardless
9 of the student status -- again this isn't a cohort model, it's simply a
10 balance sheet of how many units got issued versus how many
11 issues got redeemed in essence to turn into a degree.

12 And the interesting thing about this if we think
13 about units as a proxy for the very complex issue of tuition and
14 resource in essence how much money resource time did everyone
15 spend -- the students, institution in seeing this education delivered
16 and what came out of that.

17 So it's in essence a unit of efficiency. How
18 efficient is the institution delivering the units that the students
19 needed to see those units then turned into a degree? And in a little
20 while we'll talk about a terrific example of what looking at this
21 kind of data can help an institution discover.

22 So I won't go into the math here but it will be

1 available to you and let's skip on to the next data element which is
2 that of the non-continuing student.

3 Now this is unique to the dashboard in that every
4 year the institution is reporting to us the number of degree-seeking
5 students that didn't keep going and the total cumulative units that
6 they had gotten from the institution.

7 Now that's important to understand what the
8 definition of this is -- it may be referred locally as an inactive
9 student, a stop out, a drop out, a withdrawn and you notice right
10 there I have a transfer as grade out.

11 And that's an important issue because even with the
12 new IPEDS outcome measures that understand transfers coming in,
13 one of the things this helps us do is look at transfers going out. So
14 institutions that can reliably verify that a student who didn't
15 continue with the institution actually went somewhere else to
16 succeed, they don't have to include them as a non-continuing
17 student because they're still succeeding just not at that moment or
18 that institution that houses their data.

19 This to me is maybe perhaps next to the UR one of
20 the most actionable lines of inquiry the institution can pursue. So
21 for example, who were these students down to the student record
22 level -- who are they? What programs were they in, what courses

1 did they take? What advising or support services did they take
2 advantage of and what are the patterns in those and that kind of
3 inquiry can produce terrific results for improvement.

4 One thing I will mention about this is this is
5 probably the most challenging bit of the graduation dashboard for
6 institutions to look at because they're not used to looking at their
7 data in this way and unless they support or unless they participate
8 in student clearing house or have some kind of exit survey, it's
9 hard for them to understand that the student reliably went
10 somewhere else.

11 And then here we have our second completion
12 measure which is the absolute graduation rate and you can read the
13 slide but it's simply the proportion of students who started at that
14 institution that eventually graduate from this institution. So that's
15 regardless of time to degree, regardless of part-time full-time
16 swirling, a student could come back 20 years later, finish their final
17 set of courses and their success would be counted in this measure.

18 So it is in essence a more inclusive method than we
19 see by a cohort defined model. That being said, we don't think of
20 the AGR as the better IPEDS first-time full-time graduation rate
21 replacement -- it's not. It's a different summary measure. It's
22 based on an entirely different methodology and it also doesn't

1 work for every institution.

2 Those that have rapid enrollment decreases or
3 increases, you know, just the way the methodology is built, it
4 doesn't work for everyone but for those institutions that serve
5 significant portions of students who aren't first-time full-time,
6 those students who may take more than 6 years to finish or that
7 come and go, this is a very appreciated method and a very
8 engaging method for them because it helps them demonstrate
9 success that would otherwise, like we saw in that little line chart,
10 be invisible.

11 So again, there's more math. You can check those
12 out at your leisure but I just wanted to summarize by saying you
13 know, the graduation rate dashboard itself it's a unit focused
14 methodology, it has this unique insight to seeing the non-
15 continuing student and that's a huge boon for the institutions to be
16 focused on that.

17 It works on multiple periods of time so even with
18 one year's data we have a reliable set of information that we can
19 engage the institution on. Obviously if we have 8 or 10 or 12 years
20 of trend, it's more interesting and more reliable. But last but not
21 least it's not this cohort based model, it's in essence this balance
22 sheet idea of the students coming in and the students going out and

1 the relationships.

2 Again, I'll skip this one in interest in time and for
3 your eyes. That's what the data might be represented as and as
4 Jamie said it's complex, but it also tells very clear stories.

5 Now the next and most -- I think, salient question
6 for us, all of us, how do we use this in our accreditation process?
7 So first, we make institutions report this every year. This is an
8 annual reporting requirement.

9 Second, we analyze this as staff as their mid-cycle
10 and we also require institutions to narrate this as part of their
11 institutional reports -- their self-study. So they're required to
12 engage on this component, talk about it in relationship to other
13 measures that they use again multiple measures for us.

14 It's shared and discussed with the peer review teams
15 so the peer review teams are trained on it, they're discussing it
16 with the institutions and then of course it's shared with the
17 Commission and finally and interestingly enough, it's also publicly
18 available on the WASC Senior website so you want to go to the
19 website you can see a visualization tool that lets you look at all this
20 data for all the institutions that serve undergraduates.

21 Ooh, and I mentioned that we would talk a little bit
22 about a UR example and I thought this would be useful from the

1 point of view of how we use this in accreditation. So I'm sure you
2 guys all know who UCLA is -- a very strong institution and they
3 have on the face of it very -- they're very successful with their
4 graduation rates. They have a unit redemption rate of 93%. 93%
5 of the units they give out turn into degrees -- that's fantastic.

6 90% of the students in either the passive graduation
7 rate or the IPEDS rates graduate so fantastic results. But they took
8 the UR methodology and burst out that information down to the
9 student level to find out where is the last 7% going? Where's the
10 waste?

11 And they identified it was in STEM courses and
12 they identified at the student level what the actual courses were
13 and by being able to do that they cross-referenced what they'd
14 found with the UR and what an academic program assessment had
15 done and said, "Aha, we've found where the leak is," and in
16 essence redesigned the pedagogy and they've seen their unit
17 redemption rates go up -- an already successful institution is still
18 able to in essence increase their efficiency.

19 So what have we learned so far from this? That
20 again, this is great for institutions that serve significant non-
21 traditional populations and for our region that's a pretty big deal.
22 60% of our students at the under-graduate level are this non-

1 continuing or this non-traditional student.

2 We've also learned that getting your head around
3 this new kind of method and producing some new data can be
4 challenging for especially the smaller institutions that don't have
5 the IR capacity at a very basic level.

6 And then we've also learned importantly that even
7 high-performing institutions can use elements of the measures.
8 And again, the absolute graduation rate is just one piece of what
9 the dashboard shows you. It's about using these data in reference
10 to other measures, to other systems that they have as well as things
11 like the efficiency rating of the unit redemption rate.

12 Sorry -- and then of course there's comparative
13 data. I won't pull this up, you can if you want this little website
14 URL right here but there's an actual tool like I said that you can
15 pull up this data and slice and dice it, check it out at your leisure.

16 But for us comparative data really isn't enough to
17 make sound accreditation decisions and to help institutions
18 benchmark themselves against the performance of others and
19 Jamie do you want to step in here and talk a little bit about
20 benchmarking?

21 MS. STUDLEY: Yes. Yes, thank you very much.
22 We are continuing to work with our institutions to use these data.

1 One of the things that we do with the GOD has provided two
2 schools and provide support for the institutions so they can think
3 about how to incorporate it along with other outcomes.

4 At the same time we know that that's not the end of
5 the conversation. There's more that we want to understand and
6 we've talked many times here and elsewhere about providing other
7 ways to understand student success.

8 For us the frontier that comes beyond that is the
9 development of predictive models that let us benchmark against
10 actual graduation rates and also freshmen retention rates against
11 expected performance that take into account the profile of students.

12 This is becoming the holy grail of data systems. It's
13 not enough to have raw numbers. Over reliance on pure raw
14 outcomes compared across institutions that are quite different can
15 understate success, can distort the results of some schools,
16 especially those with populations that have academic or other
17 challenges.

18 Predictive measures are not an excuse but they are a
19 way to find relative effectiveness and compare institutions with
20 like types of populations to see where the value add is and to
21 identify schools that even with those predictive subtleties are not
22 doing well enough by the students to warrant their continuation or

1 support from taxpayers.

2 So we have been starting to look for predictive
3 measures that we can add to the tools that we use to understand
4 institutions. The -- we certainly don't -- we know that we are not
5 the only ones doing this, there are many different ways to come at
6 it, there are many different people who are doing work along these
7 lines.

8 And we're trying to collaborate them -- collaborate
9 with them but at the same time, we're working to take advantage
10 of the fact that we have a universe of institutions that we
11 understand quite well. Data that is available to us that we can
12 easily manipulate, a manageable scale of institutions so that we
13 could actually sit down with members and see what is
14 understandable to them, what we're missing, make improvements
15 over time and do things that we can then share with other
16 accreditors with folks like you, with other people who are trying to
17 understand at a deeper level what successful performance looks
18 like and what inadequate institutional performance looks like so
19 that we can get beneath the surface and populate with new
20 measures.

21 The -- a truer understanding, taking advantage of
22 our region's interest in doing all of this and in the lessons that

1 we're taking from others who are doing this. So we are looking at
2 predicted retention and graduation rates and we are looking at what
3 student characteristics seem to be the most important so that we
4 can provide new tools that institutions can use.

5 Let me just show you an example. This is a coming
6 attraction and the distance is challenging but I can tell you what we
7 did was identify one institution as just a preview of the kinds of
8 things we're going to be doing.

9 If you look simply at descending order of actual
10 graduation rates, the University of Laverne in our region comes out
11 about two-thirds of the way down the pack. It's got an actual
12 graduation rate of 63% -- not bad, but not terrific either. But if you
13 resort those to take into account what we understood to be the
14 predictive measures looking at our institutions performance, you
15 get a very different story.

16 It turns out that Laverne, looking at its student
17 population out-performs its predicted graduation rate substantially
18 by 14% and is at the top of the group of institutions that we
19 thought it was fair to compare them to. That column will show
20 where Henry is highlighting shows the 14% over-performance and
21 then the places that are doing just about what you'd expect given
22 their student population and then at the bottom there are

1 institutions we haven't given you their names because this is still a
2 work in progress, that have fallen short that we thought would do
3 even better and should be really asking themselves why can't we
4 get better results for these students compared to other institutions
5 who are doing a similar task.

6 Some of you might remember from scorecard
7 conversations. I used to wear a necklace that had a diver to
8 describe the diving analogy for reflecting our understanding of
9 institutional performance by how hard a dive people are doing.

10 Walter Kimbrough and I both used this example to
11 explain why raw numbers alone aren't enough. I've now for those
12 of you who can see me on NACIQI I'm wearing my data necklace.
13 I happened to be lucky and Madelaine Albright does it with pens, I
14 do it with necklaces.

15 The point of this is to help institutions understand
16 what they're doing to identify peer groups so that they can
17 benchmark performance and help everybody move forward and
18 where I know another hat of quality assurance to help us identify
19 which institutions are falling short so that our students pose
20 challenges is not an excuse but is a way to understand how the
21 school can do the best job it possibly can.

22 I mentioned that this is a set of coming attractions.

1 We are working further on this benchmarking project. I want to
2 thank the fellows from our campuses who are helping us with both
3 of these. The work that we do is embedded in our membership and
4 we draw on institutional actors who are expert in these areas to
5 help us design them so that they're realistic and can make an actual
6 difference to campuses and to be sure that we're in touch with
7 what is useful to them and that what we do can actually fold into
8 their conversations on an institution-wide level about performance.

9 We are doing other presentations about the
10 benchmarking project at institutional research conferences and
11 we're working on introducing it to our region so that people can
12 understand how to put it to use and so that we have no surprises
13 with our members and can use this and incorporate it into the
14 conversations that we're going to be having going forward.

15 With that I think this is a good point to break and
16 see if you have questions or suggestions. I'll just go back to where
17 we started. We're doing everything that we can to explain this, to
18 share the work right from the beginning. There's a white paper at
19 the genesis of this project that was developed by John
20 Etchemendy.

21 There were use cases including the UCLA example
22 that Henry talked about. We are committed to making this work

1 available to anybody who's interested in partnering with our
2 colleagues in accreditation with you and with everyone else who
3 wants to help move toward student success and a fair
4 understanding of quality and student -- to student performance in
5 our higher education institutions. So thank you again for this
6 opportunity and if you'd like we'd be happy to take questions.

7 CHAIRMAN KEISER: Jamie thank you, that was
8 an outstanding presentation. I think you're really right on the cusp
9 of where we're trying to go. Questions from the group, Brian and I
10 have a question but then Kathleen.

11 MR. JONES: I just have a quick question and first
12 let me say to you I have mad respect for any direct guy who can
13 incorporate a Tiny Wes album in his presentation but my question
14 really is for you. So as you know in the open policy debates there
15 is much talk of this idea of using risk adjusted metrics to measure
16 outcomes for institutions.

17 Is it fair to say the way you just talked about when
18 you think about assessing the predicted outcome -- I'm looking at
19 the predicted outcome for institutions -- is that -- do you use a risk
20 to adjust the metrics by another name or do you see a distinction
21 between what they're doing and the risk adjustment debate?

22 MS. STUDLEY: You know we talked about this a

1 little last night because different people hear it in different ways.
2 So I'll tell you how I understand it but it's very possible that we
3 have applying it in different phases.

4 I use the phrases distance travelled or value added
5 that what we're trying to get here is the contribution of the
6 institution from where their students start and what we know are
7 challenges for an institution to help somebody reach the learning
8 results and the results beyond that -- employment, civic
9 engagement, leadership in the community and so forth from
10 college.

11 I tend to hear risk adjusted as a measure that we use
12 when we think about institutions and the whole picture of the
13 institution, not because I don't apply risk to students, but I think
14 some people do and maybe we -- you're pointing out the need to
15 improve our language.

16 I think of the risk -- so it certainly is a term that
17 could be applied here. I tend to keep risk on the side of the
18 institutional measure and think about risk adjusted regulatory
19 results or for us we have 6, 8 and 10-year cycles of approval. We
20 see very little risk for an institution.

21 If we see very little risk for an institution and it's
22 continued success based on its governance, financial stability and

1 the performance of the institution we would give it 10 years
2 because we think it's low risk, 6 would represent a higher risk.
3 But there are people who think about predictive analytics as
4 measuring the possibility or the risk that you will not be able to
5 help students complete -- but as I say I think it's a very fair
6 question because they're used in very different ways.

7 MS. ALIOTO: I have two questions and the first
8 one is that we have concerns with students graduating or the
9 business community is saying students are graduating but they
10 don't have the skills that we need. Is there any way in which this
11 addresses that challenge?

12 MS. STUDLEY: We and many others are
13 addressing that challenge but these numbers don't directly do that.
14 What they rely on of course is that an institution by saying you are
15 ready to graduate and complete at this institution has rigorous
16 standards of its own for what deserves a diploma.

17 And because we have expectations about the core
18 competencies that students will have, critical thinking, quantitative
19 capacity, ability to work effectively with others in teams, those
20 actually are the same things that employers say they want. So
21 embedded in our saying are people graduating from your
22 institution is the notion that graduation includes being able to do

1 the very things that business people tell us are important core
2 competencies that they want their work force to be able to have
3 and that we know that citizens need.

4 So we are not directly measuring work force
5 readiness with these numbers, but the diplomas that it measures
6 should incorporate exactly what business wants. There's a
7 separate conversation we're having about how we convey that and
8 how we work with the business community, the non-profit, the
9 government community that is looking for our graduates from all
10 of our schools to be able to understand what they know and can do
11 and if they can't do what's important, how can they get that and
12 how can schools do so?

13 So they're connected but it is not a direct measure
14 of work force readiness.

15 MS. ALIOTO: And the other question is directly
16 connected to that which I think that the -- that one of the major
17 problems that we have is what is actually occurring in the
18 classrooms of America.

19 And I'm concerned that we get involved in all of
20 this data collection and instead of helping the institutions to focus
21 on what's actually occurring in classrooms and I don't see that this
22 matrix is doing that in any way.

1 MS. STUDLEY: Actually I'd go back to the
2 example of UCLA's use in classrooms. That's a very specific
3 example but it shows us how in -- when this all works together
4 beautifully and harmoniously the numbers -- I don't start as a
5 believer in numbers, I start as a believer in institutional
6 improvement and working from every level in the institution to
7 understand where your strengths are and understand where your
8 weaknesses are.

9 So the numbers would help an institution whether
10 it's a strong one to be able to say even we have some places where
11 we might have gaps. What are our areas of effectiveness, where
12 might we be weak? Who's falling off even if it's only 7% it's not
13 going to trouble us in a pass fail accreditation model but the other
14 hat that we wear -- the first hat that accreditors wore was
15 institutional improvement.

16 So being able to look at those numbers and say who
17 makes up that group that's failing? If it should turn out to be
18 women and STEM or older students or transfer students, it does
19 help an institution dig down and do exactly what you want which
20 is do it at the level of classroom teaching and student performance.
21 So I think it's a combination of the two -- we can help pinpoint
22 those, was that helpful?

1 What we're doing is trying to have those
2 conversations on every campus. When we arm our review teams
3 with these kinds of numbers, they can go to an institution and say
4 how are you feeling about this? Did you notice that schools that
5 you identify as your peers are generating better results?

6 What do you think accounts for that? What are you
7 doing at the campus level that can help you move forward?
8 Whether they're struggling or whether they're doing well we think
9 this is really just a flashlight. It's not the end of the story it's a
10 flashlight.

11 MS. ALIOTO: Thank you.

12 CHAIRMAN KEISER: Jamie I have a question,
13 then Rick and then Ralph.

14 Your association is probably the most homogeneous
15 of all the institutional accreditors. I'd say 98-99% of your
16 members are Baccalaureate or above. Do you think your model
17 would be applicable to some of the more diverse groups that --
18 let's say North Central or Higher Learning Commission or SACS
19 which has community colleges, all kinds of other potential
20 institutions?

21 MS. STUDLEY: Ah, let me start but Henry has
22 been having conversations for several years even before I came to

1 WASC with other regions who are quite interested in what we're
2 doing. And as I said we're eager to share it for a variety of
3 reasons.

4 One -- we've invested a lot of time and thought and
5 think it can help students. Another is that to really use this body of
6 knowledge we need a bigger sample size than our membership
7 allows so we also have a very practical interest in hoping that
8 others will use it as well so that we can broaden to different
9 institutions.

10 But while obviously other accrediting agencies can
11 speak to whether it works for them and for their populations. It's a
12 general applicability it should work especially because you can set
13 your own peers that you want to look at so you can set it by
14 institutional type of population or scale or resources or rural urban
15 or any other way that you want to understand your comparison, do
16 you want to add to that?

17 MR. HERNANDEZ: Yeah, yeah and it's a great
18 question actually because we've been presenting on this for a
19 number of years, received lots of inquiries from institutions
20 throughout the country who are experimenting with it regardless of
21 what's happening, you know, as far as a requirement from their
22 accreditor whether regional or national.

1 And like we talked about at the beginning this is we
2 hope a useful tool in a toolbox of things that institutions can use.
3 It's not the better IPEDS it's another framework and in that regard
4 for institutions that have that sort of population of those non-
5 traditional students so they're trying to find a more inclusive way
6 to capture success it can be useful.

7 If they're highly enrollment volatile, it's not as
8 useful. If perhaps they're a graduate institution, on the face of it
9 the methodology, the way of thinking about efficiency and the
10 inputs versus the outputs would be applicable but the tools we built
11 you know, they're just not ready for say the graduate community
12 or if they're not specifically designed for the say -- community
13 college community, but I think the conceptual framework is very
14 applicable.

15 CHAIRMAN KEISER: Rick, then Ralph, then
16 Anne.

17 MR. O'DONNELL: Thank you, great presentation.
18 My question is around the kind of the comparison tool by
19 identifying institutions that are exceeding expectations or not
20 exceeding expectations. I'm just curious how are those
21 expectations set?

22 I often worry that in higher ed as people look at

1 peer institutions if everyone's performing poorly and you measure
2 yourself against institutions that aren't doing great you look great.
3 But and so do we have an expectation that institutions truly are
4 designing themselves to serve at risk populations if that's who they
5 serve in a way that really makes those students successful in
6 college?

7 And so are there bright lines where you would
8 assume any institution should be meeting or are your expectations
9 that, you know, for instance, if a certain group of colleges all have
10 low graduation rates and have for years that's -- I don't want to say
11 it's okay but doing a little bit better than their peers good enough.
12 I'm just curious how you set the expectations to compare.

13 MS. STUDLEY: Henry can talk about how we
14 designed the algorithm that we're using but we have along with
15 our fellow regional accreditors established a set of numbers that
16 are not bright line pass fail, but are level that we use for further
17 inquiry.

18 So this is not a way to say if everybody is doing
19 poorly and not serving people everybody gets a pass. Quite the
20 opposite -- it's to help us distinguish at a point above when we're
21 all in a conversation about with adequate institutions how we can
22 do that improvement and to identify where we need to look further

1 because institutions even when they have a population that might
2 be more complex and I'm including a variety of factors -- this can
3 include age, it can include things that are not captured by us -- how
4 far people are commuting, what their, you know family situation
5 is, what stresses are they under but we use it both to identify where
6 we should dig deeper to determine whether an institution is in fact
7 meeting our standards and should be eligible to participate -- not as
8 a bright line but as part of a tool kit of inquiries, some of which is
9 judgmental based on visiting that institution, watching what it
10 does, talking to its leadership, talking to its students and faculty
11 and staff.

12 And then for those that are doing well enough to
13 continue to participate, how can we move them all toward greater
14 success and well with that why don't I let Henry answer your
15 specific question about how the algorithms were built.

16 MR. HERNANDEZ: Yeah, so it's an excellent
17 question and one that we've actually spent a good bit of time
18 churning over. So as we looked at what are the predictors of
19 student success we were very careful that we wanted to isolate
20 from the analysis the institution's characteristics, the money they
21 spend, the endowment, all that from the students that they serve.

22 So the model is based purely on IPEDS data so it's

1 public data and it's based on the student population characteristics.
2 So things like their preparedness and we look at things like SAT
3 score, their race, ethnicity, gender profiles, those kinds of factors
4 were all analyzed over I think 200 different factors were looked at.

5 We identified the core set of things that are most
6 predictive and that's where this number comes from. So in essence
7 it's not a gameable system because your comparator is yourself.
8 It's the perfect comparator based on the exact students that you
9 serve and the analysis is done using the entire universe of
10 institutional data in IPEDS.

11 So for this model we had say 1,700 institutions that
12 we pulled all the profile data of their students and said how do they
13 perform and then based on that profile and how it matches with say
14 University of Laverne, how should they perform?

15 And if the tide rises so will the expectation. So in
16 other words if you start changing your admission's profile and you
17 become more selective, the expectation of the model adjusts
18 accordingly year over year. So you're bar will go higher as you
19 admit better students.

20 And I'll use John and Stanford is an example.
21 When we looked at Stanford we said, "Aha, they're doing as we
22 expect they would given the students they serve." And that's why

1 this is so interesting is that it's differentiating for all to see that
2 based on this kind of population, how are you doing in serving
3 them?

4 And for us the big "aha" here as an accreditor is we
5 can have these conversations with the institutions that are out
6 performing against their expectations to find out what are you
7 doing? What's the secret sauce here? How are you achieving this
8 excellent result so we can then share that with our region or if
9 they're institutions that are falling short year over year, then it
10 gives us like Jamie said that flashlight -- that way to say well no
11 actually, other institutions that serve students just like you are
12 doing a lot better.

13 So are you in a position to serve that population or
14 not and that's a piece of the puzzle that we haven't had. I hope
15 that -- I hope that and I'm happy to share the actual model and
16 what the factors are and all the regression analysis if you're in to
17 that kind of thing.

18 MR. WOLFF: Yeah, thank you. I'd just like to
19 first of all acknowledge how far you've come but I want to --
20 Henry started with the history and I will say when I was President
21 in Jamie's position that we launched this commitment to retention
22 and student success and the first iteration didn't work well.

1 It was too cumbersome. So one -- I want to
2 commend that the Commission stayed with it and I also want to
3 acknowledge that John came up with -- John Etchemendy came up
4 with a good deal of the model because the original model didn't
5 work. And it is important I think to say these are not easy issues to
6 address given the complexity of the data, the types of institutions
7 and it does take time.

8 And so I want to commend the fact that your
9 commitment to transparency which I tried to launch but is real and
10 that you're sharing all this data. One of the biggest concerns we
11 had in institutions I've had is what if our data isn't good and we
12 put it out and make it public, is it going to damage us?

13 And I think the fact that all of this is public is really
14 an important part of the process and you're continuing to iterate it.
15 So Henry, I have two very quick questions. One, does it seem to
16 work as well for online institutions? I don't know why I'm asking.
17 I would think it would but I just wonder is there anything different
18 for large scale whether it's Ashford or others that want to skip
19 credits that are fairly large institutions that are predominantly
20 online.

21 And you also made a comment that it wouldn't
22 work for community colleges or I think that's what you said

1 Henry, and I know Richard's sitting there but I wonder to the
2 extent that nearly half the students are in community colleges and
3 we are really struggling to know what completion means in that
4 context.

5 If you just unpack that a little more and then I just
6 have one other question after that.

7 MR. HERNANDEZ: So I'll reserve my third
8 question, thanks Ralph. So on the issue of online colleges it's not
9 so much about online, it's about admission patterns. And again the
10 beauty of this model is that it's blind or doesn't care about cohorts
11 in the traditional IPEDS methodology.

12 So for an online school that admits, you know,
13 every week even it's fine because we're just looking at census
14 dates of July 1 - June 30, what happened. It's snapshots -- what
15 happened. And then we're tracking that equation -- that balance of
16 inputs and outputs over the course of each of those years.

17 So in those cases it does work and can work. That's
18 not the challenge of the model. The challenge of the model is
19 when there is sustained or volatile enrollment patterns so if you
20 have an institution that is in rapid and steady and pervasive growth
21 or decline, it's a highly sensitive tool because it's again those
22 yearly snapshots, so it throws the numbers off.

1 It's not that it's not useful because it's showing
2 what's happening. It's say oh, your enrollment is year over year,
3 10, 15, 20% up or down, it's just part of the noise of the model that
4 we look at from a smoothing point of view of let's look at a longer
5 period.

6 So not just the one year but let's look at 8 years of
7 data to see where that trend smooths out. Now with community
8 colleges --

9 MS. STUDLEY: Could I just add something to
10 that? All of that is absolutely true but at the core we have to be
11 sure that every diploma means something so for every institution
12 of every type you can count whether people get the diploma or not
13 but the proof of whether that has value is whether what they're
14 getting reflects a responsible program and some value.

15 So this is another case in which no one number by
16 itself answers all the questions. I don't have to tell you or the
17 members of NACIQI that. So we look at the educational program
18 and the performance -- the achievement of student learning
19 outcomes on the way to getting the thing that we're measuring here
20 which is do you graduate and how does that compare to other
21 institutions?

22 And then we all are expecting institutions to look at

1 things like whether people are employed, going back to Kathleen's
2 question -- whether people are employed, whether they default on
3 their loans or are able to repay them as an indicator of whether the
4 employment market thinks that they've got value.

5 So yes we think that the question applies equally
6 well to any kind of program but we still have to do the traditional
7 things that we do which is look at what happened on the way to the
8 diploma and what happens to the student after they received it to
9 understand whether there's effectiveness all the way around,
10 community colleges?

11 MR. HERMANDEZ: Yeah, I'll just switch back to
12 one slide -- this one which I think is the key issue for us with
13 community college. It's that last grade outfit of transfers. So you
14 know at WASC Senior we don't have this population. We have,
15 you know, Maui, sort of a community college used to be.

16 But institutions whose mission is to serve in a
17 transitional place in the educational continuum of students -- in
18 other words students are coming in intending to transfer -- this is
19 what they'll tell you on their entrance survey and this is what plays
20 out unless institutions are in a good position to understand that that
21 student did indeed go somewhere to continue their education,
22 that's where they can get tripped up in this model.

1 If they can do that either because they've built their
2 own system to track it or they participate in Clearing House, or for
3 our point of view they're actually reporting that optional transfer
4 question on IPEDS, you know, that's a hard thing for us to verify,
5 but that's a key part of this puzzle that we're trying to sort out is
6 that transfer issue of not just like the new outcomes measures --
7 who's transferring in but who's transferring out and where are they
8 going.

9 Like, you know, did they go on to succeed? Well
10 that's a success and we didn't talk about another pilot project that
11 we've been doing with Clearing House data but I think it kind of
12 plays into this conversation which is if we look at the student level,
13 those same kind of measures and we see -- we can see that that
14 student goes on to graduate, there's our answer and that's where it
15 can work for institutions like community colleges, or other smaller
16 institutions that serve in that transitional capacity.

17 MR. WOLFF: I know the Chair is concerned about
18 time so I'll make this a comment rather than a stated question.
19 We're all worried about bright lines and yet on the other hand there
20 are points at which there are institutions whose completion rates
21 are completely unacceptable.

22 And so on the one hand while there are -- these are

1 efforts that are focused on getting learning and getting it right each
2 and iterating it. At some point all Commissions are going to need
3 to make declarative statements that this is not good enough and
4 institutions are going to need to be able to demonstrate
5 improvement.

6 And I would just make the comment that there is a
7 point at which the data needs to become more consequential -- not
8 the only data point but consequential around being able to answer
9 how and when our accrediting commissions, particularly regionals,
10 going to make decisions that completion data are not adequate and
11 to take some kind of declarative action and mandate follow-up -- I
12 understand not at that point but I would just say that you're
13 building your foundation I think to make more responsible
14 judgments along with others than just the IPEDS data, thank you.

15 CHAIRMAN KEISER: Thank you Ralph, Anne?

16 MS. NEAL: Well I just want to welcome you both.
17 Jamie it's good to see you again. I'm delighted to hear your
18 presentation but given my new job I guess I'll be the skunk of the
19 garden party. I just wanted to renew a concern I raised yesterday
20 when we were meeting with the lawyers that I am concerned that
21 we are praising and privileging a particular approach from a
22 regulated entity.

1 And I find that troubling and particularly I think just
2 going to Kathleen's question because at the end of the day we're
3 trying to determine whether or not our colleges and universities are
4 adding value and producing educated graduates and a point that
5 Ralph's making we've all for years on this body been trying to
6 struggle with what is quality and we know that that is an issue that
7 the creditors have problems with, that institutions have problems
8 with and for better or for worse, we have in so many ways turned
9 to graduation rates as a proxy for quality.

10 And I think what concerns me is that in listening to
11 this and it's very important that we get the data right, that it goes to
12 the really -- the essence of accreditation and how do we assess
13 quality? And I hope that by listening to this and hearing about
14 better data in terms of completion rates that we don't then ignore a
15 broader question about what are other metrics which are not like
16 these that accreditors might be looking at that go directly to issues
17 of quality such as rigorous reading and writing or assurance of a
18 lack of grade inflation or a core curriculum or a student teacher
19 interaction or an expected research paper, or internship.

20 Indicia of ways to get educational quality that don't
21 go to these less than perfect issues of graduation rates, so I just
22 wanted to raise that concern and thank you at the same time.

1 MR. HERNANDEZ: Thank you.

2 CHAIRMAN KEISER: Claude?

3 MR. PRESSNELL: Thank you for the presentation
4 and I agree with you I think that this is one tool in a toolbox and
5 we need to really explore other options around the whole quality
6 and really student success model is to attract what that means and I
7 think Kathleen, you know, in that tune, terms of employers
8 satisfaction and you know, are we actually making an impact in the
9 workplace in the non-profit community, in the civil society as a
10 whole so I think that's true.

11 So part of my question was around student mobility.
12 You hit that on Ralph's question. Obviously I was trying to figure
13 out how in the world do you handle these transfer students. If you
14 could give me though a little more clarification on -- you know,
15 you have students who are stopping out and then you're saying
16 then you can pick them up when they come back -- I would still
17 think that they may not come back to your institution even though
18 you have a homogeneous set of institutions, there's still student
19 mobility in many of those institutions.

20 So how are you tracking -- how are you tracking
21 them?

22 MR. HERNANDEZ: Got you, fair enough

1 question. So again we want to think about this as like census data,
2 it's a yearly slide so what happened July 1 - June 30, July 1 - June
3 30. So in year one we have a student named Claude who's taking
4 a course, he's seeking a degree.

5 In year two Claude doesn't come back. We don't
6 think he transferred because we didn't see him go anywhere so
7 we're going to count you and your units as a non-continuing
8 student. In year three you show up again, hey Claude, welcome
9 back.

10 So now you go back in the enrolled student and
11 continuing unit pile. So that's just going to happen in slices. So
12 it's that over time view on the inputs of students attending and the
13 outputs of student graduating or those students dropping out.

14 With the transfers, once we identify that in year two
15 it's not that you didn't come back, it's that you went on to
16 community college and that's where we would count you in
17 essence.

18 MR. PRESSNELL: You'd count them then at that
19 institution?

20 MR. HERNANDEZ: You'd count them as not
21 inactive, non-continuing student, withdrawn, stop out, whatever
22 you want to call them. You would then discount that student from

1 those counts because you knew they went on to go to another
2 college to pursue that success. So it's in that yearly census slices
3 of where are the students at this moment? Are they actively
4 enrolled? Have they transferred? Have they just stopped and we
5 don't know what happened or did they graduate? You can't be all
6 of those at the same time.

7 MR. PRESSNELL: Right so are you able to as a
8 recruiter are you able to look at least among your membership and
9 look at that student mobility piece to know if I went from one
10 institution to another institution within your --

11 MR. HERNANDEZ: Yeah, unfortunately we can't
12 do it with these data because for this this is a -- this is like a 30,000
13 foot view of the institutions. What we're expecting at the
14 institutional level when the teams and the staff talk to them that
15 they're taking the time to chase these white rabbits down their
16 holes to the point of the student to say I know my 532 non-
17 continuing student's name, you know, course loads, programs of
18 study, you know, it's at that level that we're expecting the
19 institution's because that's the way in which they can make
20 informed decisions about you know, what are the patterns here
21 with those students?

22 What are we not doing that we could be in advising

1 or you know, academic support? But I have a ton of this stuff on
2 the website that you know, or we could sit down with John.

3 MR. PRESSNELL: Well let me again compliment
4 you on the hard work here because I think that the first-time full-
5 time freshman cohort is grossly out of date. It only applies to
6 actually a very minority set of institutions. I work with 34
7 universities and I'd say it works with 3 of them, maybe 4 and the
8 rest of my members it doesn't work at all.

9 So I think that that's really, really critical and I
10 think too that it's more reflective of student behavior. Not that we
11 want students to prolong their time to a degree but it does take into
12 account life circumstances that might be, you know, that might be
13 taking place.

14 I think that what's critical again -- I mentioned this
15 yesterday is that we've just got to keep, you know, our shoulder to
16 the wheel on removing -- identifying and removing as many
17 barriers as possible for student success and student completion that
18 we very possibly can.

19 And for those things that we can try clearly to
20 identify and what can we control, what can we not control. There
21 are things that we can control, let's get about them and get them
22 done. But I appreciate, you know, this new approach, a different

1 way of looking at it that again puts a tool in the toolbox but doesn't
2 necessarily identify all components of student success but I think
3 it's a good move, thanks.

4 CHAIRMAN KEISER: Thank you Claude. Well it
5 seems that's to be the end of our questions and I want to thank you
6 for being here. I think you should be rewarded, you know, not
7 rewarded but certainly congratulated for your hard work in this
8 area and a lot of positive things in there in terms of looking at the
9 issue of differential students and different types of students and
10 different types of institutions.

11 I think you should be applauded and thank you for
12 being here and hopefully we won't see you for a while because I
13 think you were up last time right?

14 MS. STUDLEY: That's right. Thank you very
15 much we really appreciate this and we, you know, we have a lot of
16 humility about the fact that it is only one piece of a complex
17 puzzle. There are a lot of things that happen within the institution
18 that can't be captured this way but it helps us identify where we
19 should be having which conversations and to the extent that
20 schools find it helpful to be able to put their effort in the right
21 places.

22 We're also very happy to share it with others and

1 know that it's a part of a very extensive conversation about ways
2 of understanding through metrics and also through judgment and
3 expertise when schools are doing well enough by their students to
4 warrant participation or when we can help even good schools get
5 better.

6 CHAIRMAN KEISER: Thank you very much.

7 MR. HERNANDEZ: Thank you.

8 CHAIRMAN KEISER: We're now going to move
9 into our beginning. Let me go through this and then we'll take a
10 break because we'll have to switch out.

11 What we're going to be doing after we take a break
12 is begin our process of review. The Commission that we'll be
13 looking at will be the Renewal of Recognition for the Council of
14 Accreditation of Nurse Anesthesia Educational Programs. Our
15 process is very specific and I'm going to go over that again now.

16 Once we have the Primary Readers who were
17 assigned the task, will introduce the Agency's application at which
18 point the Department staff will provide us a briefing. The Agency
19 representatives will then be able to provide comments about their
20 application. The Primary Readers will then question the Agency
21 including the standard questions which we adopted for initial
22 renewal application, then questions by the rest of NACIQI

1 followed by response and comment from the Agency.

2 If there are third party comments, the third party
3 commenters will come before us at which point the Agency then
4 has an ability to respond to the third-party comments. Getting
5 close to the end the Department staff responds to the Agency and
6 the third-party comments, then a motion is made, discussion will
7 occur and then a vote and then if necessary we will be looking at
8 the final set of standard questions.

9 So that's our process. Now I am recusing myself
10 from this next meeting at which point Frank is not here and our
11 former Chair Susan Phillips will step in to take over the podium or
12 whatever we are, thank you. We have a 10 minute break.

13 (Break 9:48 a.m. - 10:00 a.m.)

14 **RENEWAL OF RECOGNITION**
15 **COUNCIL ON ACCREDITATION OF NURSE**
16 **ANESTHESIA EDUCATIONAL PROGRAMS**
17 **(COANAEP)**

18 CHAIRMAN PHILLIPS: Alright we're going to
19 get started again. Welcome back to part 2 of the second day of our
20 NACIQI meeting. I'm Susan Phillips drawn out of retirement to
21 serve as Chair temporarily. Good afternoon and welcome back,
22 good morning, welcome back.

1 I'm Susan Phillips I've been drawn out of
2 retirement to serve as Chair for this particular session. Before we
3 get into the Agency review before us I wanted to ask John
4 Etchemendy to introduce himself. He wasn't available at our
5 earlier time, John if you would just introduce yourself to add to the
6 equation here.

7 MR. ETCHEMENDY: I'm John Etchemendy from
8 Stanford.

9 CHAIRMAN PHILLIPS: Thank you John. The
10 Agency before us is a Renewal of Recognition for, excuse me, the
11 Council on Accreditation of Nurse Anesthesia Educational
12 Programs. I got all of the words right on that. Any recusals for the
13 record -- okay, hearing none let me invite the Primary Readers --
14 Reader now to introduce the Agency application.

15 MR. JONES: Thank you, the Council on
16 Accreditation of Nurse Anesthesia Educational Programs accredits
17 institutions and programs that prepare nurses to become practicing
18 nurse anesthetists.

19 The Agency currently accredits 120 programs
20 located in 38 states, the District of Columbia and Puerto Rico
21 which includes two single purpose free-standing institutions. The
22 Agency's most recently full review for recognition was in the

1 spring of 2007 at which time the Agency's recognition was
2 renewed for a period of 5 years and it was granted an expansion
3 of its scope of recognition to include distance education and to
4 modify the scope to include territories.

5 The COA appeared before NACIQI at its
6 December, 2013 meeting with its petition for continued
7 recognition. The NACIQI recommended to the Secretary that he
8 continue the Agency's recognition and required the Agency to
9 come in to compliance.

10 Following the compliance report that occurred in
11 2015 the Agency's recognition was reviewed and the current
12 review is the next scheduled review for re-recognition of the
13 Agency.

14 CHAIRMAN PHILLIPS: Thank you very much.
15 Valerie Lefor is the staff member for this Agency and if you could
16 also fill out the Agency's profile.

17 MS. LEFOR: Great, thank you. Good morning
18 members of the Committee. For the record my name is Valerie
19 Lefor and I will now be presenting a summary of the petition for
20 continued recognition submitted by the Council on Accreditation
21 of Nurse Anesthesia Educational Programs referred to as the COA
22 or the Council.

1 The staff recommendation to the senior Department
2 official for the Agency is to renew the Agency's recognition for a
3 period of 5 years. Based on a review of the information in the
4 Agency's petition, and observation of a site visit in October, 2017
5 and a Council meeting in January 2018, Department staff found
6 that COA is in compliance with the Secretary's criteria for
7 recognition with no issues or concerns.

8 The Department has not received any written third-
9 party comments or complaints regarding this Agency during this
10 review cycle. Therefore, again the staff recommendation to the
11 senior Department official for the Agency is to renew the Agency's
12 recognition for a period of 5 years.

13 Representatives are here from the Agency and I and
14 them will be happy to answer any questions that you may have,
15 this concludes my report, thank you.

16 CHAIRMAN PHILLIPS: Thank you very much.
17 Representatives of the Agency please come forward. Welcome, if
18 you could introduce yourselves and any comments that you'd like
19 to provide.

20 MR. WALKER: My name is Jim Walker and I'm
21 President of the Council.

22 MR. GERBASI: Yeah I'll go ahead and start if

1 you want.

2 CHAIRMAN PHILLIPS: Introductions if you
3 would for both of you.

4 MR. GERBASI: It is part of my presentation,
5 thanks.

6 CHAIRMAN PHILLIPS: Thank you.

7 MR. GERBASI: Madam Chair and members of
8 NACIQI on behalf of the Council on Accreditation for Nurse
9 Anesthesia Education and the 120 programs it accredits, good
10 morning. My name is Frank Gerbasi, I serve as the Chief
11 Executive Officer for the Council and I've done that for 16 years.

12 With me today is the President of the Council, Dr.
13 Jim Walker. Dr. Walker is the Program Administrator for the
14 Baylor College of Medicine, Doctor of Nursing Practice Program,
15 Nurse Anesthesia. Also with me today is Dr. Laura Bonanno, Vice
16 President of the Council.

17 Dr. Bonanno is the Program Administrator for the
18 Louisiana State University Health Sciences Center School of
19 Nursing, Nurse Anesthesia option.

20 We appreciate the opportunity to appear before you
21 today in support of the Council's petition for continued recognition
22 by the U.S. Department of Education. We want you to know that

1 the Council is working to ensure nurse anesthesia educational
2 programs are providing students with a high quality education.

3 All nurse anesthesia programs today are at the
4 graduate level and they must meet rigorous standards and
5 requirements that are established by the Council. We would like to
6 thank Valerie LeFor, Chuck Mula, Herman Bounds and Jennifer
7 Hong for their assistance in providing guidance in the development
8 and the submission of our petition.

9 The Council received the final staff analysis on May
10 14th, the final state report indicates the Council is in full
11 compliance with the recognition requirements and the Council
12 appreciates the thorough review and the positive findings.

13 We would like to take the opportunity here to
14 respond to the standard questions on improving institutional and
15 program quality that NACIQI has been asking accreditors for
16 renewal of their recognition.

17 We have each taken a topic to discuss. I would like
18 to start with discussing the Council's decisions and data gathering
19 activities. Dr. Bonanno will address the Council standards and
20 practices related to student achievement and Dr. Walker will
21 conclude by addressing the Council's activities in improving
22 programs and actions.

1 The Council and certified registered nurse
2 anesthetists are taking to address the opioid crisis. In the interest
3 of time we will keep our responses brief and welcome any
4 questions at the conclusion of our presentation. Since the
5 Council's last review of NACIQI in 2013 for continued
6 recognition, the Council has approved 54 programs for continued
7 accreditation, 11 new programs for new initial accreditation and 48
8 programs were approved for transitioning to the Doctoral level for
9 entry into practice.

10 The Council has also reviewed 66 mid-point student
11 and faculty evaluations and 979 clinical sites were approved.
12 During this time 30 programs were placed on monitoring for their
13 certification exam pass rates. No programs have been placed on
14 probation or had their accreditation revoked.

15 When serious concerns regarding the program's
16 compliance with the standards are identified, the Council has
17 determined a mechanism to conduct what we term an unannounced
18 on-site visit. The Council has conducted 4 unannounced on-site
19 reviews during this time period.

20 In 2008 the Council established a requirement that
21 all nurse anesthesia programs award a practice Doctoral Degree to
22 students entering programs on January 1st, 2022 and thereafter.

1 I'm pleased to report that at this time 72 out of the
2 120 programs have been approved to award a Doctoral Degree for
3 entry into practice. As far as data gathering and the review by the
4 Council, the Council requires all programs to submit annual
5 reports. Annual reports provide the Council with data on the
6 programs financial status, changes that could impact their
7 accreditation status, student achievement indicators and plans to
8 enhance the quality of their educational programs.

9 The Council also conducts anonymous student and
10 faculty evaluations at the mid-point of program's accreditation
11 cycles and also prior to on-site visits. The Council carefully
12 reviews the evaluations and requires programs to provide progress
13 reports on areas that have been identified as concerns.

14 Dr. Bonanno will now address the standards and
15 practices regarding student achievement.

16 MS. BONANNO: It is my pleasure to appear
17 before NACIQI today and to assure you that the Council has
18 established effective standards and accreditation policies and
19 procedures to assess student achievement in its accredited
20 programs.

21 Programs can establish their own student
22 achievement indicators, however, all programs must meet the

1 Council's required indicators including national certification exam
2 pass rates, attrition and employment rates.

3 Through the Council's annual report process,
4 programs report their attrition and employment rates. The Council
5 obtains programs NCE pass rates directly from the National Board
6 of Certification and Recertification of Nurse Anesthetist or the
7 NBCRNA which is the only organization that administers a
8 national certification exam for nurse anesthetist.

9 The Council first established standards and policies
10 for the assessment of programs NCE pass rates in 2004. Since
11 then revisions have been made based on the Council's ongoing
12 assessment of program data.

13 In 2014 the Council revised the requirements and
14 established a preferred NCE pass rate of 80% for all first-time
15 takers in a testing period. The established mandatory pass rate is
16 80% of all first-time takers when considering the three most recent
17 graduation cohorts.

18 Programs that do not meet the Council's mandatory
19 benchmark are placed in monitoring. While in monitoring
20 programs must conduct a causal analysis designed to improve their
21 graduate's ability to pass the NCE and provide the Council will
22 annual status reports.

1 Programs must have two consecutive years at or
2 above the mandatory benchmark to come off of monitoring.
3 Programs identified as being out of compliance with the standards
4 must come into compliance within 24 months. Due to the newness
5 of the revised policy, no programs have yet received an adverse
6 action related to the NCE pass rates.

7 I'm pleased to report nurse anesthesia programs
8 completion and employment rates are very high. The national
9 average for program completion is 97% and programs report 100%
10 of graduates are employed as CRNA's within 6 months of program
11 completion.

12 Due to the rigor of nurse anesthesia education,
13 student's ability to work while enrolled is very limited. As a result
14 students can acquire significant debt, however due to the high
15 demand for CRNA's graduates can secure employment and repay
16 loans in a relatively short period of time.

17 The Council President, Dr. Walker, will now
18 conclude our presentation.

19 MR. WALKER: Thank you, I also appreciate
20 having the opportunity to speak before you today. An important
21 part of the Council's mission is to assist programs and improving
22 their educational quality. The :Council conducts a number of

1 activities in support of this mission including hosting workshops
2 such as the self-study workshop, Doctoral Degree transition
3 workshop and new program administrator's workshop.

4 The President, Vice President and staff also hold
5 informal meetings with programs at the nurse anesthesia annual
6 Congress to provide guidance in helping programs enhance their
7 quality.

8 The Council provides presentations and participates
9 in open forums to convey important accreditation information and
10 respond to questions at our national assembly of school faculty. In
11 regard to identifying the at-risk status of programs while we do not
12 use the term "at-risk" per se, we do carefully monitor programs'
13 compliance with the standards using tools such as the program's
14 annual report data and anonymous student and faculty evaluations.

15 The Council follows up with the programs that are
16 not in full compliance with our standards. The programs are
17 required to provide progress reports when an area's non-
18 compliance are identified. As previously mentioned the Council
19 conducts unannounced site visits when concerns are identified
20 through ongoing monitoring.

21 In addition, the length of continued accreditation
22 that is awarded is based on the program's compliance with the

1 standards and accreditation history. The number of years granted
2 decreases based on the program's lack of compliance with the
3 standards and history of accreditation related concerns.

4 The most commonly cited standards relate to the
5 program's committee structure including public students and
6 faculty participation, the governance structures facilitating
7 appropriate involvement and communication, a lack of compliance
8 with the Council's policies and lastly the program's continuous
9 self-assessment promoting program effectiveness, purposeful
10 change and needed improvement.

11 These tools have worked well in identifying
12 programs at risk and helping programs improve their educational
13 quality. The workshop attendees provide positive feedback and
14 have helped programs implement improvements.

15 Awarding years of continued accreditation based on
16 the degree of the program's compliance with the standards, has
17 helped programs address concerns by requiring an earlier review
18 by the Council for Continued Accreditation.

19 The unannounced on-site visits have assisted
20 programs in addressing compliance issues and making
21 improvements that were not otherwise possible.

22 Lastly I would like to briefly discuss the important

1 activities the Council and the American Association of Nurse
2 Anesthetists are doing to address the opioid crisis. Over 2 million
3 people each year switch to persistent opioid use after surgery and
4 nearly half of all U.S. opioid overdose deaths involve a
5 prescription opioid. The Council and the AANA are calling on the
6 healthcare community to use opioid-sparing pain management
7 techniques to better present opioid addiction and abuse.

8 Once such approach is termed “enhanced recovery
9 after surgery,” or ERAS. This includes a patient-centered evidence
10 based pain management strategy employed by the peri-operative
11 team to reduce the needs for opioids, improve patient outcomes
12 and reduce cost.

13 In addition, continuing education and professional
14 development activities have been developed to enhance CRNA’s
15 knowledge and skills in pain management. This includes an acute
16 surgical and advanced pain management fellowship programs, sub-
17 specialty certification by the NBCRNA is now available and non-
18 surgical pain management.

19 We also support current federal legislation that
20 would help the healthcare system better utilize CRNA’s as part of
21 the inter-disciplinary team to help fight the opioid crisis. The
22 Council appreciates having the opportunity to appear before

1 NACIQI today and we would be happy to entertain any questions
2 you may have.

3 CHAIRMAN PHILLIPS: Thank you very much.
4 Questions by the Primary Readers?

5 MR. JONES: Sure, thank you for that thorough
6 presentation. So you cited remarkable statistics -- 100%
7 employment and so a question for you about the demand we've
8 talked to a medical school program accreditor yesterday and talked
9 about the, you know, the lack of qualified doctors in rural and
10 underserved areas.

11 I assume that is a challenge that your community
12 faces as well. And so I'm curious how you think about that, how
13 your institutions are addressing the demand issues you might be
14 seeing.

15 MR. WALKER: So the anticipated growth is about
16 19% for our specialty. Our national organization has recently
17 embarked upon a work force study. I serve as a technical expert on
18 that panel. We are working with them to help identify what the
19 real need is and as you mentioned it can be difficult but we will use
20 all available data sources to attempt to get at that.

21 Our programs certainly are aware of the shortage of
22 nurse anesthetists that exists today and we also have data from the

1 national member survey that the AANA conducts that indicates
2 that in the next 8 years about 25 to 30% of the nurse anesthetists in
3 the country will be retiring and so we will definitely have a
4 challenge replacing those.

5 So hopefully the work force study will identify
6 closer to what that need is and in respond to that our programs can
7 make necessary adjustments.

8 MR. JONES: Great, and is there any attention
9 though given to encouraging institutions to make sure that they are
10 attentive to those pockets of need in the country. Again, whether
11 in rural areas, low-income urban areas or otherwise?

12 MR. WALKER: So that is a piece of data that the
13 ANA does follow fairly closely and the majority of anesthesia
14 services provided in rural hospitals across the U.S. are provided by
15 nurse anesthetists. So we are very attuned to the needs in our rural
16 communities in particular.

17 The statistics regarding where nurse anesthetists
18 practice are, of course, located in the big cities and so that
19 definitely addresses some of the urban needs that we are fully
20 aware of that our nurse anesthetist colleagues are providing
21 important services toward that end.

22 MR. JONES: Thank you.

1 MR. WALKER: You bet.

2 MR. JONES: That's all I've got.

3 CHAIRMAN PHILLIPS: Thank you, questions
4 from other members, Claude?

5 MR. PRESSNELL: Yes, thank you for a very good
6 presentation. I appreciate it. So on your website you indicate that
7 there's a voluntarily closure of an institution in Rhode Island.
8 And I was just curious if you could give us a little insight around
9 that. Was that an anticipated closure that you knew was coming
10 and I saw that you've approved the teach-out plan -- are the
11 students sufficiently protected in that?

12 MR. GERBASI: Yeah that was a voluntary closure
13 where the financial support for the anesthesia program was
14 eliminated and that forced the program to close. So they are going
15 through a process they're no longer admitting students into the
16 program and I think their tentative date for their last graduating
17 class is in the fall of 2019.

18 MR. PRESSNELL: It was a hospital based
19 program?

20 MR. GERBASI: Yes.

21 MR. PRESSNELL: So about how many are
22 hospital based and how many are independent or university based?

1 MR. GERBASI: Well yeah, I don't have the exact
2 number on that but all of the programs are at the graduate level so
3 even for those that are still hospital based they all have academic
4 affiliations with universities. I'm not sure what the exact number
5 of hospital based we have versus university based but I would say
6 the majority of the nurse anesthesia programs currently are based
7 within universities.

8 CHAIRMAN PHILLIPS: Further questions --
9 Ralph?

10 MR. WOLFF: Thank you, since you were here
11 yesterday you might be prepared for this but around student
12 participation I'd be curious to know how students are involved in
13 your process and whether they're involved in teams or decision
14 making at the Commission level, but proven to be an area of great
15 interest and we're learning a lot, thank you.

16 MR. WALKER: It's an excellent question and the
17 short answer is yes. We have a student member on the Council.
18 That person is elected each year. They serve for a one year period
19 of time and there are within the American Association of Nurse
20 Anesthetists there are 7 geographic regions that are identified and
21 so the student representative for the Council rotates between all 7
22 of those each year so we take nominations and then the Council

1 votes and makes a decision, they're elected to a Board.

2 The student representative is involved in absolutely
3 everything we do. They're assigned to committees. When we are
4 reviewing programs they are assigned to a work group and they
5 participate fully in that and at the Council meeting they are fully
6 involved in our decision-making process. And in fact we
7 encourage their participation and sometimes when there's an issue
8 that is something that we want more of the student's perspective,
9 we will even ask them to please opine.

10 So we definitely value them and consider them a
11 very important part of our decision-making processes.

12 MR. GERBASI: And I would just add to that also
13 not only do we have the student on the Council but the Council
14 also really values student input into the accreditation process. I
15 don't think many of the accreditors do anonymous student and
16 faculty evaluations which the Council does at the mid-point in a
17 program's accreditation cycle as well as prior to the on-site visits.

18 We get feedback from the students on the programs.
19 We also during the on-site visit, they meet with the students
20 specifically and obtain their concerns and in our standard we
21 require that programs have processes in place to get a valuation
22 feedback from the students and that they have a process to

1 incorporate those concerns into their on-going quality
2 improvement activities.

3 We also require that they do alumni evaluations
4 after the students have finished the program and we get -- and they
5 get employer evaluations of the graduates as well.

6 MR. WOLFF: Can I follow-up on Brian's question
7 from a different angle and that's how do you track the diversity of
8 your students and it's not only the ability to address inner-city
9 needs or rural needs or different needs but could you comment on
10 given this is a licensure mandate but you not only need people to
11 serve in that area but people representative of the communities
12 themselves.

13 MR. GERBASI: Yeah, the -- well the Council
14 supports activities in diversity in a number of ways but it is
15 challenging to nurse anesthesia programs because the applicants
16 from a pretty defined pool. All of the individuals that are
17 applicants have to be registered nurses and they have to have
18 Baccalaureate Degrees.

19 They have to have at least a year of intensive care
20 experience and most of them have 3 years of experience so you
21 kind of define into a small pool, you know, the applicants as far as
22 looking at diversity.

1 So when you look at diversity you really have to
2 start that process before they even become a nurse and I know
3 some programs have activities that are related to that. Currently
4 we track -- the Council tracks diversity through its annual report
5 data and we ask programs to provide us with the ethnicity of their
6 students as well as their faculty.

7 And currently the last report 2017 about 20% of the
8 student body was in a non-white distribution of individuals. We --
9 like I said participation in activities that try to promote diversity --
10 we are involved in a CRNA diversity workshop that's held a
11 couple of times a year and that workshop is really focused on
12 applicants that are applying -- minority applicants that are applying
13 to nurse anesthesia programs as well as the individuals in programs
14 helping them, giving them some points to help them be successful
15 in that endeavor.

16 We also support the activities of our professional
17 association, the AANA. They have a diversity and inclusion
18 committee that specifically works on that area as well.

19 CHAIRMAN PHILLIPS: We have Steve and then
20 Simon and then Bobbie.

21 MR. VAN AUSDLE: So I understand your entry
22 into practice here in a few years we'll be the Doctorate Degree.

1 What's the percentage of people practicing now with Doctorate's
2 compared to Master's?

3 MR. WALKER: I'll speak to that. I don't know
4 the exact percentage because we have not had Doctoral programs
5 for really long but I would guess it's probably somewhere in the
6 neighborhood of 10 to 15% in that area.

7 MR. VAN AUSDLE: Is this a controversial issue
8 among current practitioners? Does everybody say we see the need,
9 we have to raise the bar?

10 MR. WALKER: I don't think ever does everybody
11 -- but our process has been a very lengthy process getting to this
12 point. The first discussions happened in the early '90's about
13 moving to the Doctoral level and at that time there was certainly
14 not support for it for a variety of reasons.

15 And as time moved forward the American
16 Association of Colleges of Nursing took a stand that they felt that
17 all APRN's needed to be at the Doctorate level and because of
18 those conversations it caused us to revisit this issue.

19 And the way that that was approached, the AANA
20 appointed a Doctoral Task Force that spent a year canvassing
21 various communities of interest, looking at all evidence that was
22 available, comparative analysis of our programs as would be

1 benchmarked against other Doctoral programs, other Master's
2 programs and the results of that strongly led us to the fact that we
3 probably needed to move to the Doctoral level.

4 The complexity of healthcare today requires very
5 in-depth education. Our specialty has people's lives in their hands
6 and it's very important that we stay abreast of everything.

7 MR. VAN AUSDLE: Well we all appreciate your
8 focus on quality assurance.

9 MR. WALKER: Yes, definitely.

10 MR. VAN AUSDLE: Pathways was the question I
11 had. I think Ralph's question kind of got at that in terms of your
12 answer of a Baccalaureate Degree in nursing as a gate as entry in,
13 if the person has a Master's and Nursing Degree does that shorten
14 the pathway or I assume that's a good -- an appropriate pathway as
15 well or do they need to take the Master's from your Council?

16 MR. WALKER: So it really depends on the
17 institution's policies about what they accept. Some programs will
18 accept an MSN in lieu of a BSN. We have some programs that
19 don't require a Bachelor's Degree in nursing specifically that can
20 be a Bachelor of Science in a related science, biology, chemistry --
21 that sort of thing as long as they are a registered nurse with the
22 requisite intensive care nursing experience.

1 So some institutions will consider transfer credit if
2 they have a Master's Degree already. There may be some course
3 work that the institution might reasonably accept but again that's at
4 the institutional level. They have to meet our curriculum
5 requirements and our standards are very specific to what
6 curriculum has to be in place and as long as the program can
7 demonstrate that their processes assure that our curriculum
8 standards are being met, we would be accepting of that.

9 MR. VAN AUSDLE: And they must have
10 practiced as a nurse as well.

11 MR. WALKER: Yes.

12 MR. VAN AUSDLE: For entry.

13 MR. WALKER: Absolutely.

14 MR. VAN AUSDLE: Sounds like that.

15 MR. WALKER: Yes.

16 MR. VAN AUSDLE: Well I appreciate your focus
17 on student achievement consistent with our desire and wishes of
18 quality, thank you.

19 CHAIRMAN PHILLIPS: Thank you I have Simon
20 and then Kathleen.

21 MR. BOEHME: Yeah I was just going to
22 acknowledge and Ralph beat me to it to ask about student

1 members. I appreciate my colleague's question and also I note my
2 other colleague, Kathleen has been asking about the opioid crisis
3 and I find that very interesting to see how you are all addressing
4 that -- this crisis, so thank you for your work.

5 CHAIRMAN PHILLIPS: Kathleen?

6 MS. ALIOTO: Well I wanted to thank you for your
7 attention to this national crisis in terms of your responsibilities and
8 I'm also curious -- this might be out of left-field but what are the
9 statistics in terms of life and death with your nurses presently?

10 MR. WALKER: Is the question about do we have
11 data about the numbers that would be related to opioid misuse? Is
12 that --

13 MS. ALIOTO: Or period, you know somebody
14 goes in and has a general --

15 MR. WALKER: Oh, for anesthesia.

16 MS. ALIOTO: Yes.

17 MR. WALKER: Yes, so there are various studies
18 that have looked at that and the quality and safety of anesthesia
19 care has improved steadily over the last really 3 decades. It's due
20 to a large number of reasons, monitoring is much more effective
21 than it was in previous decades. The drugs that we have available
22 to us are much safer and better studied.

1 And in terms of an absolute number, the number
2 that I use is about 1 in a quarter million people will have some sort
3 of negative outcome related to anesthesia. So it's very rare that we
4 have a significant mortality.

5 MS. ALIOTO: You said?

6 MR. WALKER : 1 in 250,000 -- one in a quarter
7 million.

8 MS. ALIOTO: That's pretty good huh?

9 MR. WALKER: Yeah.

10 MS. ALIOTO: Thank you.

11 MR. WALKER: And we're at that six sigma level,
12 getting there.

13 CHAIRMAN PHILLIPS: Jill?

14 MS. DERBY: My question for you is whether or
15 not those students -- those nurse anesthetists that now have
16 Master's Degrees will have opportunities pre-2022 to upgrade to
17 the Doctoral level. Full disclosure -- I have a daughter who's a
18 nurse anesthetist. She works 2 days a month as part of her private
19 practice in a rural clinic but I've cleared that I don't have a conflict
20 in this matter.

21 MS. BONANNO: There are various opportunities
22 for CRNA's educated at the Master's level to achieve Doctoral

1 education. There are many, many programs throughout the
2 country have Doctor of Nursing practice degree programs for post-
3 Master's students that they can attend so we actually -- I know at
4 my program we have a post-Master's program so that those
5 CRNA's who want to reach the Doctoral level can achieve that.

6 MS. DERBY: Is it specifically in nurse anesthesia
7 or are you saying more generally?

8 MS. BONANNO: Some are, some are Doctor of
9 Nursing practice more general. Some, if they have nurse
10 anesthesia in their title then they actually have to have Council on
11 Accreditation approval. So that varies.

12 MR. GERBASI: We currently have 23 programs
13 that offer post-Master's CRNA, what we call completion degrees
14 specifically for CRNA's to go back and obtain their Doctoral
15 Degree.

16 CHAIRMAN PHILLIPS: Any further questions
17 from the Committee, and I don't believe we have any third-party
18 commenters, no -- further comments by the staff?

19 MS. LEFOR: I have nothing additional, thank you.

20 CHAIRMAN PHILLIPS: Thank you. I'd entertain
21 a motion.

22 MR. JONES: Alright, I move that we adopt the

1 staff recommendation to renew the Agency's recognition for 5
2 years.

3 MS. DERBY: I'll second the motion.

4 CHAIRMAN PHILLIPS: Thank you, any further
5 discussion? Those in favor's hands -- those opposed, abstentions,
6 congratulations thank you for being here.

7 **NACIQI RECOMMENDATION**

8 **NACIQI recommends to extend the Agency's recognition for 5**
9 **years.**

10 CHAIRMAN PHILLIPS: I'm going to switch gears
11 and move to the recognition -- Renewal of Recognition and
12 Expansion of Scope for Association of Advanced Rabbinical and
13 Talmudic Schools Accreditation Commission.

14 I'm going to switch gears and I'm going to go back
15 into retirement and our Chair is going to return, a 10 minute break
16 to get there.

17 (Break 10:37 a.m. - 10:47 a.m.)

18 **RENEWAL OF RECOGNITION AND EXPANSION OF**
19 **SCOPE, ASSOCIATION OF ADVANCED RABBINICAL**
20 **AND TALMUDIC SCHOOLS ACCREDITATION**
21 **COMMISSION (AARTS)**

22 CHAIRMAN KEISER: Welcome back everybody.

1 Would you like to introduce yourself Frank, Frank just joined us.

2 MR. WU: Frank Wu, University of California.

3 CHAIRMAN KEISER: I hope everybody had a
4 good break. We're here now to do the Renewal of Recognition
5 and Expansion of Scope for the Association of Advanced
6 Rabbinical and Talmudic Schools, the Accreditation Commission.
7 Primary Readers are George French and Susan Phillips, I will turn
8 it over to them.

9 MS. PHILLIPS: Thank you Chair. The
10 Association of Advanced Rabbinical and Talmudic Schools
11 Accreditation Commission known as AARTS is a national
12 institutional accreditor.

13 The current scope of recognition is for the
14 accreditation and pre-accreditation of Advanced Rabbinical and
15 Talmudic schools. Institutions accredited by this Agency grant a
16 post-secondary Degree such as the Baccalaureate, Master's,
17 Doctorate, First-Rabbinic and First-Talmudic Degrees.

18 It is requesting an expansion of scope to include
19 Associate Degrees. Of the 75 current institutions, 62 accredited
20 and 13 candidates, the majority are located within the New York
21 Metropolitan Area. In addition schools are located in California,
22 Colorado, Connecticut, Florida, Illinois, Maryland, Michigan, New

1 Jersey, New York, Ohio and Pennsylvania.

2 Approximately 56 of the schools have total
3 enrollment of under 200 students with 39 of those schools having
4 less than 100 students. 9 schools have an enrollment between 200
5 and 300 while 10 schools have over 300 students. The Agency's
6 recognition enables its institutions to establish eligibility to receive
7 federal student assistance under Title IV of the Higher Education
8 Act of 1965 as amended, Title IV funds.

9 The Agency serves as the Title IV gatekeeper for
10 almost all of the institutions it accredits. Consequently the Agency
11 must meet the Secretary's separate and independent requirements.
12 AARTS was first added to the list of nationally recognized
13 agencies in 1974 and has received periodic renewal of recognition
14 since that time.

15 And I'll turn it over to the staff for the review.

16 CHAIRMAN KEISER: Introduce yourself Chuck.

17 MR. MULA: Good morning Mr. Chairman and
18 members of the Committee. For the record my name is Chuck
19 Mula and I will be presenting a brief summary of the petition for
20 continued recognition by the Association of Advanced Rabbinical
21 and Talmudic Schools Accrediting Commission hereinafter
22 referred to as the Commission.

1 The Commission is also requesting an expansion of
2 its' scope to accredit and include Associate Degrees. As part of its
3 evaluation the Agency's petition to Department staff reviewed the
4 Agency's narrative and supporting documentation and also
5 observed an on-site evaluation conducted by the Commission at
6 one of its accredited schools in Brooklyn, New York.

7 There are no third-party comments in connection
8 with the Petition and no active complaints being reviewed by the
9 Department. The Department's review of the Commission's
10 petition found that it is in compliance with the Secretary's criteria
11 for recognition. The Department has no concerns and is
12 recommending to the senior Department office is that she renew
13 the Commission's recognition for 5 years and grant the expansion
14 of scope. This concludes my report.

15 There are Agency representatives and we will be
16 glad to answer any questions that you may have, thank you.

17 CHAIRMAN KEISER: Thank you Chuck. Would
18 the Agency -- do you have any questions to the staff at this point?
19 Please welcome the Agency representatives, please introduce
20 yourselves and welcome.

21 MR. FRYSHMAN: Good morning, my name is
22 Bernard Fryshman. I'm the Interim Executive Director of the

1 Agency. I was the Executive Vice President of the Agency and
2 then we engaged another person who worked with me for 3 years
3 and served as Executive Director and then the school with which
4 he was teaching -- he asked that he put in more time for his school
5 and so I'm back as Interim Director.

6 You probably know we've always looked to have
7 an academic serve as head of the Agency. I'm Professor of
8 Physics at the New York Institute of Technology and the person
9 who I hope will replace me -- Dr. Mark Holtzman, is the Chairman
10 of the Accounting Department at Seton Hall University and that's
11 why he's not here because of all the things that happened today his
12 Dean insisted that all the Chairmen be present and one doesn't
13 negate that so that takes priority.

14 But so that explains why I'm still here. To my right
15 is Rabbi Yaakov Applegrad. Rabbi Applegrad is a person of great
16 experience in the Shiva Movement and he'll be working with me
17 and with Dr. Holtzman in a variety of activities and a variety of
18 responsibilities particularly in dealing with institutions directly.

19 To my left is Mrs. Gitty Rosenbaum who is a
20 Special Assistant and who's been working with us for a number of
21 years. I just wanted to make a brief comment and then just open
22 the floors to questions and conversation if you'd like.

1 I just want to begin by thanking Chuck Mula for his
2 help and guidance. There's a little bit more -- I want to thank him
3 also for the effort, the special time and effort he made in beginning
4 to understand what we're all about. We're not like everybody else,
5 the content that we teach is different and the methodology -- the
6 approach to teaching is different although the people in Harvard in
7 1635 and perhaps the people who wrote the Yale Report of 1828
8 would understand very much what we're all about.

9 We're an old traditional approach to learning and
10 maybe we'll get into that a little bit later. But I also wanted to
11 thank -- this may be the last time I'm before you. The various
12 people I've worked with over the years since 1974 who have taken
13 the time and trouble to understand what we're all about, to do the
14 extra work to appreciate the nature of our learning, the nature of
15 our studies and of course for the kind comments we've always
16 received.

17 We've always found the -- our relationship with the
18 Department to be a cooperative helpful one and I just wanted to
19 express my appreciation to all the people in addition to Chuck
20 who I've worked with over the years.

21 Now if there are any questions I'd be delighted to
22 respond.

1 CHAIRMAN KEISER: Any questions for the
2 Primary Readers, Susan?

3 MS. PHILLIPS: As you know Bernie, we've been
4 asking a series of questions of accreditation agencies and I'm
5 hoping that you would be willing to address some information
6 about how your institutions are doing and what kind of actions
7 you've taken since the last time you were before us?

8 MR. FRYSHMAN: Okay, I was anticipating these
9 questions of course and I did prepare some information. Just to
10 discuss the range of activities we've been involved in, we had --
11 we took since the previous visit recognition process, we recognized
12 14 candidate stated schools and there were 14 candidate stated
13 schools that moved up to accreditation -- full accreditation status.

14 We had one initial accreditation, one school that
15 became an accredited school initially, excuses me -- initially. We
16 did 65 renewals of accreditation in that period of time. We had 7
17 resignations and we did two unannounced visits. We've had 7
18 appeals and this year alone we have a process that we've
19 introduced whereby we try to monitor, we try to visit every school,
20 every year.

21 This year for example we had 53 monitoring visits
22 in addition to the site visits that we had, so approximately 60 of the

1 73 schools by the way -- the number we are accrediting is 73. 60
2 of the 73 schools had an on-site visit. We have 3 people whose
3 responsibility it is to just go and spend a day -- half a day to a day
4 to visit a school, to have a conversation with the administration,
5 with faculty, with students. It's not a comprehensive site visit but
6 it does enable us to keep a close plus to watch precisely what's
7 taking place at every school.

8 We feel that this gives us an opportunity to detect
9 risk, to detect problems, to recognize growth, to see what the
10 students feel. Virtually everything that one wants to know about a
11 small school can take place in this kind of visitation.

12 We know that this is not the sort of thing one can do
13 if one is accrediting 1,000 schools, but since we're only accrediting
14 a small number of schools, we thought it was worth the time, the
15 effort, the money -- a great deal of money, a great deal of staff time
16 to undertake this -- undertake this to gather data and to enable us to
17 watch our schools very carefully.

18 MS. PHILLIPS: Could you describe a bit about
19 what prompts an un-invited -- unannounced site visit?

20 MR. FRYSHMAN: If we feel that -- if we hear that
21 a school is losing its enrollment, that's probably the one area of
22 risk which we will sometimes ask people about or we'll just go

1 down unannounced just to see for ourselves what's happening.
2 That's the area of risk I guess that was just touching on another
3 area of concern.

4 For small schools the one area of risk that threatens
5 the existence and the ability of a school to survive is when its'
6 enrollment goes beyond the level of critical mass for an
7 educational program. And even though we pride ourselves on
8 giving you the great deal of faculty attention to students but there
9 comes a point where you really can't have a school that will
10 survive below a certain point and that's what we look for.

11 MS. PHILLIPS: Thank you and one more question
12 if you could say a bit more about how your Agency defines student
13 achievement.

14 MR. FRYSHMAN: Well, as you see, I prepared
15 myself. Student achievement is -- it's really integral to the nature
16 of what we're teaching. We teach Talmudic studies. What we're
17 trying to do is create Talmudic scholars.

18 And teaching scholarship as distinct from teaching
19 an occupation is focused on the growth of the individual, the
20 development of skills -- the focus is on the Talmud as a platform,
21 it's the discipline against which we exert our efforts but the
22 process is a very similar one to other scholarship areas.

1 We look to develop the mind, to challenge the
2 student. I mentioned earlier the Harvard of 1635, they spoke
3 extensively about the thrust and parry whereby the faculty member
4 would interact with the student on a one-to-one basis and present a
5 situation and look for an answer and then interact and challenge a
6 student so that the student will then aspire to a further level of
7 accomplishment.

8 We look to see whether there are indications of the
9 student's development on a one-by-one basis from the high school
10 graduate to the student who will enter a graduate program and will
11 be able to have -- bring to bear the tools of scholarship which we
12 all recognize the ability to think, the ability to analyze to
13 synthesize, the critical thinking characteristics, the ability to
14 present a hypothesis and to defend it against his colleagues and to
15 similarly sit as an audience among his colleagues and then criticize
16 and engage in this very, very -- sometimes very abstract thinking.

17 The student achievement is not something that one
18 could measure with numbers. It's got to be measured on a one-to-
19 one basis and that's what characterizes our schools. There's
20 regular assessment, there's regular discussion of a student one by
21 one and this growth takes place year by year -- that's what we look
22 for when we go on an accreditation visit.

1 We look to see if there's a trajectory of growth --
2 whether students at one level answering a certain question -- we'll
3 put it the other way where the students at the highest level
4 answering a specific question will bring more to bear than students
5 at a lower level answering the same question.

6 There will be conversations with students and
7 students will be asked, "Did you see growth in your own
8 development and how and why?" We look for certain indicators
9 which define intellectual growth and of course when our students
10 enter the secular world in education their ability to learn, their
11 perseverance, their concentration, their confidence -- their ability
12 to look at a problem and be certain that they could solve it -- that
13 just carries through.

14 I don't know whether I answered your question but
15 I --

16 MS. PHILLIPS: I had a related perhaps follow-up
17 question. I'm curious if there -- the institutions that you accredit
18 how do they convince you that they've reached the standard of
19 student achievement that you expect? How do they show you that,
20 do they offer you the same thing?

21 MR. FRYSHMAN: Well first and foremost there's
22 a very intensive self-study. And we look to see whether or not

1 they touched all the bases where we're satisfied. We'll look at
2 their finances mission, their physical plan, we look at the externals,
3 we look at the inputs, we look at the --

4 MS. PHILLIPS: I'm focusing really just on the
5 student achievement part of that.

6 MR. FRYSHMAN: Okay, well that's to a certain
7 extent part of their description but to a greater extent it's to the
8 peer review that we undertake. We visit a school and we look to
9 see whether or not the students are enabling the school to satisfy its
10 mission.

11 We look for the growth, we recognize that there are
12 some schools which are better schools than others, more rigorous,
13 more demanding, they get a higher -- more gifted students, but
14 even at the lower level we look to see whether that growth takes
15 place, whether that's that progression of intellectual skills that will
16 enable the graduate to effortlessly go into a point where he can do
17 independent research and independent Talmudic research.

18 That's usually the touch or that is the touchstone
19 that will make or break a situation, but it's not a bright line, it's not
20 a metric, it's a very, very -- it's a very -- it depends at scholars
21 looking at scholarship.

22 MS. PHILLIPS: Thank you, George anything?

1 MR. FRENCH: Thank you, thank you Mr.
2 Chairman. I thank you so much for your presentation. We always
3 enjoy your participation in NACIQI even when AARTS is not up
4 for review.

5 Let me ask a couple of simple questions and make
6 sure I understand. Were the 13 candidates -- in the compliance
7 report there were 13 candidates, I think you mentioned 14.

8 MR. FRYSHMAN: 14 candidate schools.

9 MR. FRENCH: Right, are they still in candidacy
10 status?

11 MR. FRYSHMAN: The way we use the word
12 candidacy goes back to the '70's so I'll try to explain. A candidate
13 status school is an accredited school. It has accreditation status,
14 it's eligible for student financial aid. It's not a school that is
15 applying to us and we want to see whether it's eligible for
16 recognition.

17 We have a policy whereby any school that comes in
18 for the first time will be placed in candidate status, not because
19 they're not satisfying the standards -- they satisfy the standards but
20 they haven't reached their plateau.

21 In other words, when the school is deemed ready to
22 move up from candidacy to accreditation status, we feel that it's

1 processes are not only in place but they've reached a level of
2 maturing that this is what we expect the school to be, the size will
3 have gelled, the physical plant will be complete -- well it's
4 complete previously but there are always growth aspects that take
5 place with a new school.

6 So the candidacy is not candidacy in the sense that I
7 think people are using it now. I've had conversations with Sally
8 about that to how to define, how to describe what we use but that's
9 basically what the situation is.

10 Now we had 14 in this interval -- we had 14 schools
11 that applied and they were visited. They submitted a self-study,
12 they were visited, there was a comprehensive site visit. There was
13 a decision by the Accreditation Commission to agree that they
14 satisfied all the standards, they were granted candidate status.

15 5 years later or 4 years later depending on the
16 school they went through another process whereby they submitting
17 self-study, had a site review, a comprehensive site review, a
18 decision was taken and they were granted accreditation status.

19 MR. FRENCH: Thank you and secondly you know
20 teaching scholarship of course which is a laudable goal -- what is
21 the impetus for going from requesting the Associate Degree
22 recognition status?

1 MR. FRYSHMAN: It changes in the dynamics of
2 the community. There are students -- many students, many, many
3 students who before they complete their Baccalaureate want to go
4 off to more -- I guess schools of better, higher repute. I'm afraid to
5 say better schools but there are schools of higher -- graduate
6 programs, more advanced programs in Israel.

7 So they leave the Baccalaureate Degree and the
8 thinking is that they should be offered the opportunity to at least
9 demonstrate that they have a piece of paper, they've accomplished
10 a certain amount of learning that's been examined and has been --
11 that they have and has been rewarded by the award of Associate
12 Degree.

13 There's another aspect that has arisen in some of
14 our schools. Some schools now have a two-track program in their
15 senior years. The Talmudic Program has always been in place but
16 at the senior years there are some schools which offer a program
17 which is much more focused on the law aspect which emerges
18 from the theoretical Talmudic studies.

19 A student at the end of his first three years might
20 decide that he wants to go off to one track or another and it was
21 decided that it made sense to offer a program -- an aspect our
22 program which resulted in his being awarded a degree.

1 There's a third aspect -- there are some small
2 schools which haven't -- they haven't the resources to apply for
3 accreditation on their own, but they might be able to do so if they
4 are only offering a 2-year program or a 3-year program and so
5 while they couldn't aspire to a full Baccalaureate program they
6 could aspire to a 2-year or 3-year Associate program -- so those
7 three reasons -- they're really societal reasons. They're
8 demographic reasons but those are the reasons we're asking for the
9 Associate Degree.

10 MR. FRENCH: Thank you and you were last
11 before us in June of '13 and you provide or '15 and you provided
12 an excellent compliance report from June '13, congratulations on
13 that.

14 MR. FRYSHMAN: Thank you.

15 MR. FRENCH: And we don't have any major
16 issues here on compliant this year according to staff report, Chuck.

17 MR. MULA: There are none, none.

18 MR. FRENCH: Thank you, last question when do
19 you anticipate the new leadership taking?

20 MR. FRYSHMAN: We move slowly. We go back
21 several thousand years, everything takes longer.

22 MR. FRENCH: Thank you.

1 CHAIRMAN KEISER: On that I will recognize
2 John?

3 MR. ETCHEMENDY: So Bernie, when -- I want
4 to follow-up on one of Susan's questions. When Susan asked
5 about outcomes and how you determine whether the institutions
6 are producing the outcomes you want, you described a very
7 intensive procedure of rather than something more numerical or
8 statistical, but an intensive visit procedure where your visiting
9 team is directly measuring student learning.

10 And that I think is probably -- if it can be done is
11 idea. You know, I mean I think that's great but I'm curious how
12 large are the schools that you're accrediting and how feasible is
13 that? I realize they're small but I also realize that if we were
14 accrediting UCLA I could not imagine a team trying to take that
15 approach to student learning outcomes.

16 MR. FRYSHMAN: Well I can show you how
17 UCLA can do it but I think you'd rather see how we do it. We'll
18 pick a number of students, we have a team -- the team will consist
19 of an academician -- the academician will be a professor --
20 someone with a professorial rank at a regionally accredited school.

21 We'll have an administration -- a person who has
22 run a school, Rabbi Applegrad was one of those for example. And

1 we'll have a Rasha Shiva, the Rasha Shiva is the head of an
2 institution. He himself is an acknowledged scholar and he knows
3 what to expect at each level because he also has students at that
4 level.

5 He also will see whether or not there's growth and
6 he will be able to select students at random if he so wishes and
7 he'll interview them and he'll watch to see what happens year by
8 year.

9 He will listen in during the visit on a sheer -- a sheer
10 is a lecture. It's not just a lecture, the way the day begins students
11 will spend 3 or 4 hours with a fellow -- Hvrusha it's called and
12 they will work on a certain section of the Talmud. At the end of
13 that period and of course there will be back and forth, give and
14 take and thrust and parry with faculty members in the base
15 measures.

16 The base measure is the lecture hall -- study hall my
17 colleague tells me, that's right. At about 12:30 - 1:00 there will be
18 a sheer -- a major lecture. The Rasha Shiva will then deliver an
19 exposition on that material and of course he'll show where he left
20 off from the superficial.

21 He'll show how he generates depth where he's able
22 to exact from the same material they were working at, so much

1 more. And of course as students are part of that process over a
2 number of years after a while they get to understand where he's
3 going after a while they'll begin to challenge him.

4 After a while it will find that the Rasha Shiva at the
5 end of the period is surrounded by 10 or 12 others and everybody's
6 yelling at the top of their voices as to getting their ideas across and
7 why they think they're right and so forth.

8 The Rasha Shiva visitor will listen in at one of those
9 sheer and then he will ask students to see whether or not they
10 picked up and what they picked up. And if he's -- I would like to
11 think that I could do that in a physics class. I could walk into a
12 physics class and watch what the teacher is teaching, then
13 afterwards go over to a couple of students and say well what did
14 you pick up and then know -- I would like to think I could do that
15 too but our people can do that.

16 And so that's what happens. It's -- not every
17 student is examined by a peer review team but a sufficient number
18 of students are interviewed and a sufficient number of aspects are
19 review. Rasha Shiva might look, go over to a student and say,
20 "Show me some of your --," or it would be some insight, some
21 special insight that the student had and he wrote it down. He
22 wanted to see maybe he'll get it published one year or something

1 and say, "Show me your notebook," or "Show me the notes you
2 took at the sheer."

3 And these things will help the visitor get a picture
4 of the level and the process and the success the schools had in
5 terms of its mission. I'm sorry of all these, I should have brought a
6 glossary.

7 MR. ETCHEMENDY: No it's fascinating. The
8 one piece of my question you didn't answer is just what are the
9 average size of the institutions?

10 MR. FRYSHMAN: Sorry, oh the average size.

11 MR. ETCHEMENDY: Yeah.

12 MR. FRYSHMAN: It's I guess 75 to 100 is the
13 average size.

14 MR. ETCHEMENDY: Okay, thanks.

15 MR. FRYSHMAN: We have bigger schools too
16 but that's coming. What's been happening is that smaller schools
17 have been opening. At one time I thought all the schools are going
18 to get big, it's not so because there are lots of little schools that are
19 opening because scholars try to get their own students and so it's --

20 CHAIRMAN KEISER: Simon?

21 MR. BOEHME: Thank you for your presentation.

22 I was wondering if you could just walk me through how you

1 involve students in that process.

2 MR. FRYSHMAN: How?

3 MR. BOEHME: You involve students in that
4 process?

5 MR. FRYSHMAN: The students are pretty open,
6 we have a good part of our site visit involves a conversation with
7 students and we make sure that in that room there are no faculty
8 members, just students. And I'll ask or somebody else -- the
9 facilitator will ask a question, maybe get there would be a U4
10 student or U5 student in fact. What did you see different about
11 yourself that you didn't see from you now from what you were
12 when you first came into the school?

13 And then he'll say something and somebody else
14 will jump in and so on and so forth. That conversation is very,
15 very helpful.

16 MR. BOEHME: Would you consider putting
17 students on site teams or on your Board?

18 MR. FRYSHMAN: I'm not sure that would be a
19 healthy, a healthy approach. If you ask me would I consider
20 putting a certain person on maybe, but students as per students, I'm
21 not sure -- I'm not sure. You would probably be a good student to
22 be on the Accreditation Commission.

1 MR. BOEHME: If I get into one of your programs.

2 MR. FRYSHMAN: But I'm not sure that the whole
3 concept of having students just because they're students are on an
4 accreditation Board or on a visiting team would make a very big
5 difference.

6 It's an interesting innovation, it might be something
7 we might try. How we would get a student who would be willing
8 to go out and judge other students -- our students are pretty
9 aggressive when it comes to ideas but they're pretty different when
10 it comes to dealing with other people.

11 The mode of the scholar, the nature of the scholar is
12 not to be aggressive. Part of the scholar is to be helpful, aggressive
13 in terms of defending one's ideas but not in terms of criticizing and
14 finding fault. You would find that in much of our students so my
15 answer is -- is it something we would consider? I bet the
16 Accreditation Commission would consider that. Would it happen -
17 - can't be sure.

18 CHAIRMAN KEISER: Kathleen?

19 MS. ALIOTO: Well first of all I want to thank you
20 because we're all looking at how accrediting agencies can help
21 improve the quality of what's happening and it seems that that's
22 very central to what you are doing.

1 I'm curious, when you said you could see how to do
2 this at UCLA -- was that when you used the physics example?

3 MR. FRYSHMAN: I'll do that. I teach physics at
4 the New York Institute of Technology. We're a little bit smaller
5 than UCLA and our reputation is not quite that. But I'll tell you
6 one issue that I once brought up -- maybe even to this body. The
7 question of what takes place in a physics lab.

8 Very often when one walks into the physics lab
9 there might be 3 people around the table. One person is working,
10 doing the -- getting the equipment and setting it up. One person is
11 helping and one person is just taking notes.

12 And the job of the professor who's in charge is to
13 make sure that everybody gets involved in doing the experiment.
14 Another thing that I would insist upon is I want to see that the
15 equipment helps the student learn, not makes the school look good
16 and that's where -- that's a conflict which I've seen at least with
17 my own eyes.

18 One time I taught at a school where the equipment
19 was very, very old. And you had to use your head to figure out
20 how nature is going to give up its secrets. The equipment was old,
21 it was well built, it was -- it enabled the student, it forced the
22 student to think.

1 Very often now what one gets is digital equipment,
2 put the meter over here you get an answer, put it down that's the
3 answer. The question is -- is that to the benefit of the student or is
4 that to the benefit of the school? In my opinion, excuse me, the
5 school looks good. Here's a piece of equipment, it's much cheaper
6 to teach without this old equipment. Things are quicker and it
7 looks nicer and the school can report better results -- superficial
8 results, metric type results.

9 But for a person walking in and knowing what's
10 really taking place and watching what students are learning and
11 seeing the insight that students have to bring if they're using old
12 equipment or out of date equipment, they come across a situation
13 and they're asked to come up with an answer, well then one could
14 make a very strong argument that we are not going in the right
15 direction when we pick up these aspects.

16 This aspect of the physics department in terms of
17 checking out the physics department at UCLA I would say to
18 myself I better keep my mouth shut because the professors there
19 probably know a lot more than I do. There are ways though I
20 mean when you have a peer review of top notch physicists talking
21 to faculty and seeing what they're teaching and seeing where the
22 students are having problems, seeing whether students there are

1 also beginning to slack off in doing homework.

2 These are problems, these are very real problems
3 and a good professor, a good teacher has to know how to adapt that
4 -- adapt the course, adapt the program, maybe change the number
5 of hours in the classroom, maybe change a text. Too often these
6 ideas, these problems are just papered over but I don't want to
7 criticize another school. John, did I touch on this correctly or?

8 MR. ETCHEMENDY: Yeah, it works if you have
9 the expertise on the team. Yeah, no I think that's a terrific way to
10 assess the quality of the instruction and so forth and so on if you
11 have the appropriate expertise on the team.

12 And the problem with doing that with a larger
13 school with a much more diverse set of offerings is it's impossible
14 to put together the teams that have the expertise. But I take your
15 point.

16 MS. ALIOTO: My other question is slightly
17 simpler -- do you have women in your program?

18 MR. FRYSHMAN: No.

19 MS. ALIOTO: Do you think that that is something
20 that will ever come or is it one of the things that is moving slowly?

21 MR. FRYSHMAN: That's not going to happen.
22 That's a problem that relates to that's a religious consideration that

1 we won't happen.

2 MS. ALIOTO: Thank you.

3 CHAIRMAN KEISER: Steven?

4 MR. VAN AUSDLE: Well thank you very much.

5 As I see it you're working with as you said nearly 70 private non-
6 tribal institutions. They enroll about 15,000 students so you are a
7 gateway to higher education for a lot of these students. About half
8 of them are receiving PELL support so that means there are some
9 requirements that brings us here today to a degree.

10 I'd like to understand your student body a little bit
11 more. What's the average age, what's the intent of these students
12 when they graduate or complete? It looks like the transfer rate is
13 pretty high of your students so they are going on. So they're
14 getting a unique religious education experience while they're also
15 getting a comprehensive education experience, prepared to move
16 on?

17 MR. FRYSHMAN: The word religious education
18 is a strange word. The word religious implies people are being
19 taught how to worship, how to pray, how to carry out religious
20 functions. We learn that too but that will take place at the high
21 school level.

22 MR. VAN AUSLE: Well you have to educate me

1 here.

2 MR. FRYSHMAN: I'm happy to do so.

3 MR. VAN AUSLE: Chuck's had an experience
4 working with you, he knows, now tell us.

5 MR. FRYSHMAN: The nature of the Talmud it's a
6 comprehensive approach to a world that was focused on several
7 hundred, maybe a thousand years ago let's say, maybe more. And
8 then the Talmud is refreshed in each generation by scholars who
9 approach the world using the principals of the Talmud to try to
10 address what's taking place here and now.

11 And so the importance of what takes place in the
12 Talmud is not as important as the skills one develops in exacting
13 information from the words of the Talmud, the thinking, the
14 challenges, the process is one in which the words of the Talmud
15 engross the student in the discussion that took place then and the
16 student is then encouraged to try to develop insights, to go beyond
17 the surface, to go well below the surface and depth then to
18 compare his accomplishments to that of scholars of an earlier age -
19 - a much earlier age.

20 As one grows more sophisticated, one is able to
21 assimilate ideas more effectively to be able to generate new
22 insights on his own. And after a while the student is able to take a

1 piece of the Talmud -- the Talmud is a large -- it's 20 volumes and
2 he is able to try to generate ideas, try to apply them to the real
3 world now and try to just benefit from the effort of scholarship.

4 Maybe you can get a better perspective. There is
5 now a computerized, digitalized version of 90,000 volumes of this
6 Talmud cognitive volumes, religious volumes, the entire discipline
7 is focused on something that now has 90,000 different volumes.
8 So you can understand it's not just one small little book -- it's
9 something which is pregnant with ideas, with meaning, with
10 aspects that have nothing to do with religion per se.

11 It's a body of knowledge. Now this is not to say
12 that our activity is not a religious activity. It is a religious activity.
13 Many things that we do is a religious activity. If I give charity
14 that's a religious activity, if I'm kind to people that's a religious
15 activity -- study is a religious activity but it's not religious studies
16 per se, it's Talmudic studies and I hope that makes it a little easier
17 for you but I don't know whether I made that clear, tell me, I'll try
18 it again.

19 MR. VAN AUSSLE: No, that's helpful for me. So
20 you know, one of the things that we're trying to get at -- what
21 difference are you making in the lives of these students, you're
22 teaching them how to think. You're preparing them for life, both

1 work and non-work life?

2 MR. FRYSHMAN: Well this is where excuse me,
3 this is where a problem sometimes arises. For some students
4 people whose beards are trimmed and they aren't wearing long
5 curled Payots, the world has opened up a little bit. We find jobs in
6 other areas, teaching physics at a secular university. We have a
7 school in Lakewood, New Jersey which has the highest passing
8 rate and the highest average grade in New Jersey in accountancy.

9 These people pick up -- their ability to learn is such
10 that they swim right to the top. We have students who haven't --
11 who graduate from our schools and take the LSAT's reach grades
12 like 180. We've got students in Harvard Law, we've got students
13 in Columbia, University of Pennsylvania. We have students
14 who've gone on to medical school.

15 We have a number of students now in dental school.
16 They just take these standard exams and they do exceptionally
17 well.

18 MR. VAN AUSDLE: What the average age of your
19 student?

20 MR. FRYSHMAN: Traditional age, 17 to 20, 22,
21 23 that's general range. There's another element in our
22 community, the Hassidic community. The Hassidic community

1 their program is just as rigorous, just as challenging, just as
2 difficult. And students emerge with all these qualifications but we
3 don't -- they don't -- I can't say we but they don't get a chance at a
4 job.

5 I mean even tokenism would be a major step
6 forward. For example in government -- government throughout
7 the United States I don't think there's a single person who has you
8 know, the Payots, you know what I'm talking about the curled
9 sideburns -- maybe you don't know, beards and not one.

10 In all of corporate America I doubt that you'll find a
11 single person, a single person who fits that mold.

12 MR. VAN AUSDLE: I want to thank you very
13 much for responding to that question. I have a better insight into
14 your accrediting unit now, thank you.

15 CHAIRMAN KEISER: Bernie thank you, oh I'm
16 sorry Anne?

17 MS. NEAL: Well Bernie since this may be your
18 valedictory I want to say congratulations on your continued
19 feistiness when it comes to refusing to go in the direction of
20 metrics. I know that that has disturbed you for decades and so you
21 have maintained your purity today in your answers to us.

22 And a bit in gest I guess I want to ask you is an

1 Associate's Degree in Talmudic Studies -- isn't that essentially an
2 oxymoron?

3 MR. FRYSHMAN: In what sense?

4 MS. NEAL: Are you distinguishing the AA versus
5 the BA simply in terms of the number of years or is there
6 something different in terms of what one learns in the AA versus a
7 Bachelor's Degree in Talmudic Studies?

8 MR. FRYSHMAN: A person who has an AA has
9 reached a certain level which you can examine for and that person
10 is now -- he has a platform in which he could go off into more
11 advanced Talmudic Studies, years 3, 4 -- years 3, 4, 5 -- a Graduate
12 program, or he has a basis for going into a law approach to the
13 study of law based on his Talmudic background. It does establish
14 a floor.

15 CHAIRMAN KEISER: Sensing no more questions
16 thank you for your presentation. We can now ask --

17 MR. FRYSHMAN: Do we leave?

18 CHAIRMAN KEISER: You're finished

19 MR. FRYSHMAN: Okay, thank you.

20 CHAIRMAN KEISER: It's our job.

21 MR. MULA: Mr. Chair I would just like to say that
22 when we first -- when I first started to work with this Agency

1 Herman and I sat down in his office for about 40 minutes and
2 talked about how really beneficial it would be to do this -- all this
3 research on the Agency and the schools.

4 And since Steve Purcell used to have the Agency I
5 also contacted him and he gave me a lot of points. But I would
6 recommend that maybe if somebody would like to go on a site visit
7 someday to see how this works. It is very unique, very rigorous
8 education, but it is a culturally-based education and the
9 Department only judges on its compliance with our standards.

10 So it's something that you should look into if you
11 can go with it, that's all.

12 CHAIRMAN KEISER: I would now entertain a
13 motion from the Primary Readers.

14 MS. PHILLIPS: I move that NACIQI recommend
15 that the AARTS recognition be renewed for 5 years and I further
16 move that the NACIQI recommend that the senior Department
17 official grant the Accreditation Agency's request for an expansion
18 of scope to include -- scope of recognition to include its
19 accreditation of Associate's Degrees.

20 MR. FRENCH: I second that motion.

21 CHAIRMAN KEISER: Second by George French,
22 discussion? I just want to say this is probably -- this is like my

1 fourth or fifth time that they have appeared before me and this was
2 without a doubt the easiest one we've had to deal with and they
3 seem to have really made a major effort to come into compliance
4 with the standards which we thank them. Any further discussion --
5 sensing none all in favor of the motion signify by raising your
6 hands? All of those opposed -- thank you for being before us.

7 **NACIQI RECOMMENDATION**

8 **NACIQI recommendation is that the AARTS**
9 **Recognition be renewed for 5 years and that the Department**
10 **official grants the Accreditation Agency's request to expand**
11 **their scope to include accreditation of Associate Degrees.**

12 CHAIRMAN KEISER: We are now at lunch time.
13 Yesterday I cheated you out of your lunches, today I'm going to
14 give you reprieve. You have an extra 25 minutes. We will
15 reconvene after lunch which what time do we want to come back
16 for lunch -- 1 o'clock, that would give you an hour and a half so
17 you could even go off campus if it's not raining, I have no idea if
18 it's raining and thank you for your hard work this morning and we
19 have two schools this afternoon and then of course tomorrow the
20 discussions on both the issues presented by the Senators and then
21 the issues under Bobbie's Committee.

22 (Lunch break 11:34 a.m. - 1:03 p.m.)

1 CHAIRMAN KEISER: Let's get started. I hope
2 you all had a good lunch. Whole Foods has an incredible bar --
3 food bar, so that was fun.

4 **RENEWAL OF RECOGNITIONS**
5 **NATIONAL ASSOCIATION OF SCHOOLS OF**
6 **ART AND DESIGN (NASAD)**

7 We are now going to -- we have two Agencies this
8 afternoon. The first is a Renewal of Recognition for the National
9 Association of Schools of Art and Design and the Primary Readers
10 are Kathleen Sullivan Alioto and Arthur Rothkopf and Arthur is
11 not here but Kathleen you will lead off and go for it.

12 MS. ALIOTO: Thank you Mr. Chairman. The
13 National Association of Schools of Art and Design, NASAD,
14 Commission on Accreditation is both a programmatic and an
15 institutional accreditor. The principle purpose of this Agency is
16 the accreditation of free-standing institutions and art design units
17 that offer degree-granting and non-degree-granting programs, and
18 the accreditation of programs within institutions accredited by a
19 national recognized regional accreditor.

20 However, only it's free-standing schools may use
21 accreditation by the Agency to establish eligibility to participate in
22 Title IV HEA financial aid programs. The Agency accredits 23

1 institutions in 13 states and the District of Columbia where the
2 accreditation by NASAD co-op may enable them to participate in
3 Title IV programs administered by the U.S. Department of
4 Education.

5 The Agency is presently the gatekeeper for these 23
6 institutions. The Agency is seeking its continued waiver of the
7 Secretary's separate and independent requirements.

8 CHAIRMAN KEISER: Thank you Kathleen.
9 Stephanie you're up.

10 MS. MCKISSIC: Good afternoon Mr. Chair and
11 members of the Committee. For the record my name is Stephanie
12 McKissic and I will be presenting a summary of the petition for
13 continued recognition submitted by the National Association of Art
14 and Design, also referred to as NASAD or the Agency.

15 The staff recommendation to the senior Department
16 official is to renew the Agency's recognition for a period of 5
17 years. Based on review of the information in the Agency's petition
18 and an observation of a Commission meeting and site visit, both
19 held in April, 2018, Department staff has found that NASAD is in
20 compliance with the Secretary's criteria for recognition with no
21 issues or concerns.

22 The Department did not receive any written third-

1 party comments or official complaints during this review cycle,
2 therefore, as previously stated the staff recommendation to the
3 senior Department official is to renew the Agency's recognition for
4 a period 5 years.

5 There are Agency representatives here today and we
6 will be happy to answer any questions you may have at this time.
7 This concludes my report, thank you.

8 CHAIRMAN KEISER: Thank you, any questions
9 for the staff -- sensing none, will the Agency representatives please
10 come forward if you would introduce yourselves and make your
11 presentation.

12 MS. MOYNAHAN: Good afternoon. Thank you
13 Mr. Chair, my name is Karen Moynahan. I'm the Executive
14 Director of the National Association of Schools of Art and Design.
15 Joining me today is Mr. Richard Mann, NASAD's counsel.

16 We extend our thanks to the members of the
17 Committee for the time they devote to this process as well we offer
18 appreciation to the members of the Department staff and in
19 particular, to Stephanie McKissic for her assistance and the help
20 that she's provided.

21 Miss McKissic has approached her work with the
22 Agency diligently and thoughtfully at every step. It is our pleasure

1 to have the opportunity to participate in conversations that result in
2 the advancement of the depth of expertise and breadth of
3 knowledge held by our students.

4 The individuals we charge with the responsibility to
5 advance our efforts and the efforts of the nation and in whom we
6 entrust our future. The National Association of Schools of Art and
7 Design began its work in 1944. It sought and has held Secretary
8 recognition continuously since 1966.

9 Interest in NASAD and its effectiveness is
10 exemplified by the participation of approximately 350 accredited
11 institutional members. It would be our privilege today to address
12 questions as they relate to the Agency's application for continued
13 recognition, thank you.

14 CHAIRMAN KEISER: Thank you, Kathleen?

15 MS. ALIOTO: Yes, thank you for your hard work.

16 MS. MOYNAHAN: Thank you.

17 MS. ALIOTO: On behalf of these 350 institutions.

18 I wondered, in terms of the 350 institutions could you tell everyone
19 how that is differentiated from the 23 of which you are presenting
20 your petition today?

21 MS. MOYNAHAN: I'd be happy to, thank you,
22 thank you for your kind comment. And I believe the staff got you

1 headed in the right direction regarding the website I hope.

2 MS. ALIOTO: Yes that was helpful last week
3 when I couldn't find all the information I needed so thank you.

4 MS. MOYNAHAN: You're welcome. NASAD is
5 a discipline-specific accrediting body that offers that service to
6 institutions -- post-secondary institutions throughout the United
7 States. And those institutions include multi-purpose as well as
8 free-standing institutions.

9 So the combination of those institutions that are
10 equivalent to the 362 give or take some, would be multi-purpose
11 and free-standing. However, its role as a gatekeeper is only for
12 those that are free-standing. Multi-purpose institutions would
13 work with the regional associations as their gatekeepers.

14 So when we look at the application, the application
15 pertains to those schools -- those 23 that will use us as their
16 gatekeeper for the purposes of participation in Title IV programs.

17 MS. ALIOTO: And in terms of those 23 is the
18 Academy of Arts University in San Francisco -- are you a
19 gatekeeper for them or is that WASC that's the gatekeeper?

20 MS. MOYNAHAN: I can't say for several reasons.
21 Number one is I don't have that information before me and number
22 two is the application of an institution would be confidential.

1 Although you are not asking that question I don't -- I'm sorry to
2 say I haven't memorized all that are members.

3 MS. ALIOTO: Well I'm concerned about it as one
4 of the institutions that you actually lead your website with and I
5 wonder when you say that you're helping advance quality among
6 the 350 or 360 institutions you're serving, in what way are you
7 assisting the quality of institutions when you're not a gatekeeper?

8 MS. MOYNAHAN: All the institutions that are
9 accredited by NASAD are required to meet the standards outlined
10 in the handbook. And those standards will include the basic ability
11 to operate as well as curricular standards. So whether an
12 institution is free-standing or multi-purpose, those standards will
13 apply to that institution.

14 MS. ALIOTO: And in terms of the operation of a
15 school for example the Academy of Arts University, do you
16 monitor when they get involved with lawsuits for which they are
17 now in the process of paying 60 million dollars to the City of San
18 Francisco for their egregious behavior?

19 MS. MOYNAHAN: I'm sorry I can neither
20 confirm or speak to that issue but if you'd like to talk about the
21 procedures in general.

22 MS. ALIOTO: It's in the newspapers so you don't

1 get involved in anything like that?

2 MS. MOYNAHAN: The institutions that come to
3 us come to us to receive accreditation and we'll apply the
4 standards to that institution so I cannot speak to that question
5 specifically.

6 MS. ALIOTO: Could your lawyer?

7 MR. MANN: I think what Karen is trying to
8 explain is that NASAD views its role as assuring compliance with
9 standards themselves and individual litigation issues or things like
10 that for institutions at the time that it's happening is not really part
11 of the purview of this -- of this organization.

12 MS. ALIOTO: The ethics of an institution is not?

13 MR. MANN: It could become relevant in a later
14 accreditation process but in terms of the involvement with the
15 litigation itself, NASAD would not be involved in the actual
16 litigation.

17 MS. ALIOTO: No, I'm not talking about you being
18 involved in the litigation, I'm talking about your viewing what is
19 being aware of what is happening with your 362 institutions and
20 using some of that to determine whether or not you would want to
21 continue the accreditation of an institution.

22 MS. MOYNAHAN: Let me approach it through a

1 broader procedural perspective if I could -- maybe that will offer
2 some clarity. Every institution that holds accreditation in NASAD
3 is responsible to meet the standards that apply to that institution on
4 an on-going basis.

5 Accreditation is granted and that's the
6 understanding. Each institution is put on a review cycle and that
7 review cycle will include a comprehensive review. And the
8 comprehensive review will include a requirement of the institution
9 to study itself which culminates in the writing of a self-study, the
10 responsibility to host a team of visiting evaluators, the
11 responsibility to respond to the visitor's report if they so choose to
12 do that and then to be reviewed by the Commission on
13 Accreditation.

14 So that is a requirement of every single institution.
15 In addition, on an annual basis there are no less than 4 reports that
16 are required of every member institution. And what these 4 reports
17 allow us to do -- one of them is the HEADS data survey that I
18 imagine you read about in the application -- the institutional audit,
19 the affirmation statement and the supplemental annual report.

20 What these annual reports are intended to do similar
21 to the comprehensive review, is to ensure that NASAD on an
22 annual basis is able to look at institutions comprehensively. And if

1 through these indicators, the collection of data and the review of
2 the information provided in the report, if there are issues of
3 apparent non-compliance indicated, then there are procedures in
4 play NASAD which enables NASAD to open a review process.

5 So can I speak to what's happening with regard to
6 an institution that we've read about in the press and the answer is
7 no, not about that institution because we don't know where that is
8 in the process -- but in our process does our process allow us,
9 allow NASAD, or does it have mechanisms that allow us to
10 systematically on specific schedules review all institutions that are
11 accredited?

12 And if in doing that we find issues of apparent non-
13 compliance do the procedures allow us then to open conversations
14 to seek further information and the answer to both of those
15 questions would be yes.

16 MS. ALIOTO: When you say that you -- that one
17 of these four reports involves an audit?

18 MS. MOYNAHAN: The audit that I'm speaking
19 about is called -- we term it an institutional audit and the
20 institutional audit is a review of the institution's representatives
21 and all the curricular programs that they offer because as a
22 discipline specific accrediting body we'll review all of the degrees

1 they offer by level, major and area of emphasis.

2 It's not a financial audit however the supplemental
3 annual report which is also required, requires from the institutions
4 an audit with opinion from an external accounting firm. So
5 through that process NASAD on an annual basis will review the
6 audited financial statements of every institution for which we serve
7 as the gatekeeper.

8 MS. ALIOTO: Are there any institutions that you
9 have looked at following the -- your criteria, that you have put on
10 probation?

11 MS. MOYNAHAN: In the history of NASAD yes.

12 MS. ALIOTO: In this latest period?

13 MS. MOYNAHAN: Probation is one step in a due
14 process, so in this period meaning since our last review by the
15 Secretary?

16 MS. ALIOTO: Mm-hmm.

17 MS. MOYNAHAN: I do not believe so, no.

18 MR. BOEHME: I can be the second reader on this
19 if you'd like.

20 MS. ALIOTO: Okay.

21 MR. BOEHME: I can be Arthur Rothkopf. I think

22 --

1 CHAIRMAN KEISER: Frank's up next, I'm sorry.

2 MR. BOEHME: But can I be the second reader? I
3 mean there's not a second reader, there's supposed to be a second
4 reader.

5 CHAIRMAN KEISER: Just wait until after Frank
6 gives his presentation, unless you want --

7 MR. WU: Yeah I just had two very quick points.
8 It's more for us and I'd offer this more as a question with due
9 respect knowing that I have engaged in the very practice I'm going
10 to speak of.

11 So I'm sympathetic to agencies that come before us
12 and that get asked questions about a particular institution for a
13 particular case. I'm a little worried for two reasons -- one is
14 sometimes I feel bad for the Agency representatives who may not
15 off the top of their head just have facts about a particular institution
16 or a case or issue because they were prepared to come deal with a
17 set of questions that they can anticipate and they can't always
18 anticipate when we ask about something very, very specific, very
19 particular.

20 So I -- it's just a thought for us to bear in mind that
21 not everyone -- no matter how on top of things they are since they
22 accredit dozens, hundreds, even thousands of institutions, will have

1 this at hand.

2 But the second reason that I want to be cautious is I
3 am mindful that all of these agencies have particular procedures
4 and schools are entitled to a certain process and this is a public
5 forum on the record so if Agency representatives start to say about
6 X or Y or Z school, oh, blah, blah, blah, blah, blah, blah -- that
7 might create a problem for them in how they then conduct their
8 next review of the school.

9 So it's just a sympathetic word for the Agency
10 representatives here in front of us as to questions about particular
11 institutions, I would sort of caution for all of us to all my friends I
12 offer this as a thought.

13 CHAIRMAN KEISER: Simon?

14 MR. BOEHME: Yeah, I think Claude was before --
15 I only wanted to volunteer for a second reader to help to be helpful
16 not to be a burden.

17 CHAIRMAN KEISER: Claude and then I'd like to
18 say something.

19 MR. PRESSNELL: Just a real quick process
20 question that actually was kind of unearthed from here. So if the
21 situation presents itself whether it be in the media or in any other
22 way that's brought to your attention that might indicate that they're

1 out of compliance, are you saying you'd wait until a regular review
2 or will you go ahead and make an inquiry at that point?

3 MS. MOYNAHAN: We always have the ability to
4 review an Agency. I think you really hit the nail on the head and
5 that is not so much the institution and Vice Chair Wu thank you for
6 that clarification -- it's the Agency because of law, because of
7 regulation, does the Agency have due process in place that it
8 exercises when issues of an institution's possible lack of ability to
9 continue to meet standards arises? That really is the question and
10 the answer is yes.

11 The handbook has a stipulation that states that the
12 staff can for appropriate cause move an issue to the decision-
13 making body for a review, in addition to the comprehensive review
14 and in addition to that which is found within the annual review
15 process.

16 CHAIRMAN KEISER: Kathleen if I just may, I
17 looked up the issue -- first of all they're WASC accredited, that
18 would be the institutional accreditor. Second, both the lawsuits,
19 one was the 60 million you are talking about was on code
20 enforcement, not necessarily a student issue or a quality of
21 education issue.

22 The second lawsuit which is currently going on is

1 about incentive compensation so neither of those are related to
2 educational quality and it would be if they were considered
3 institutional problems they would determine administrative
4 capability that would tend to be focused by the WASC Association
5 so just information, Simon?

6 MR. BOEHME: Thank you Mr. Chair. So if I can
7 just go along with your line of questioning because I think my
8 colleague Kathleen did ask a question which is in our pilot, but it's
9 not a pilot anymore because it's in the Federal Registrar and it's
10 what we ask you accreditors is what activities since the last time
11 you've come before us have you engaged with and have you put
12 any of them on whatever types of probation warning or whatever
13 signals you have to let institutions know or programs know that
14 they're in trouble?

15 MS. MOYNAHAN: Could you go back to the first
16 part of your question with his -- what activities?

17 MR. BOEHME: So when did you come back to
18 NACIQI -- when was the last time you came in front of NACIQI?

19 MS. MOYNAHAN: 2014.

20 MR. BOEHME: So since 2014, what actions as an
21 accreditor have you taken against some of your programs with the
22 art programs in the past 4 years?

1 MS. MOYNAHAN: The possible actions that are
2 available to the Commission based upon the stage of the
3 application are those outlined in our procedures documents. Have
4 we -- has the Commission used those actions liberally and the
5 answer is yes. Have we placed an institution on probation in that
6 period of time -- I don't believe so. But I would suggest to you
7 that following due process those that are outlined in the procedures
8 are those that have been employed by the Commission.

9 MR. BOEHME: What kind of data do you collect
10 about your programs, your members?

11 MS. MOYNAHAN: In what regard?

12 MR. BOEHME: Student outcomes?

13 MS. MOYNAHAN: Well we look at those that are
14 admitted. We look at those that continue. We look at those that
15 graduate. We look at the progression of students that are enrolled
16 in these art programs throughout their time at the university by
17 degree, by major, by level.

18 MR. BOEHME: How do you define completion or
19 how does your accreditation agency view completion graduation
20 rates? I'm sure you've listened to our conversation and maybe you
21 heard WASC's presentation today and it's always interesting to me
22 how people take different angles on completion.

1 How does your Agency look at completion or how
2 do you define it? Do you have an official definition? Do you let
3 the programs define it?

4 MS. MOYNAHAN: I believe that the programs
5 would define what they would call completion of a program. Now
6 we have expectation with regard to student achievement -- those
7 are two different things.

8 MR. BOEHME: And what is the student
9 achievement in?

10 MS. MOYNAHAN: The NASAD handbook is full
11 of language that we term essential competencies. And as an
12 example there are essential competencies at a general level, a
13 general degree level, a specific degree level and a major level. So
14 what we define or how we define student achievement can be
15 reviewed by looking at the essential competencies that are required
16 at each level of every curricular program.

17 So if you were to look at a student majoring in a
18 degree in "X" with a track in "Y" we would have competencies for
19 "Y", we would have competencies for "X", we would have
20 competencies for the degree.

21 And what we expect the institutions to do is insure
22 that students throughout their time develop those competencies

1 progressing from one level to the next.

2 MR. BOEHME: Okay.

3 MS. MOYNAHAN: And those competencies exist
4 for all degree programs, non-degree-granting programs throughout
5 the level whether it's a 2-year, 4-year.

6 MR. BOEHME: Okay, thank you.

7 MR. MOYNAHAN: You're welcome, thank you.

8 MS. ALIOTO: I'm wondering yeah I actually
9 hadn't finished asking my questions, no, actually. In terms of
10 these 363 institutions you serve, do you have a dossier on each
11 school? There's concern about talking about things publicly here
12 from some of my colleagues but in terms of your being able to
13 make judgements -- do you look at the scorecard? Do you look at
14 the clearing house -- at the figures that your institutions are
15 submitting to the federal government in order to make any of these
16 calls?

17 MS. MOYNAHAN: Of course.

18 MS. ALIOTO: Or do you and it appears that it's a
19 rubber stamp without an analysis, for example, that particular
20 institution has -- is below the national graduation rate even though
21 the students are paying between the tuition and room and board
22 which is provided by one of the 40 buildings that the college owns

1 -- the university own, over \$40,000 a year and yet the graduation
2 rate is below average.

3 MS. MOYNAHAN: NASAD's process is rigorous
4 and I would respectfully suggest that it is not a rubber stamp. It
5 includes a requirement that the institution review comprehensively
6 what it does in relationship to the NASAD standards and then
7 through its own study culminating in a self-study it demonstrates
8 compliance with those standards.

9 And if the institution is not meeting a standard, that
10 process due to its depth and its rigor will bring to light those issues
11 of non-compliance and the Commission through its work would
12 then open up a dialogue with the institution requesting further
13 information and always in the case of non-compliance,
14 confirmation through documentation and defense of activities --
15 how those standards are being met.

16 MS. ALIOTO: Thank you.

17 MS. MOYNAHAN: You're welcome.

18 CHAIRMAN KEISER: John and then Ralph.

19 MR. ETCHEMENDY: I just have a quick question
20 for Stephanie actually. Do you know why we only have data on 7
21 -- so there are 23 institutions that they say they accredit and are
22 gatekeepers for and we only have data on 7 of them, do you know -

1 - does anybody know why?

2 MS. MOYNAHAN: I don't.

3 MS. MCKISSIC: And I don't either, I don't know
4 why it's just the 7, that's just what was listed on the scorecard.

5 MS. MOYNAHAN: And the data on the 7 is
6 incomplete if you look at the picture.

7 MR. ETCHEMENDY: I know, I noticed that yeah.

8 MS. HONG: So again those are data that the
9 institutions self-report to FSA on who their gatekeeper is. So if
10 again, we have 7 showing up, 7 have reported to FSA that NESAD
11 is their gatekeeper. So --

12 MR. ETCHEMENDY: Maybe some of the others
13 have a separate regional?

14 MS. HONG: It's possible they have another
15 regional but there is discrepancy between, you know, what the
16 Agency is reporting and what the institution's reporting so.

17 MR. WOLFF: Yeah I don't want to get engaged
18 with an individual institution. I think the issue is and I think the
19 where the two ships are passing in the night here is there are a set
20 of questions that we've been asking every accrediting agency and
21 most have come forward with some kind of data around what kind
22 of actions they've taken or helping us to get at the issue of student

1 success in relationship to achievement, completion and the like
2 beyond just referencing the handbook and what standards are.

3 So apart from that because I'm not interested into
4 going into any individual institution and I appreciate the distinction
5 between institutional accreditation and programmatic, having
6 worked with you on both sides of the situation. I'm just curious to
7 know are you -- can you address more on the questions that Simon
8 referred to in terms of any kind of explanation beyond -- am I not
9 close enough? Okay, thanks -- I think you know, is there anything
10 beyond just referencing the handbook in terms of and what we're
11 really trying to get at is what kinds of, you know, are there things
12 to be learned about approaches that you're taking?

13 And my own experience in working with art schools
14 that you all accredit is that the CRITS and the way in which
15 assessment is done actually one of the best ways possible, with
16 their open, their transparent and the like. But I just wonder if there
17 are things you might want to add beyond just saying we have
18 standards in the handbook.

19 MS. MOYNAHAN: I'd be happy to. Let me give
20 you some numbers to start with and then what I want to talk about
21 is student achievement. The NASAD Commission on
22 Accreditation meets twice a year. It reviews agendas of

1 approximately 200 institutions.

2 Some of those institutions are coming up with
3 comprehensive review. Some of those are responses to
4 comprehensive reviews with regard to apparent non-compliance
5 issues. Some of those have gone through the comprehensive
6 review successfully and received approval and now we're
7 following up through progress reports -- that would be an approval,
8 maybe this goes back to Simon's question.

9 The grand majority or the rest of the actions on the
10 agenda would be new curricular programs because NASAD
11 requires that every accredited institution submit for review and
12 approval prior to enrollment or publication, every area of emphasis
13 of each major of each degree.

14 So the agendas encompass all of that as well as a
15 review of those 4 annual reports. The combination of actions that
16 happen on any given agenda could be to approve, to approve with
17 a progress report, to approve with multiple progress reports, to
18 defer with a response, to defer pending completion of another visit
19 -- there are a wealth of possibilities.

20 What happens in the review of each institution is at
21 least two things. Number one is that the institution is required to
22 demonstrate compliance with operational standards -- faculty,

1 facilities, finances, governance and administration, size and scope -
2 - a balance of size and scope as well as curricular programs which
3 would be the applications for plan approval and final approval and
4 so forth.

5 Within each of those applications because NASAD
6 is discipline specific and because the handbook has a wealth of
7 information regarding the essential competencies, with regard to
8 every institution, each degree program is reviewed against those
9 essential competencies to ensure that the curricular programs meet
10 the standards and by meeting the standards show -- demonstrate
11 that the students are developing -- gaining those essential
12 competencies that the handbook requires they should get.

13 How do we do that? Well, we review a self-study.
14 We review student work that's submitted in the self-study and we
15 sent a team of visiting evaluators to campus specifically to look at
16 many things, one of which and one of the most important is student
17 work.

18 So, one of our requirements of institutions that are
19 submitting these applications are to provide the Commission
20 student work. So, if you were to take a particular degree at a
21 particular level, a particular major beneath that degree, a particular
22 track beneath that major -- what the visiting evaluators would do is

1 to review work, freshman, Baccalaureate Degree freshman,
2 sophomore, junior, senior level in that particular major to ensure
3 that the competencies are being developed, to ensure that the
4 students are progressing and to ensure that the work that the
5 students are doing is appropriate to the degree which they are
6 seeking.

7 MR. WOLFF: Yeah I think you're one of the few
8 agencies, I think APED also, but actually looks at student work,
9 knowing how hard it is from an institutional. I have one other
10 question and that is we used to do joint visits. I wonder do you
11 still do joint visits with regional accreditors or institutional
12 accreditors, particular with respect -- I mean obviously as a
13 specialized accreditor and most of your programmatic
14 accreditation is with regionally accredited or I mean I'm just trying
15 to get a sense of the percentage that you're doing jointly with
16 regional accreditors or independently.

17 And even of those 23 I think it is, are those all
18 independently by NASAD or are some of those joint in which
19 institutions actually hold two different kinds of institutional
20 accreditation?

21 MS. MOYNAHAN: Many of our free-standing
22 institutions are accredited by obviously NASAD and by the

1 regionals which is their choice. For institutions that are accredited
2 by both they have the ability to seek approval from both agencies
3 and Ralph and I used to put these together some 35 -- almost 40
4 years ago whereby we bring the procedures of the regional bodies
5 together with the procedure of the regional body together with the
6 specialized body and we assist the institution to mount one review
7 process, one self-study that addresses both agencies, one team
8 individuals from both agencies, one visitor's report typically --
9 there are variations on a theme.

10 We used to do a lot more. The institutions are -- we
11 still offer the opportunity, we used to do a lot more, it's up to the
12 institutions to decide whether or not they want to participate in a
13 joint visit. It's also up to the regional body as well so all three
14 entities have to agree to want to go through the process in that way.

15 MR. WOLFF: And I take it fewer are doing it now
16 than before from what you're saying?

17 MS. MOYNAHAN: I think that's fair to say yes,
18 yes.

19 MR. WOLFF: Thank you.

20 CHAIRMAN KEISER: John?

21 MR. ETCHEMENDY: I want to come back to I
22 guess it was your responses earlier I forget who was asking the

1 questions but about what kind of data you collect. One of the
2 things you said was that you collect data on graduation. I would
3 imagine that a lot of the programs that you accredit are -- do not
4 have a lot of first-time full-time students, so I'm curious what data
5 you look at?

6 MS. MOYNAHAN: Did you say do not have?

7 MR. ETCHEMENDY: Yeah.

8 MS. MOYNAHAN: I think they -- probably it's
9 just the opposite. The data that we collect with regard to
10 enrollment is from each member institution, from potential
11 member institutions and from those that would like to participate
12 with regard to enrollment, we will collect information with regard
13 to the number of students enrolled in every degree by level and by
14 major.

15 And we'll also collect the number of students that
16 graduate each year by major for every degree program that falls
17 under the purview of NASAD.

18 MR. ETCHEMENDY: The number, so that doesn't
19 give you necessarily a percentage right?

20 MS. MOYNAHAN: Percentage based upon --

21 MR. ETCHEMENDY: Usually when we look at
22 graduation rates we look at, you know, various ways of getting at a

1 percentage number that says, oh well, you know, this institution
2 graduates 20% or 80% of its students.

3 And just counting the number of students who
4 graduate really doesn't give you that.

5 MS. MOYNAHAN: No, it doesn't, but if you look
6 at it on a long-term basis, comparing one year to the next you can
7 see changes in movement. You can see whether institutions are
8 moving up, moving down and so we do review reports of changes
9 in enrollment at each institution on an annual basis.

10 MR. ETCHEMENDY: Changes in enrollment,
11 okay.

12 CHAIRMAN KEISER: Any further questions,
13 Bobbie?

14 MS. DERLIN: If what I say is incorrect please let
15 me know, but I think I heard you say you meet twice a year and at
16 each of these meetings you're considering about 200 actions, some
17 of which are successful completion of a renewal, some of which
18 are compliance reports of various kinds catching up with standards
19 that previously were on that and so on.

20 Can you give me an idea of those 200 actions how
21 many are associated with compliance reviews for specific items?
22 How many are successful completers of the renewal process and so

1 on, by whatever categories make sense from your Agency's
2 standpoint.

3 MS. MOYNAHAN: If you take an agenda well let
4 me back up a little bit further. If there are 300 institutions -- 360
5 institutions -- this will be straight math but not correct math. If
6 you take 360 institutions and you divide by 10 a 10-year cycle
7 which they're not all on, you're looking at about 36 institutions a
8 year, divide that by two but it's more than that because you have
9 potential members and it's not always an easy divisible answer.

10 So there may be 5 to 10 to 15 comprehensive brand
11 new, comprehensive applications that are reviewed. I think the
12 question you're asking me I think -- help me to understand, is how
13 many of those are approved, how many of those are approved with
14 the progress report, how many of those have apparent non-
15 compliance issues -- am I, is that what you're looking for?

16 MS. DERLIN: Yes, I'm looking for the
17 categorizations and the number of transactions that make sense
18 from your Agency's standpoint that are requiring follow-up or
19 some other action by your Agency.

20 MS. MOYNAHAN: Well let me give a broad -- a
21 broad answer to that. The accreditation process is about
22 ascertaining whether or not the institution is in compliance with the

1 standards that apply to the institution. But it's also about helping
2 the institution to go further -- helping the institution to reach
3 beyond the threshold standards helping the institution to realize
4 that which it puts forward as its priorities.

5 So with regard to the 200 or so, how many do we
6 continue to speak with? And I would take an educated guess and
7 say that the grand majority 75 to 80% of those that we're following
8 up on because they have initiatives, some that are in non-
9 compliance and some where they could benefit from the feedback
10 that the Commission can offer them with regard to development of
11 programs, development of majors, development of initiatives.

12 So of those 200 on any one given Agenda, are we
13 opening a conversation with the institutions and the answer is in
14 the great majority of cases, yes that would be true.

15 MS. DERLIN: Can you tell me a little bit about
16 how many institutions right now are under some form of a sanction
17 and what the sanctions might be?

18 MS. MOYNAHAN: Again an educated guess -- if
19 an agenda has 200 institutions then about 200. I would suggest
20 that a sanction could be a conversation. Are you speaking about
21 just non-compliance or are you speaking about any kind of
22 conversation?

1 MS. DERLIN: I'm speaking about non-compliance
2 issues.

3 MS. MOYNAHAN: I don't have that figure at the
4 top of my head or with me.

5 MS. DERLIN: Thank you.

6 MS. MOYNAHAN: You're welcome.

7 CHAIRMAN KEISER: Kathleen?

8 MS. ALIOTO: Yes my colleagues are quite antsy
9 about my focusing on just one institution and they are correct I
10 stand they are correct. But how about the other academies of art
11 that you also are acting as an accreditor for or Argosy University --
12 you have a number of institutions under your purview where the
13 information that you and we are receiving is not great in terms of
14 what seems to be happening.

15 Of course this is where it's like quicksand not
16 knowing about the graduation and so forth and that's why WASC
17 is trying to create a better way of dealing with it. Nevertheless it's
18 not looking good for the institutions that you're overseeing, and
19 particularly when you give the -- what your intentions are, but I
20 feel I'm easy about continuing to give you accreditation when
21 you're not coming to us with precise facts or dossiers about how
22 you're helping these institutions.

1 It's conversational but it doesn't seem -- it doesn't
2 feel to me that it's dealing with what's actually happening in those
3 schools and I think it's wonderful that you have portfolios from
4 students. I think if that happened in every institution it would be
5 great but I don't see that reflected in the success rates of a number
6 of the schools under your purview.

7 MS. MOYNAHAN: I'd first like to ensure that we
8 confirm which schools you're speaking about to ensure that they
9 are indeed institutions that hold our accreditation. But may I ask
10 did you have an opportunity to review the Commission action
11 reports which are in the dossier?

12 This is the -- the Commission action report is the
13 outcome of the Commission's decision. The Commission action
14 report is indicative of the question that Ms. Derlin asked and that is
15 when there are issues to communicate about, this is the way the
16 Commission communicates the concerns to the institution.

17 A Commission action report will articulate in great
18 depth what the issue of apparent non-compliance is, what the
19 standard specifically says, what the institution may or may not be
20 doing and what the Agency's expectation is for the reply.

21 And so I think that level of rigor that you're looking
22 for or the trust in the process can be seen by reviewing those

1 Commission action reports. We provided some in the original
2 dossier and then Miss McKissic asked us for additional
3 Commission action reports.

4 It's those letters that will depict the level of rigor
5 that the Commission uses to review an institution and that level of
6 rigor will deal with issues regarding operations, again facilities,
7 faculties, finances as well as the curricular programs.

8 I also want to make the point that our structure --
9 that the law and the regulation and the structure of the accrediting
10 bodies allow for due process and that due process allows the
11 accrediting body to seek information and to take action as
12 appropriate on that information.

13 So can I speak to a specific institution -- I can't but
14 the fact that I can't does mean that NASAD's process isn't
15 rigorous or that these institutions aren't under review at this time.
16 And I don't think we can draw that conclusion from that.

17 I think the conclusion we draw is to look at the
18 examples that we have provided to you and look at the depth of
19 rigor that is in the process that exists within NASAD right now and
20 to know, to understand that that is the depth of rigor that NASAD
21 applies in every case to every institution it reviews regardless of
22 what category it falls under in the agenda or with regard to its

1 comprehensive review or the review of any of those four annual
2 reports.

3 So the example of the depth of rigor can be seen
4 specifically in the detail in the Commission action reports which
5 specifically talk about as an example, institutions that are in non-
6 compliance, those areas, those standards that they do not comply
7 with at the time of review.

8 CHAIRMAN KEISER: John?

9 MR. ETCHEMENDY: Do you publish those -- the
10 action letters or the action after you've made the decision, do you
11 put them on your website for everyone to see?

12 MS. MOYNAHAN: A summary of the actions, not
13 the letters themselves. The institutions receive the letters
14 themselves.

15 CHAIRMAN KEISER: Jennifer?

16 MR. ETCHEMENDY: And how much information
17 is in the summary?

18 MS. MOYNAHAN: Numbers, number of
19 institutions approved, number of institutions deferred, number of
20 progress reports accepted, number of plan approvals, approvals of
21 new curricular programs approved, number of transcripts verified
22 against approvals.

1 MR. ETCHEMENDY: So if a student was
2 thinking about enrolling in a particular school that you accredit, the
3 student couldn't find out whether it's in trouble, whether there's
4 been some adverse action or might be some adverse action from
5 you?

6 MS. MOYNAHAN: We're required to publish
7 adverse actions so yes, those would be published.

8 MR. ETCHEMENDY: So the actual adverse action
9 so if it's a -- the status of the institution is published or is an actual
10 report that says here is the adverse action and here are the reasons
11 for it.

12 MS. MOYNAHAN: I believe the law requires that
13 adverse actions are published and the reasons for those actions are
14 published as well if I'm not mistaken.

15 MR. ETCHEMENDY: Okay.

16 CHAIRMAN KEISER: Jennifer and then Ralph.

17 MS. HONG: I don't know if this will help but so
18 NASAD adopts a competency based framework for its student
19 achievement standards. So basically you've identified
20 competencies that programs and institutions must reach --
21 demonstrate in order to be in compliance with your student
22 achievement standard -- is that right?

1 MS. MOYNAHAN: That's fair.

2 MS. HONG: So it's an accrediting agency that
3 makes that determination. You haven't left it up to the program --
4 the program or the institution. It's the accrediting agency that
5 passes that judgment. I don't know if it would be helpful then if
6 you could provide maybe an example -- I think that's where people
7 are getting stuck -- like an example of a competency within your
8 student achievement standard that you could kind of illustrate, you
9 know, why, you know, how an institution might fall short of that,
10 what do you look at -- would that be helpful for the members, I'm
11 just trying to --

12 MS. MOYNAHAN: One example might be the
13 institution's not only definition of credit and time, how much
14 credit is granted for how much time and whether or not the
15 students are required to dedicate a sufficient amount of time that
16 will enable them to develop the competencies that the standards are
17 requiring.

18 And if in reviewing an application as indicated by
19 possibly lack of information or the level of student work, if those
20 indicators are present the Commission may well ask the institution
21 to review its procedure for granting credit and also to review how
22 students are moving through programs with regard to the

1 competencies that they are to develop at each of the different levels
2 -- each of the different years.

3 CHAIRMAN KEISER: John, turn your
4 microphone on please, Bobbie, the three of you guys you can just
5 fight it out.

6 MR. ETCHEMENDY: Jennifer asked about an
7 example competency and you said well we review the time
8 allocated, the time required for units and that doesn't tell us a
9 competency like what kind of competent.

10 You said is adequate time required to develop the
11 competency but we wanted an example of a competency.

12 MS. MOYNAHAN: May I offer several?

13 MR. ETCHEMENDY: Yeah.

14 MS. MOYNAHAN: If you could bear with me just
15 one moment. Let's look at a Bachelor of Fine Arts professional
16 degree program with a major in illustration. The competencies as
17 examples that I will read to you which are standards which the
18 institution must meet.

19 These competencies, examples of which I'll offer to
20 you are specific citations offered to you had to do with just the
21 major in illustration. They're not speaking now to our history,
22 they're not speaking to general studies, they're not speaking to the

1 general standards for a professional degree, they're not speaking to
2 the general standards for a Baccalaureate Degree. These are just
3 the specific competencies that speak to a major in illustration.

4 The handbook has a set of competencies for each of
5 the different majors that are articulated in the handbook, so to give
6 you an example. Understanding of how basic design principles
7 and elements including color, are utilized to address specific
8 narrative or expressive problems. The development of solutions to
9 communication and design problems should continue throughout
10 the degree program.

11 Competency and facility in drawing, knowledge and
12 skills in the use of basic tools, techniques, processes sufficient to
13 work from concept to finish project -- this includes capabilities in
14 fields such as painting, photography, topography, general design
15 procedures, digital computer aided design, an understanding the
16 commercial applications and basic business practices of
17 illustration, functional knowledge of the history of illustration
18 including its origins in the fine arts and its relationship to written
19 communication.

20 Preparation of illustrations in a variety of media and
21 a variety of subject matter from rough to finished pieces, easy and
22 regular access to materials, studios and equipment and library

1 resources related to the study of illustration and so forth.

2 And these are articulated for each major within
3 every degreed program and the institution must demonstrate that
4 the students are meeting this competency and they do that through
5 many ways, one of which is the review of student work at the
6 freshman level for Baccalaureate Degree, freshman level,
7 sophomore level, junior level and senior level.

8 CHAIRMAN KEISER: Bobbie?

9 MS. MOYNAHAN: Students are critiqued at the
10 end of each semester to see where they are with regard to
11 developing these competencies.

12 CHAIRMAN KEISER: Bobbie?

13 MS. DERLIN: I'll pass until we get back to
14 Stephanie.

15 CHAIRMAN KEISER: Ralph?

16 MR. WOLFF: I think the challenge we're having
17 here is you meet -- you've been reviewed and with respect to the
18 formal criteria and I think the staff has found there are no issues
19 with the criteria.

20 For the last couple of years we have been trying to
21 work with agencies on meta-analyses of the kinds of actions where
22 there are problems, particularly around issues related to student

1 achievement and completion.

2 And so the challenge we're having is that your
3 responses are within the framework of we have very rigorous
4 standards that are very detailed around competencies which just
5 looking at them are clearly identified in each of the sub-categories
6 and as well as the general generic skills where we might say
7 general education and the like.

8 But what we're not hearing and where I think where
9 there is no communication is the meta-analysis of where are the
10 challenges that you face with respect to both the programmatic side
11 and the institutional side -- not individual program one by one, but
12 in looking across either design programs or BFA programs or the
13 like, how are you looking at the effectiveness of your assessment
14 measures?

15 So yes we understand that you are looking at each
16 individual program, you're looking at specific institutions, but
17 where are you finding categories of where follow-up is needed? Is
18 it around specific competencies or the like? As we look at student
19 achievement -- or are there particular completion areas or types of
20 institution where there are completion issues.

21 So acknowledging that there is a thorough review
22 done individually at both the program and at the institutional level,

1 that's not the challenge for us -- the challenge is really what I'm
2 saying since 2014 or since your last review, where have you found
3 in your own Agency's analysis of student achievement where there
4 are issues at more of an aggregate or meta level?

5 And we can understand how you're using or are you
6 gathering data around the multiple reviews as you indicate there
7 are dozens or hundreds of them that have occurred and is there the
8 kind of analysis that would enable you and then be able to report to
9 us here where the problems have been found in terms of quality
10 issues with respect to student achievement and with respect to
11 completion?

12 So I don't think anyone is challenging the
13 individual thoroughness or rigor of the review, it's what does it add
14 up to as an Agency that works with several hundred programs and
15 on the program side that's not where your recognition is but even
16 on the institutional side.

17 And so I just think that we're not -- it's not clear,
18 these are the conversations we've been having with the agencies
19 for the last couple of years and it's where -- it's not clear that you
20 have that kind of aggregate data or meta-data around of all the
21 kinds of follow-up reports, what have been the challenges where
22 there have been sanctions, not just adverse actions, but any kind of

1 sanctions. Where have the challenges been?

2 And not in any way is punitive inquiry but we're
3 trying to learn and work with agencies to give emphasis to the
4 statutory requirement on student achievement -- so I think that's
5 where we're having the problem with communication. It's not
6 about saying yes, there is an individual process, but what does it
7 add up to?

8 If you look at an annual or multi-year basis, where
9 are the challenges that the Commission has found in working with
10 institutions and how are you responding to them?

11 MS. MOYNAHAN: Well, let me ask what role
12 does the conversation that the Commission has with an institution -
13 - what role does that play in your understanding of just what you're
14 asking?

15 MR. WOLFF: Well all of the Commissions and I
16 shouldn't say many -- I don't know how many of them actually
17 interact with individual Commission representatives, certainly
18 many do. I think that's part of the individual interaction with
19 accreditor and either program or accreditor and institution, so it
20 plays a very important role.

21 The issue is one -- if over the course of from 2014 if
22 let's say you've had a thousand actions of all different types,

1 categorically how many have been of this type, how many have
2 been in that where there's been follow-up have most of them been
3 around finance, around governance, around faculty qualifications
4 to the extent that they revolve around student achievement and
5 achievement of those competencies in what areas is the greatest
6 issue.

7 And so that you're doing that kind of analysis to
8 assist your institutions and give them feedback, more than on an
9 individual basis, but rather as a collective for the community. But
10 then in working with us as we work with different agencies in the
11 recognition process of seeing how the aggregate or the meta-
12 analyses of all of these actions how you're evaluating them to
13 make assistance to your institutions and to make judgments about
14 where the biggest issues around quality are -- quality with respect -
15 - quality -- from our standpoint, quality with respect to student
16 achievement and completion.

17 MS. MOYNAHAN: Thank you.

18 CHAIRMAN KEISER: Anybody else -- Steve?

19 MR. VAN AUSDLE: Well thank you I've been
20 looking at the criteria standard for student achievement in here and
21 you've attached some big files. I'm having trouble getting all of
22 those files up in a short period of time. But one of the files that

1 was listed to document your results of student achievement was
2 101 and I pulled that file up and I looked at the Table of Contents
3 and even how you describe it -- you say, "Art and Design Data
4 Summaries 2016-2017," and it lists all the characteristics -- it
5 describes in great depth and detail your institutions and all the data
6 about the institutions but Ralph, I think here's where I agree with
7 you, there's no analysis and synthesis unless it's in another data
8 file that I can't pull up here quick.

9 MS. MOYNAHAN: I'm not sure of the file you're
10 speaking about but within each comprehensive review the second
11 part of the self-study focuses on instructional programs and in that
12 section of the review it's all about discussing competencies. It's
13 all about how the institution will address the competencies that I
14 just read.

15 MR. VAN AUSDLE: So would that be described
16 in 602.16A here somewhere that I'm just not seeing.

17 MS. MOYNAHAN: I'm sorry I don't know my
18 numbers.

19 MR. VAN AUSDLE: That's allowing student
20 achievement.

21 MS. MOYNAHAN: Student achievement the
22 examples that we've given you are the sections of the self-study

1 that require the institutions to discuss how they developed those
2 competencies.

3 We've offered to you as examples the visitor's
4 reports that review every curricular program and whether those
5 programs are developing those competencies and we've provided
6 the Associated Commission Action Report which is the
7 Commission's review of all of the previous documentation and the
8 synthesis of that and the institution's ability to meet the standards.

9 MR. VAN AUSDLE: So is there a synthesis file in
10 here and I've got 155 it's still working 10 minutes later. Does it
11 show the graduation rates, retention rates, employment rates of
12 students once they leave the institution, evidence of outcomes?

13 MS. MOYNAHAN: It may show you that
14 published by the institution.

15 MR. VAN AUSDLE: By institution.

16 MS. MOYNAHAN: Right.

17 MR. VAN AUSDLE: Okay, what I'm seeing is
18 some great data collection but I haven't seen the analysis and
19 synthesis yet on how it has been applied and maybe I should have
20 pulled some of these files up earlier and looked but you know the
21 three I'm looking at here aren't helping me much.

22 Getting to that point that Ralph was talking about --

1 is that, do you concur with that Ralph?

2 MR. WOLFF: Yes and I think we're trying to
3 move beyond the individual institutional review to a collective
4 analysis.

5 MR. VAN AUSSLE: Yeah.

6 MR. WOLFF: Of what does it mean as you do
7 dozens and dozens of reviews.

8 MS. MOYNAHAN: Well let me ask this. The
9 conversation with the institution is critical. I think we would all
10 agree with that because it's the institution's ability to meet the
11 standards that we review.

12 What is it that you're looking for that this meta-data
13 would offer that you don't see by looking at the review of each
14 institution?

15 MR. BOEHME: I mean this pilot is posted on the
16 Federal Register right?

17 CHAIRMAN KEISER: Right, but I think that's the
18 important part. A lot of the questions we can focus on to Stephanie
19 because we've already covered a lot of this material over and over
20 so unless you know, I just think we're not going to where we need
21 to go unless you have an absolutely directed, okay -- I think does
22 anybody disagree with me on that?

1 What I want to do is thank you for being here and
2 allow us to have the next conversation with is what our staff
3 member, okay?

4 MS. MOYNAHAN: Thank you.

5 CHAIRMAN KEISER: Stephanie I think you
6 could probably address some of these issues --

7 MS. MCKISSIC: I think so.

8 CHAIRMAN KEISER: Because you had the
9 personal experience, thank you.

10 MS. MCKISSIC: Okay so I want to speak to the
11 Department's role in evaluating or reviewing the Agency's
12 petition. From my perspective or from my role I look at the
13 regulatory requirements that are outlined by statute and I look to
14 see does the Agency have standards that address those regulatory
15 requirements?

16 I also did a site visit to an institution to see were the
17 Agency's standards implemented during that site evaluation and I
18 also attended a Commission meeting to see a full cycle of that
19 accreditation action process.

20 So with regards to 602-16 I did find that the Agency
21 had standard -- had comprehensive standards 9 and 10 which
22 looked at using student portfolios, teaching internships and

1 graduation rates to come into compliance with 602.16 as well as
2 standard 8 which addressed the issues beyond those required
3 particularly about art and design.

4 In addition, the Agency standard 4 and 5 addressed
5 602.17F which looks at the requirement for the assessment of an
6 institution's performance in student achievement and I also
7 observed the Agency's site evaluation team reviewing these
8 particular standards and the implementation of these standards with
9 a site -- with an institution's self-reported data and they were
10 looking to confirm that the data was in compliance with their
11 report.

12 In addition, one more, 602-19B the Agency has
13 Standard 20 which are all -- which were all listed in the petition
14 which looked at the monitoring of the provisions which were
15 defined in 602.16F.

16 CHAIRMAN KEISER: Bobbie I'll let you ask your
17 question then I'll ask mine, so.

18 MS. DERLIN: Well I'm not exactly sure this is a
19 question and I hope even though the Agency isn't at the table but
20 they're listening -- over listening to my remarks. This does -- I
21 don't have any quibble with the analysis that you conducted, the
22 results of your site visit or the presentation that the Agency made,

1 but it does appear that our pilot project questions and
2 considerations that has been published for quite some time,
3 somehow has gotten lost in the shuffle.

4 So it was unrewarding to me to have the Agency not
5 well prepared to respond to questions about aggregate types of
6 transactions. Ralph said this a lot better than I'm saying it now
7 earlier. So I just think this is -- so I guess my question for staff is
8 this -- you do your review based on the specifics of the criteria. Is
9 there any opportunity to call the Agency's attention to these pilot
10 questions and considerations that NACIQI has participated in
11 sometime or is that just at the Agency's discretion?

12 MR. BOUNDS: I think there's always going to be
13 a -- I don't want to use the word maybe disconnect but an issue or
14 problem with the staff review being based on regulatory
15 requirements and the Agency's published standards.

16 I mean the statute prevents us from telling them
17 what that standard is. We have to kind of look at what they
18 publish and then as Stephanie said we look to see if they follow up
19 and they take action based on their specific standards.

20 We have to review the staff reports in a way that we
21 know that number one the report would stand up against any legal
22 action or those type things when the Agency may appeal. So you

1 know, to try to get, you know we can always remind the Agency
2 it's in the Federal Register notice that NACIQI is going to ask
3 these questions and they're interested in these questions but for us
4 to be able to hold an Agency in a non-compliant status to put that
5 in the compliance report is difficult for us to be able to do.

6 MS. DERLIN: Thank you Herman, I'm just
7 jumping in here, hopefully I'm not out of order. I'm not in any
8 way suggesting that the staff be responsible for holding agencies
9 accountable for anything other than the specific regulatory
10 provisions but I am happy to hear you say that it is possible for
11 staff to consistently call agencies' attention to these pilot questions
12 and considerations. That makes me smile in the afternoon.

13 MR. BOUNDS: You know we, you know the
14 Federal Register is published I mean so agencies know the
15 questions that the Committee is going to ask. It's just that we can
16 only go so far in our preparation of an Agency for the meeting.

17 You know, we have these black and white rules that
18 we have to follow and when we complete, you know, the analysis
19 and I mean the analysts complete their reviews, we have these
20 discussions and it's strictly on what gets in the report is strictly
21 based on statutory and what the regulation requires of the Agency.

22 But again, we do remind the agencies to read the

1 Federal Register notice.

2 CHAIRMAN KEISER: Stephanie I have a
3 question. I think, you know, we understand that the Agency has a
4 lot of individual program competencies -- there's no question.
5 What I did not hear has the Agency taken any actions on
6 institutions who have failed to address the standards of the
7 Agency?

8 MS. MCKISSIC: During my observation and at the
9 Commission meeting, the Agency there were some institutions that
10 had issues with their reports and the Agency deferred those
11 decisions to allow time for the Agency to come into compliance
12 with those areas.

13 CHAIRMAN KEISER: And were you able to
14 identify any institutions that have been removed from the
15 accredited status based on failure to meet the standards or
16 competencies?

17 MS. MCKISSIC: Not during this review cycle.

18 CHAIRMAN KEISER: Were any institutions
19 placed on probation for failure to meet the institutional standards?

20 MS. MCKISSIC: Not during this review cycle.

21 CHAIRMAN KEISER: And of the 23 institutional
22 accredited agencies that are institutionally accredited, were there

1 any negative actions taken based upon the -- not just the
2 competencies but in terms of the federal regulations or issues that
3 may have been more institutional rather than programmatic?

4 MS. MCKISSIC: I don't recall that happening
5 during this review cycle.

6 CHAIRMAN KEISER: Is that standard that in a 5-
7 year period that they would not have had a negative action taken
8 by the Agency against an institution?

9 MS. MCKISSIC: I'm not sure what standard --
10 how you would define standard, however, given it's a small
11 number of institutions and it's a very specialized area, I'm not
12 surprised.

13 CHAIRMAN KEISER: Any other questions for
14 Stephanie -- sensing none I would entertain a motion from the
15 Primary -- are you going to have a question or are you going to
16 make a motion Kathleen?

17 MS. ALIOTO: No I'm not, I have a question.

18 CHAIRMAN KEISER: Oh okay, you're slow.

19 MS. ALIOTO: I thought I had prepared well for
20 this but I still can't find the document that she was referring to in
21 terms of student achievement within the -- could you refer me to
22 that?

1 MS. MCKISSIC: They were Standards 8, 9 and 10,
2 Standard 20 and Standard 4 and 5 if I remember correctly. It's
3 probably Roman numeral in the petition itself so if you look at the
4 NASAD Accreditation Handbook and look at those particular
5 standards 4, 5, 9, 10 -- 4, 5, 8, 9, 10 and 20 specifically addressed
6 the criteria pertaining to student achievement that had student
7 achievement areas.

8 MS. ALIOTO: So may we can look at it afterwards
9 together.

10 MS. MCKISSIC: Sure, no problem.

11 MS. ALIOTO: Thank you. Well I wouldn't mind
12 Mr. Chairman if either you or my co-leader to my right made this
13 motion because I'm not going to.

14 CHAIRMAN KEISER: You're not going to make a
15 motion?

16 MS. ALIOTO: I'm not going to vote for it.

17 CHAIRMAN KEISER: Well if you don't -- you
18 could make any motion you would like Kathleen.

19 MS. ALIOTO: Alright well in that case I'd like to
20 make a motion that NASAD return to us in 12 months with an
21 indication of how they're referring to what the -- how they are
22 meeting the suggestions of NACIQI in regards to student

1 achievement.

2 CHAIRMAN KEISER: Would you like to look at
3 this form and probably take the second -- the third one and it says I
4 move that NACIQI recommend that the said recognition be
5 continued and remit the Agency an opportunity within a 12-month
6 period to bring themselves into compliance with the criteria set in
7 staff report and then submitted for review within 30 day or after.
8 Compliance report demonstrated compliance to the cited criteria
9 which is outcomes and outcome assessment.

10 Such continuation shall be affective until the
11 Department reaches a final decision, is that the one you want?

12 MS. ALIOTO: So moved.

13 CHAIRMAN KEISER: Okay.

14 MR. BOEHME: I'll second that.

15 CHAIRMAN KEISER: Go ahead, there's a
16 question.

17 MS. HONG: So just to be clear could you cite the
18 regulation with the student achievement under?

19 MS. ALIOTO: Yes, it's particularly student
20 achievement because if you look at the Oak Web it was a
21 worksheet under student achievement there they're not documents
22 included.

1 MS. BOEHM: So it's 602-16A1.

2 CHAIRMAN KEISER: There's a motion is there a
3 second? Second by Simon, Claude?

4 MR. PRESSNELL: I would -- we're at discussion
5 right. So I would be very cautious about where we're going
6 because there's no violation of the standards as articulated that I'm
7 aware of that the staff have found.

8 And what I'm finding is that they're taking a
9 competency based approach that is different than what a lot of
10 other accreditors have chosen to do which I find to be actually
11 probably more complex and rigorous because we don't -- with the
12 challenges we just don't have a number to look at.

13 So I wanted to -- so like I said yeah sometimes just
14 having a number to look at it a reductionist approach to assuming
15 rigor. So I just would be really careful because if we can't clearly
16 cite the precise element for which they're non-compliant and
17 articulate it exceptionally well why they're non-compliant, then I
18 think -- I think we just need to be careful with that.

19 So I would agree that they have done a poor job of
20 being able to explain to us exactly what is the outcome of this
21 competency-based approach and what is it teaching the accreditor
22 and what is it teaching the institutions about improvement --

1 they're not doing a good job with that at all.

2 So I think that -- I think they need to improve on
3 that and so in other words, based on everything we found, surely
4 not everybody is performing at 100% level so those that are not
5 how is this informing the improvement process and we didn't hear
6 much of any of that and that's problematic but I don't know if it is
7 to the point that we -- of where we are, so that's all I have to say.

8 CHAIRMAN KEISER: Frank, Ralph and then
9 John.

10 MR. WU: Just a simple question. I think this was
11 discussed but I wasn't here. We have no more meetings in 2018
12 right so I just want to clarify. This often happens -- when we say
13 12 months it really is probably 24 or 18 months, that is it's not
14 going to be 12 months just because of the timing of things right?

15 MS. HONG: Right so the 12 months is when the
16 report needs to be due to the staff so it doesn't matter when we
17 meet but that report still needs to be due within 12 months to the
18 staff.

19 MR. WU: Right and it will be 12 months but the
20 start date would be when the senior Department official writes, so
21 that could be a week from now or it could be 6 months from now.
22 I'm just noting there's always a little flex, but I just wanted us to

1 bear that in mind.

2 So whatever our view is of the motion 12 months is
3 not 12 months from this minute.

4 MS. HONG: Right and at the long -- like 3 months
5 from the decision, you know, from this -- the senior Department
6 official is 90 days after the meeting to write the letter.

7 CHAIRMAN KEISER: Ralph, John, Bobbie.

8 MR. WOLFF: You know I'm going to speak in
9 support of the motion for two reasons. One, there are many ways
10 of defining competence. There are outcomes identified in the
11 standards, you can call them competencies or the like. It is not a
12 competency-based model.

13 And they are very input driven in terms you need to
14 demonstrate that they are competences. What we don't have are
15 the outcomes other than that there is a process of -- which I have
16 personally experienced I think is the thorough one of looking at
17 student work.

18 But we don't know where it adds up in relationship
19 to a collective evaluation of what those actions add up to across at
20 least with respect on the recognition side to those institutions for
21 which NASAD is gatekeeper.

22 Secondly, all institutions are required to have a

1 basis for review of their standards and this would be a fundamental
2 part for any review and I don't see that the data is there the
3 analytical data.

4 Thirdly I would say whether this recommendation
5 or our action is accepted or not by the senior Department official, I
6 would just urge the Agency to bring members, at least one or more
7 members of the Commission here so that it is not just with the
8 Agency executive. We recognize Commissions not executives and
9 this is the only Agency that I can recall in my memory that hasn't
10 had representatives of their Commission to be able to speak to how
11 the Commission operates and to hear the issues and concerns that
12 we reflect.

13 MR. ETCHEMENDY: So I want to say something
14 about Claude's point because on the one hand I agree with Claude
15 that we can't send an Agency back and say, you know, come back
16 in 12 months without actually pointing out what it is that they need
17 to provide.

18 On the other hand it does seem to me that the pilot
19 questions that we sent out were specifically -- those are basically
20 interpretations of how we're interpreting 602-16 -- a component of
21 602.16 and we were hoping for answers to those questions and did
22 not receive them.

1 So I take it that that is in NACIQI's view, they have
2 not met the standards as we understand them and as we have asked
3 them to demonstrate. So that's what I would like is to see them
4 come back and answer some of those questions.

5 CHAIRMAN KEISER: If there's no more
6 discussion we have a vote on the motion -- oh Bobbie?

7 MS. DERLIN: Well I was pausing for a moment
8 because my colleagues gave me such good things to think about
9 but I think I do want to speak in opposition to the motion. I would
10 favor the original motion which is to extend the accreditation.

11 We spent a lot of time talking about bright lines
12 granted, in a totally different sphere but I think it's important for us
13 to distinguish between the very specific review of the regulations
14 that are conducted by the staff and that the Agency did speak to.

15 They do have exhibits in their dossier related to
16 their student achievement standards. They do have that really ugly
17 data summary file which you can't get open and I'm assuming
18 there is some data in there and that our staff member has reviewed
19 it.

20 So I just think it's important. I recognize your point
21 John and Ralph spoke to it too but I still think we need to keep a
22 distinction from a regulatory standpoint between the pilot stuff and

1 the actual regulation review so I am opposed to the motion and
2 now I'm done.

3 CHAIRMAN KEISER: Steve?

4 MR. VAN AUSDLE: One thing I noted as I got
5 back into the work that you reported on student achievement.
6 There is a bottom line here that refers to where some of this
7 evidence might be and it says see attached continuation of response
8 to 602.16A-1. I can't find that attachment. That might be some of
9 the evidence right there.

10 CHAIRMAN KEISER: Yes, John?

11 MR. VAN AUSDLE: Where would the attachment
12 be to that section? Its right above all the documents linked. I'm
13 looking for evidence.

14 MS. HONG: Just a technical -- if you go.

15 MR. VAN AUSDLE: Did you see where I'm --

16 MS. HONG: I see continuance of response to
17 602.16A-1, is that what you're looking for?

18 MR. VAN AUSDLE: It says see attached for
19 continued response to the 602.16.

20 MS. HONG: Mm-hmm that might be it, Exhibit 96.

21 MR. VAN AUSDLE: It is not in Exhibit 101 so
22 there is an attachment here somewhere I think.

1 CHAIRMAN KEISER: Even if it's buried, it's
2 pretty difficult even in the conversation to get the specifics that I
3 think we are looking for. So it's hard for us -- I think to certainly
4 make a positive decision.

5 MR. BOEHME: Mr. Chair?

6 CHAIRMAN KEISER: Yes.

7 MR. BOEHME: I'm not sure if it would be a
8 friendly amendment or not or maybe the Chair chooses not to take
9 the motion but maybe something I would consider is 602.2B which
10 is enforcement action. Looking through the -- well if I can take a
11 step back -- I was not impressed with today's presentation and I
12 was for -- we've been doing this for years, we've been doing the
13 pilot and not a lot of accreditors may like that we do the pilot but
14 we've decided to do it.

15 It's in the Federal Register and so to me I was really
16 dissatisfied that it seemed that the executive could not provide a
17 clear number on actions and this is something that we've been very
18 consistent on so I'm not sure if maybe that is -- if we look towards
19 the regulations at 602.2B with the enforcement action would
20 actually be more in line for them to come in compliance with and
21 maybe that would alleviate some of the concerns of the Committee
22 members, maybe not.

1 CHAIRMAN KEISER: You're the second to the
2 motion so the maker of the motion if she would accept that as a
3 friendly amendment, Kathleen?

4 MR. WU: What is the amendment exactly?

5 CHAIRMAN KEISER: The amendment is to
6 change the citation that we use from what is it A to B?

7 MR. BOEHME: From student achievement which
8 is 602.161A to 602.20B which is enforcement action, but I'm
9 willing to take that away if that complicates things.

10 CHAIRMAN KEISER: It's up to Kathleen if she
11 accepts your amendment.

12 MS. ALIOTO: Well my concern is the student
13 achievement but if you think that's a better way to deal with it
14 Simon?

15 MR. PRESSNELL: Just a quick comment. I mean
16 if we're going to cite that do we not have to have evidence that
17 there was an institution out of compliance for which they did not
18 apply so therefore we can't do that unless you have proof that there
19 was an institution out of compliance and the Commission didn't
20 act on it.

21 MR. BOEHME: I would -- well I'm sure we don't
22 want to bring the executive back up but I did not hear that. I don't

1 have evidence because I did not visit this Commission or have that
2 evidence but I'm also compelled to think that the way that this
3 executive approached this and could not answer basic questions
4 around it I absolutely agree with you Claude is that I don't have
5 that evidence so I don't.

6 But to what extent are they out of compliance -- I'm
7 not sure but I don't feel that they -- so everyone knows it's if the
8 institution or program does not bring itself into compliance within
9 the specified period the Agency must take immediate adverse
10 action unless the Agency for good cause extends the period for
11 achieving compliance.

12 She could not tell us what the process was with
13 those two Board meeting is what action has taken place? Do they
14 write a letter, do they phone them? Do they bring them in and
15 question them? So to me, that was not satisfactory and the
16 evidence is is that I wish she could have been more concrete.

17 MS. HONG: Can I just to provide some guidance.
18 So two different sections of the regulations that you're looking at -
19 - so the first one, right the standard is student achievement whether
20 they've met it and that they have a standard that's of sufficient
21 rigor -- so that's, you know, whether you want to find them out of
22 compliance on that basis or but with regards to enforcement action,

1 just so you know, there is a written record of the staff having
2 established that -- I see your point about her, you know, about not
3 articulating that here in front of us for the record.

4 But there is a written record as I understand it that
5 staff has reviewed that they've demonstrated that they have
6 enforced their accreditation actually within the guidelines.

7 MR. BOEHME: They could have written and I
8 agree with Claude again, I don't have the evidence. But there's a
9 difference between a written policy and we don't even know if it's
10 being enforced or not. They could have all these policies written
11 down but who knows.

12 MS. MCKISSIC: They did have a -- they do have a
13 pilot standard for 602.20 and during my observation at the
14 Commission meeting they did enforce action. I mean well they
15 deferred an action so they did address the non-compliance issues
16 but they deferred an actual decision about the action.

17 So I don't think they were not -- they were in
18 compliance with 602.20.

19 CHAIRMAN KEISER: Excuse me I'm sorry. It
20 appears that your friendly amendment has not been accepted so if
21 you want to make an amendment we could vote on that, if not,
22 okay, Bobbie?

1 MS. DERLIN: As long as the friendly amendment
2 is not accepted I'm ready to be quiet.

3 CHAIRMAN KEISER: How about you Ralph?

4 MR. WOLFF: As I understand I just want to be
5 more clear that in requesting a report within 12 months we would
6 need to specify what particular provision we found the report
7 needed to address -- is that?

8 CHAIRMAN KEISER: If I'm not mistaken we
9 have already done that with the 6 -- I can't remember.

10 MR. WOLFF: 602.16 and that's -- I'm supportive
11 of that.

12 CHAIRMAN KEISER: That's the one.

13 MR. WOLFF: I feel that's an adequate basis.

14 CHAIRMAN KEISER: She said that she didn't
15 want to comment because there was no friendly amendment
16 approved. Okay we have a motion on the floor, we've had a lot of
17 discussion. All in favor of the motion signify by raising your hand,
18 all those opposed. Motion passes.

19 **NACIQI RECOMMENDATION**

20 **NACIQI recommends that the said recognition be**
21 **continued and remit the Agency an opportunity within a 12-**
22 **month period to bring themselves into compliance with the**

1 **criteria set in staff report and then submitted for review within**
2 **30 day or after. Compliance report demonstrated compliance**
3 **to the cited criteria which is outcomes and outcome assessment.**

4 **Such continuation shall be affective until the**
5 **Department reaches a final decision.**

6 CHAIRMAN KEISER: If you'd like we can take a
7 5 minute break, make it 7 minutes okay, thanks.

8 (Break - 2:40 p.m. - 2:47 p.m.)

9 **RENEWAL OF RECOGNITION STATE AGENCY FOR**
10 **THE APPROVAL OF PUBLIC POSTSECONDARY**
11 **VOCATIONAL EDUCATION**
12 **PUERTO RICO STATE AGENCY FOR THE APPROVAL**
13 **OF PUBLIC POSTSECONDARY VOCATIONAL,**
14 **TECHNICAL INSTITUTIONS AND PROGRAMS**

15 CHAIRMAN KEISER: Call the meeting back to
16 order please. The final Agency of this meeting -- This is the
17 Renewal of Recognition for the State Agency for the Approval of
18 Public PostSecondary Vocational Education, the Puerto Rico State
19 Agency for the Approval of Postsecondary Vocational Technical
20 Institutions and Programs.

21 Our Primary Readers are Roberta Derlin and Ralph
22 Wolff and whoever would like to begin, Ralph?

1 MR. WOLFF: Yes I will give a little background.
2 This is going to be on one level it's I think a fairly simple
3 resolution but I still think we need to address some of the issue
4 involved. This is a Puerto Rico state Agency for a public
5 postsecondary vocational technical institutions and programs. The
6 Agency was created in 1982 approval by the Secretary in 1983
7 there was an extensive discussion of its review in 2014.

8 I was not here but there are some of you I think
9 sitting at the head of the table were actively involved in that
10 review. There was a recommendation as I understand for denial
11 and the Secretary or the senior Department official did not accept it
12 and a compliance report was requested for 2016 which was
13 accepted by NACIQI and the senior Department official.

14 There is an interesting history and you will see that
15 the staff -- we did not receive information entirely -- partially, but
16 not entirely in English. There wasn't time or the capacity for
17 translation and going back into the history I found it was
18 interesting that three staff members ago there was a Spanish
19 speaking staff member who was actually able to review and
20 interpret -- I mean to review the staff and it was accepted at least in
21 part if not entirely in Spanish.

22 Then it went to a new staff member who was not

1 and again there were issues in the history of the Agency where not
2 all the materials were translated. And in the current situation we
3 have with the result of the hurricane there hasn't been an
4 opportunity. So the staff have received considerable information
5 in English but not everything has been translated.

6 And I do have a number of questions about
7 reasonable expectations of taking self-studies and translating them
8 and the like about what we might -- what is being required of the
9 Agency, but at the very minimum the Agency or the staff was not
10 able to complete its review given that all the documentation was
11 not in English.

12 The Agency accredits 3 postsecondary institutions
13 one of which has 4 campuses and 1 certification institution so it's a
14 very small state agency. The other thing that Valerie has indicated
15 that I think is relevant and I'd like to ask about is that it is -- as a
16 state agency is reviewed under a separate provision from a
17 traditional or regular accrediting agency under 2.03 -- I'm not sure
18 what the other is but you'll give us more on that.

19 But it has a 4-year cycle versus a 5-year. So one of
20 the things I think we need to make sure we explore in assuming
21 that the Agency is given time is that it doesn't run afoul of the time
22 limit that the statute provides of 4-years since I think it's up against

1 4-years since it's last review 2014.

2 So it's already at a 4-year point. So there are a
3 number of issues I think we need to clarify here from the staff and
4 the Agency representative and see if we can find a good resolution,
5 thank you.

6 CHAIRMAN KEISER: That was a good
7 introduction. Valerie and then Herman.

8 MS. LEFOR: Alright just a quick clarification
9 before I give my formal remarks. It's under 6.03 I think you said
10 2.03 just to make sure so 34 CFR 6.03.

11 Good afternoon Mr. Chair and members of the
12 Committee. For the record my name is Valerie Lefor and I will be
13 presenting a summary of the Petition for continued recognition
14 submitted by the Puerto Rico State Agency for the approval of
15 public postsecondary vocational technical institutions and
16 programs referred to as PRSAA.

17 The staff recommendation to the senior Department
18 official is to defer the Agency's recognition for one year and for
19 such additional 6 months increments as the Agency continues to
20 demonstrate to the staff that due to the continuing impact of
21 Hurricane Maria, it remains unable to submit complete
22 documentation which has been fully translated into English.

1 Based on review of the information in the Agency's
2 petition and the extenuating circumstances that Puerto Rico has
3 continued to face with hurricanes, power outages and other forces
4 of nature, the Agency was unable to provide documentation for all
5 of the relevant sections of the Agency's petition.

6 Without this information, Department staff was
7 unable to verify many sections of the Agency's petition. The
8 Department has not received any written third-party comments or
9 complaints during this review cycle regarding the Agency.

10 Therefore again, the staff recommendation to the
11 senior Department official is to defer the Agency's recognition for
12 a period of one year and for such additional 6 month increments as
13 the Agency continues to demonstrate to the state that due to the
14 continuing impact of Hurricane Maria, it remains unable to submit
15 complete documentation which has been fully translated into
16 English.

17 There are representatives here from the Agency and
18 I'm happy to answer any questions that you may have, this
19 concludes my report. Thank you.

20 CHAIRMAN KEISER: Valerie, excuse me, your
21 recommendation is to defer.

22 MS. LEFOR: That is correct.

1 CHAIRMAN KEISER: Not based on the petition
2 but based on the exigency of the hurricane?

3 MS. LEFOR: Well so due to the aftermath of the
4 hurricane there has been ongoing outages -- power outages and
5 ongoing issues within the country and because of those power
6 outages the documentation that was provided in the petition --
7 there was some documentation, it was not complete.

8 And so I'm not able to fully completely verify if it's
9 compliant or not and because I don't have the documents I'm
10 recommending a deferral.

11 CHAIRMAN KEISER: And again this would be a
12 point of order and I'd like to discuss before we even get into the
13 issue of the Agency since this is a very different situation I'd like
14 to poll a view of the Committee to see if it is a deferral there's no
15 point in going over the incomplete information in my mind.

16 So does that make any sense to you? Is there
17 anybody opposed to going, you know, to deferring this Agency?
18 John?

19 MR. ETCHEMENDY: I'm not opposed at all.
20 What does deferring mean? I just need to --

21 CHAIRMAN KEISER: It gives them more time to
22 complete.

1 MR. ETCHEMENDY: But they continue their
2 recognition for that year?

3 CHAIRMAN KEISER: Yes.

4 MR. ETCHEMENDY: Okay good.

5 MR. WOLFF: Yeah there are -- I'm not opposed to
6 the deferral, we have a modified recommendation that we will be
7 proposing but there are questions we would have of the Agency
8 representatives with respect to some of the issues and there are also
9 a couple of questions I'd want to ask the staff with respect to the
10 recommendation the staff is making.

11 CHAIRMAN KEISER: If, I'm just curious if we're
12 going to defer them they're going to have to come back with a full
13 petition. Do we need -- I mean we can do it, I don't have a
14 problem if that's where you want to go. I just think it seems to be
15 a redundant process.

16 MR. WOLFF: Well the issue is if I may just say,
17 excuse me, is that they will continue with recognition and involve
18 new programs and the issue we want to address is does the Agency
19 have the capacity to do the monitoring that would be required and
20 what my understanding is there is a new program that they will be
21 reviewing and we want to make sure that the Agency has the
22 capacity to review and approve it during this deferral period.

1 Secondly, there are modifications to the proposed
2 continuation beyond the 12 months that would be 6 month
3 extensions that we have concerns about.

4 CHAIRMAN KEISER: Well look, unless it was
5 unanimous that we move to a deferral, let's go on with the process.
6 Frank, if you have something you want to say otherwise we'll just
7 move on with the process.

8 MR. WU: Yeah, so even if we're going to move on
9 I just wanted to say two things, one of which I'm going to guess
10 will be support for. But the other which there may not be support
11 for but I want to articulate it and see what other NACIQI members
12 think.

13 So the first I think we, NACIQI, should on the
14 record say something about the hurricane and the federal
15 government and that it is important for the government and entities
16 of the government which NACIQI is to show solicitude and
17 support for Puerto Rico and to recognize that something disastrous
18 has happened and that Puerto Rico is in a situation that is
19 calamitous and therefore it is entirely reasonable to accommodate
20 for this natural disaster over which officials of Puerto Rico have no
21 control.

22 And that it is good and important for officials and

1 we are government officials, to make some type of statement of
2 solicitude in that manner just out of common humanity and that
3 bureaucratic regulations shouldn't trump these concerns.

4 So I at least, am going to make a statement. I'm
5 just speaking for myself, to that effect, that this is a very bad
6 situation. My heart goes out to you, complying with what NACIQI
7 wants when people don't have clean water and sanitation and
8 electricity in my view would be the least of the concerns even of
9 your Agency, so my heart goes out to you.

10 The second issue though -- I wonder and I say this
11 with a little bit of trepidation but I wonder if other NACIQI
12 members and maybe staff has a different view, but I wonder if
13 other NACIQI members would be comfortable making some type
14 of statement to the effect that because Puerto Rico is a unique part
15 of the United States and it is part of the United States, to the extent
16 that materials are in Spanish or business is conducted in any
17 language other than English, my own view is that we ought to be
18 accommodating rather than the other way around.

19 And that we should, in some way, make clear that if
20 there are documents where there is a translation issue, et cetera,
21 that we -- education department, NACIQI and the staff of NACIQI
22 ought to do something and meet Puerto Rico halfway in terms of

1 timing and et cetera. So I would be prepared again -- this is me
2 speaking just to say something because some of these issues are
3 related to that.

4 CHAIRMAN KEISER: Frank we can make those
5 motions later on. All I was wanting to do is if everybody was in
6 agreement it would be a deferment it doesn't need to go beyond
7 that but Ralph feels that we need to take it on and Herman you're
8 up for a second.

9 MR. BOUNDS: So first of all I want to address the
10 first issue I think that Ralph brought up. There's a requirement in
11 the regulation that says an Agency must submit a petition for -- so
12 they must submit within that time frame and once we get the
13 petition and that has satisfied that regulatory requirement that they
14 submit the petition for recognition.

15 Secondly I think Rachel Schultz was the analyst for
16 Puerto Rico for years and I can remember in some of her staff
17 reports we made note that the documentation didn't come in
18 English. We've always required documentation in English.

19 We also report to those as you all know, the
20 National Committee on Foreign Medical Education from foreign
21 countries, all documentation has to be submitted in English.
22 Another couple of reasons for that they're -- you know, the

1 Department may get FOYA requests, we couldn't release that
2 documentation without that information being translated and we
3 don't have the staff to do that -- staff or money to do that, but the
4 expectation has always been to submit the petitions in English.

5 We couldn't accommodate, you know, languages in
6 any of the territories, I mean we just couldn't -- we couldn't
7 accommodate that process so I just wanted to make that point.
8 Again, the other issue with the deferral for Puerto Rico is not only
9 the translation into English but again their process as you know,
10 schools, that did not complete, students did not complete so the
11 Agency has to have time to collect and gather information needed
12 for the petition also and that was our reasoning for the -- to be able
13 to work with them until we thought they had time to submit all the
14 information and we had time to review the information.

15 CHAIRMAN KEISER: Well it's good that we're
16 moving forward with the presentation from the Agency. I also
17 want to introduce Tom Killiam who's from the Office of Federal
18 Student Aid who will act as translator for the -- for this process,
19 okay Ralph.

20 MR. WOLFF: That's important. The staff has
21 recommended that not only there be a one year deferral but there
22 be ongoing 6-month deferrals and my question is to explain what

1 would happen to trigger the ongoing 6-month deferrals and who
2 would make that determination and is there -- would these be
3 ongoing deferrals of 6-months, 6-months, 6-months but it seemed
4 like an indeterminate amount of time and so if you could just
5 explain how that would be triggered and what the end point would
6 be for the staff recommendation.

7 MS. LEFOR: So from my perspective the reason
8 we were making that recommendation was to acquire the
9 documentation needed to verify for all of the sections of the
10 review. So as I had mentioned there are several documents that
11 have been turned in, but they are not completed.

12 And so for example, the Agency collects a semi-
13 annual report and by semi-annual -- twice a year, so the one semi-
14 annual report that we have received collected information through
15 the month of February.

16 However, when you look at the report it looks like
17 half of the report is blank because the information that's blank in
18 that other part of the section is about graduation rates and
19 information and so forth so the second half of that report would
20 come later -- probably in June and so having that second half of
21 information would give us a complete set of information and this is
22 how they do monitoring for an agency so in my experience in

1 working with other vocational and technical agencies they do an
2 annual report.

3 Puerto Rico has decided to do that as two reports
4 and so I wanted to get a full year's worth of data. So in order to
5 get a full set of documents I would then make a determination if I
6 had all the documentation that I needed and if I had not gotten all
7 the documents that I needed at the end of one year I would be
8 coming back to you to report I have not received all of the
9 information, we will provide you another update in 6 months or
10 whenever the next NACIQI meeting is and provide regular
11 conversations to say, you know, I have not received this data or the
12 completion of all of these documents. And so that's the way I
13 envision it in my head.

14 CHAIRMAN KEISER: Do you want us to continue
15 are you ready for the continuation. Okay if the Agency would
16 introduce themselves and tell us the sad story of Puerto Rico.

17 MS. MOCKFORD: Thank you okay. Good
18 afternoon to Dr. Jennifer Hong, NACIQI Executive Director, Dr.
19 Arthur Keiser, NACIQI Chairman, Dr. Herman Bounds, Director
20 of the accreditation group, the U.S.D.E. staff and representatives
21 from all accredited agencies present this afternoon.

22 My name is Annie Mockford, Executive Director of

1 Puerto Rico State Approval Agency. After the devastation of two
2 hurricanes in September and all the criteria to complete and
3 comply with all the requirements for the renewal of recognition,
4 finally we are here.

5 We faced many challenges this past year, no
6 electricity, no communications, no internet, no water, no gas,
7 traffic jams until December then started to stabilize. Personally I
8 had electricity in mid-January. The deadline to submit the criteria
9 answers and evidence was on September 22nd. Just two days after
10 the Hurricane Maria.

11 Thanks to all the persons in the USDE and the
12 accrediting group that shows -- with especially to Dr. Rachel
13 Schultz that she was in that moment still working for the
14 accreditation group, and Dr. Herman Bounds and also to the Dr.
15 Julio Callahan with the Department of Education Secretary that
16 gave me an extraordinary support allowing me to move to Florida
17 to continue working to comply with the process and the new
18 deadline by December 30th.

19 I would like to take a moment to give the
20 background of the Agency. The Agency accredits 4 Associate
21 Degree institutions and one certification institution. The 5 of them
22 are posted. The tendency of these institutions was supposed to be

1 accredited during this year but they a -- are trying to stand up again
2 and the hurricane came through that and the east part of the island
3 and just crushed the institution so.

4 As accrediting Agency we recommend the
5 Secretary of Education and the technical education area to upgrade
6 the certificate institution, that's the tool and dye-maker school to
7 that end an Associate Degree so we are in that process okay?

8 The Agency has two Boards, the Boards of
9 Examiners whoever raise the findings, the reaction plan and the
10 corrective action plan of the evaluator institution and determines
11 the amount of time of accreditations or any other determination.
12 The Advisory Commission that provides technical support and
13 advise the Agency and the Secretary of Education to maintain base
14 practices during the accreditation process of the applicants.

15 Both Boards have 5 member representatives of the
16 public employment areas and employers of postsecondary
17 educators and a graduate student of any of the 4 institutions and
18 representative also of the minority groups.

19 We also have a bank of 150 of our educators highly
20 qualified. All of this people who receive training during the year
21 and they are selected for an institution accreditation and additional
22 hands-on workshop. Also are trained every time the occupational

1 manual is reviewed.

2 The Agency offers initial orientations to the
3 institutions to be accredited and offers technical support to the
4 accrediting steering committee as many times as they need it.

5 Each institution submits a semi-annual report for each semester
6 and a final report of the academic year.

7 This information is analyzed by the Advisory
8 Commissions and make recommendations to the institutions and to
9 the postsecondary program at the Department of Education. In
10 2017 the operation manual was approved that include all of the 7
11 variations that the Agency had in just one manual.

12 It was designed with three major areas --
13 institutions, accreditation process, evaluators, process and the
14 Agency procedures. We revised all the standards of accreditation,
15 established ethical standards in all the forms used in the Agency
16 procedures.

17 I also want to let you know that in December, 2017
18 all the institutions were visited to follow-up to the compliance with
19 accreditation policy established by the USDE disaster plan. All of
20 them complied and those that didn't have the facility to offer the
21 labs made alliance with private universities and industry to comply
22 with the requirements.

1 I also visited those institutions to verify that
2 students were properly served. At this moment I have visited 3 of
3 the 5 accredited institutions to follow-up to the compliance with
4 accreditation hours for the second semester. The first accredited
5 semester ended in February and the second semester ends in mid-
6 June.

7 I wish to let you know that up today I have been
8 inform that the Agency would extend the accreditation services
9 including the vocation of schools and we'd be part of a new
10 accreditation under the Secretary of Education's office.

11 As accreditation agencies we are growing as the
12 new mission of the Secretary to emphasize the postsecondary
13 education, making an alliance with the Labor Department and the
14 Department of Economic Development and Commerce to offer the
15 alternative to train and retrain the unemployed persons that lost
16 their work after the pass of the hurricanes.

17 So here we are to receive the NACIQI
18 recommendations to continue working for the economically this is
19 my first visit from Puerto Rico and improve our accrediting
20 process and service.

21 Finally I want to recognize the Commission's
22 support of Dr. Herman Bounds and Mrs. Valerie Lefor, the

1 accrediting group and make an open invitation to visit the Puerto
2 Rico Agency next September when our institution is going to be
3 evaluated on site. This way the USDE person may be familiarized
4 with what we do and how we do and we make recommendations
5 looking always to improve our procedures, thank you.

6 CHAIRMAN KEISER: Primary Readers, do you
7 have questions?

8 MR. WOLFF: Thank you very much. We're really
9 glad to have you hear and we -- I'll just say very impressed that
10 you were able to do all of this and to make all the visits and assure
11 compliance in the midst of so many other things that really are
12 higher priorities.

13 But we -- I have two questions. One is not
14 withstanding -- I'm very concerned and I share Frank's statement
15 about all the attachments having to be translated and self-studies
16 and the like and so I would just say I do wonder if there is any way
17 in which a distinction can be made between your primary
18 submission and some of the attachments and the work that needs to
19 be done to translate.

20 But that's an issue that I would ask that staff review
21 because the supplemental documents and whether or not there
22 would be people who would be able to read them in Spanish. But

1 the real issue it seems to me, the staff is recommending a one-year
2 deferral. Do you think you would be able to complete the
3 translations in that time frame?

4 MS. MOCKFORD: Yes sir.

5 MR. WOLFF: Thank you, and I just want to
6 acknowledge the work that's involved in doing that. And
7 secondly, it does sound like that you are visiting with the
8 institutions making -- that they're offering courses, that they're
9 monitoring the credit hour and the like.

10 You will be able to do, as you mentioned site visits
11 and will you be doing any reviews, institutional reviews, at the 5
12 institutions -- comprehensive reviews in the course of the coming
13 year?

14 MS. MOCKFORD: Yes in September we are going
15 to evaluate on-site one of the campuses and in the second semester
16 we have the -- school, institutions excuse me, and the Ponce
17 campus so in this next year we are going to have three on-site
18 visits.

19 MR. WOLFF: And those campuses are able to
20 offer classes and --

21 MS. MOCKFORD: They are offering the classes
22 now.

1 MR. WOLFF: Okay.

2 MS. MOCKFORD: They have electricity, they
3 have water, they're operating.

4 MR. WOLFF: Excellent, we're glad of that. And
5 the other thing is so I also understand you're working to approve a
6 new program and so you will be able to complete that review?

7 MS. MOCKFORD: We are just starting with a
8 postsecondary program in the Department of Education talking
9 about this because that's the certificate program that has more than
10 3,300 hours more 3 years -- almost 3 years. So we will make a
11 story with other institutions in Puerto Rico that offer that course as
12 a certificate and are only 900 hours so if we are offering 3,300
13 hours if you divide that it could be over to 73 certified credits so it
14 could be changed to Associate Degree and they are working. The
15 institution is working in that also.

16 MR. WOLFF: Okay thank you. I would just say
17 that my concern was that you would be able to continue operations
18 and it does sound like you are able to notwithstanding all the issues
19 that are going on with getting the infrastructure, the island back up
20 and running, thank you very much.

21 CHAIRMAN KEISER: Bobbie?

22 MS. DERLIN: Well again thank you very much for

1 being here and for being so committed to your Agency's work in
2 these tough times for you. In terms of the schools being open and
3 operational, do you have any estimate of whether those programs
4 are operating at the same level they were before the hurricane or
5 are there now fewer students, et cetera?

6 MS. MOCKFORD: When the hurricane -- they had
7 four campuses, they had more or less 4,000 students. They just
8 lost around 300 students that came back from those 300 students,
9 200 came back in the second semester.

10 MS. DERLIN: Great.

11 MS. MOCKFORD: So we just lost 100 students.

12 MS. DERLIN: That's great, thank you very much.
13 I have a couple more questions that I have to scribble in between.
14 You mentioned that you'll be doing four activities this year -- an
15 on-site campus visit in the fall, the pursuing the upgrade for the
16 tool and dye-maker school from certificate to Associates, visiting
17 the Ponce Campus and also the implementation of the new
18 certificate program. I didn't hear or I didn't understand properly
19 what is that certificate in?

20 MS. MOCKFORD: Tool and dye-maker.

21 MS. DERLIN: So that certificate is --

22 MS. MOCKFORD: Going to be now.

1 MS. DERLIN: Different but related to the tool and
2 dye-maker school?

3 MS. MOCKFORD: Yes.

4 MS. DERLIN: Thank you. And this is a general
5 question. As you do your reviews of the various campuses and
6 programs and you might perceive that there are some programs
7 that are operating in a very superior manner and perhaps some
8 programs or schools that are struggling -- how do you differentiate
9 the support you provide to different programs that are at different
10 levels of accomplishment?

11 MS. MOCKFORD: That's a complex -- well when
12 I find that a program is not operating as we expect I communicate
13 it to the program -- postsecondary program director in the
14 Department of Education and I notify to the Advisory Commission
15 and they make recommendations on what to do with them.

16 Then we give follow-up during the year to see what
17 the program has done in the Department of Education and how the
18 institution is responding to it. So in addition to the on-site visits
19 for the accreditations, we make follow-up visits at least two per
20 semester, okay.

21 MS. DERLIN: Thank you. And I have one more
22 question -- except I seem to be having a senior moment and I've

1 misplaced my question so I'll -- oh, you mentioned there's some
2 organizational restructuring for your unit, you're reporting to a
3 different department in the future -- do you have an anticipation as
4 to how that will support your work?

5 MS. MOCKFORD: For sure it would be more
6 work okay. This is the first time in the 47 years and a half that I
7 have been working with the DE in Puerto Rico that a Secretary is
8 engaged with the postsecondary location and that's why she made
9 some alliance with these other government departments so I know
10 that there will be more work.

11 I asked for more employees and we are in the
12 process.

13 MS. DERLIN: And one last thing I found my
14 forgotten question. There's the issue of translation for lots of
15 material. There is also an issue of the completion of reports that
16 are related to student reporting by the institutions and their ability
17 to get those reports completed in a timely way. Are you feeling a
18 sense of confidence in the ability to get that work completed within
19 the next year?

20 MS. MOCKFORD: Well the person that is making
21 the translation is here. It's a very hard work because for example
22 self-study can have 1,000 pages so it takes a lot of time to

1 translate, that's why I'm asking for more employees in the office.

2 MS. DERLIN: But what about soliciting
3 information on student achievement the individual institutions. Do
4 you feel the institutions will be able to respond to you in a timely
5 way?

6 MS. MOCKFORD: Yes for sure.

7 MS. DERLIN: Thank you very much.

8 MS. MOCKFORD: Thanks to you.

9 CHAIRMAN KEISER: Any further questions?

10 MS. ALIOTO: In one of the challenges that a
11 number of schools face without having a hurricane is businesses
12 and companies are not happy with some of the students who are
13 graduates of some of our programs.

14 In Puerto Rico what do you do to get the business
15 community and the schools connecting with one another so that
16 that's less likely to happen? Are you doing anything like that?

17 MS. MOCKFORD: Well personally the Agency
18 doesn't do that work. That's an initiative of each campus to make
19 the alliances. Now for the first time the Secretary is making an
20 alliance with the Department of Labor and the Department of
21 Economic Development that has the statistics that we can help us
22 and the postsecondary education program to --

1 MR. KILLIAM: To redirect.

2 MS. MOCKFORD: To redirect the programs that
3 are actually offered in the institutions.

4 MS. ALIOTO: And are there particular programs
5 that have developed in response to the hurricane for construction
6 or?

7 MS. MOCKFORD: That's at the vocation -- that's
8 at the vocational education programs. They tend to take vocational
9 schools. They have designed some programs, yes.

10 MS. ALIOTO: Okay thank you.

11 CHAIRMAN KEISER: I see no further questions,
12 thank you very much for appearing before us and again our
13 sympathies for all the people in Puerto Rico and the tragedy that
14 they twice -- not once, twice they faced. We have got it once so.

15 Valerie, do you have any further comments?

16 MS. LEFOR: I think the one thing I just want to
17 mention is while I sit here and I listen to the comments about the
18 concerns of providing the documents in Spanish and then the
19 English translation and the additional burden of that. I can
20 recognize, you know, sort of the understanding and the place
21 where that comes from.

22 I guess I just want to rearticulate the challenge that

1 it would present to us as it currently exists within amongst the
2 Department staff. So we currently don't have the resources to be
3 able to you know, get those documents in Spanish. I've been with
4 the accreditation group since 2014 and so during that time we have
5 always asked both in this Committee and then sort of the sister
6 Committee, the NCFMEA, that countries provide those documents
7 to us in English.

8 We ask for that for a number of reasons. I think
9 Herman talked about this. When we get FOYA requests, there's a
10 whole process that we have to go through in terms of redacting PII.
11 If we were to add the additional layer of being able to translate that
12 from Spanish to English and then having to do those redactions
13 that would be an increased burden on the staff and so while I
14 certainly recognize that one of the things that I've been doing a
15 little bit of research on is trying to understand better, you know, the
16 rules and processes of the government of Puerto Rico.

17 And so I was on their website and they do indicate
18 that you know, while it predominantly is a Spanish speaking
19 country they do recognize both English and Spanish as official
20 languages and so I just wanted to sort of rearticulate the challenge
21 that we have currently with the resources at the Department in
22 order to be able to not have those documents in English. It's a

1 limitation for us and it's -- I just want to be on the record as saying
2 you know, I certainly recognize the concern and why that's being
3 brought out but it is a challenge for us at the Department.

4 Also when -- I am planning to do a site visit,
5 hopefully, if it gets approved in September with the country and
6 we have been in early conversations with the school that they
7 would be providing the self-study document already in English in
8 anticipation that I would be attending that visit.

9 And so hopefully that would be, you know, some of
10 the burden off of Annie or the staff at the Agency and that the
11 institution itself would be providing some of that document even
12 though it can be a large document in English -- so just a few
13 additional thoughts.

14 CHAIRMAN KEISER: Frank?

15 MR. WU: This is just a point of information that I
16 think it's important to make because it's a common confusion and
17 it's -- understanding that there was no intent in which I think was
18 an erroneous statement. Puerto Rico is not a separate country, it's
19 part of the United States, so I just want to be clear because it seems
20 that there are significant numbers of Americans who don't realize
21 that and it's actually if you ask me, related to the lack of response
22 to the hurricane because many people erroneously believed it to be

1 a foreign nation to which the United States doesn't have some
2 obligation.

3 CHAIRMAN KEISER: If we could stay, we have a
4 motion on the floor, is there any other comments about the specific
5 petition that we want to talk about because Herman made it clear
6 that that's not our -- that's their responsibility whether it be
7 translated or not. Is there anything else about the specific visit?

8 MR. WU: But I just want to make clear it's not a
9 separate --

10 CHAIRMAN KEISER: We understand.

11 MR. WU: But I think is within our purview to be
12 clear about it's part of the United States and if we were a separate
13 nation they wouldn't come before NACIQI to get our approval.

14 CHAIRMAN KEISER: I understand.

15 MS. LEFOR: Per federal regulations Puerto Rico is
16 defined as a state, so thank you for making that clarification.

17 CHAIRMAN KEISER: If we can focus and stay
18 focused there is a -- now I would entertain a motion, Bobbie?

19 MS. DERLIN: I have one.

20 MR. KEISER: Please.

21 MS. DERLIN: I have a motion. This is a revision
22 to the original staff recommendation to defer the Agency's

1 recognition for one year to allow time for the Agency to submit
2 and complete necessary documentation in English in a timely
3 manner to enable full staff review period.

4 CHAIRMAN KEISER: There's a motion is there a
5 second -- second by Ralph who is the Primary Reader -- any
6 discussion on the motion, John and Claude?

7 MR. ETCHEMENDY: So first it may change the 6
8 month extension thing.

9 CHAIRMAN KEISER: Yeah.

10 MS. DERLIN: Yes the main change is the
11 elimination of the 6 month extension in part because of the
12 ambiguity about just how long 6 month extensions might continue.

13 MR. ETCHEMENDY: So I'm afraid we're going
14 to fall on the opposite sides here. I don't support that because I
15 actually believe that giving the staff the discretion is a reasonable
16 thing to do and I don't think they will misuse it so I'm actually in
17 favor of the original motion.

18 MS. DERLIN: Do I get to speak?

19 CHAIRMAN KEISER: If you'd like to speak.

20 MS. DERLIN: Well I don't think my intention in
21 offering this motion in this way is not to suggest that the staff
22 would misuse the extension but in part to reflect the fact that there

1 is a particular history of the Agency prior to the significant
2 challenge of the hurricane where things sort of were extended and
3 slow and went on for a while. So this was more to support the
4 Agency in completing its response in a timely way than any
5 reflection on staff discretion, just to be clear on that score John.

6 MR. WOLFF: As I understand what the staff said
7 was that if at the end of the year there was not an adequate basis to
8 go forward they would come back here and ask for a 6 month
9 extension so we're not denying it but the staff recommendation
10 seems so indeterminate we just wanted to say let's try to put -- get
11 this completed within a year.

12 There is -- and if not then we -- I don't think the
13 Agency would need to send representatives I just think that the
14 staff would just come. But the staff recommendation was multiple
15 6 months and we were opposed to that.

16 MR. ETCHEMENDY: Could I offer a slightly
17 friendly amendment.

18 CHAIRMAN KEISER: Poor Jennifer.

19 MS. HONG: I just want to make sure we have the
20 verbiage correct up here. We want to strike that last sentence
21 right? You wanted a period, did you want the -- strike the last
22 sentence but everything else was right but for one year -- one year

1 to allow.

2 MS. DERLIN: Yes.

3 MS. HONG: Okay, everything else is right just
4 strike that last sentence.

5 CHAIRMAN KEISER: Now John you can --

6 MR. ETCHEMENDY: I'm offering an amendment
7 in the hopes that it might be friendly and that would be to say -- I
8 don't know how to word it to allow a single 6 month extension at
9 the discretion of Agency staff.

10 CHAIRMAN KEISER: Make it a motion.

11 MR. WOLFF: To staff there is a 4-year limit which
12 they will be -- they're already at and so if we go the way the 12
13 months is going to run is that it's going to be 12 months from the
14 date of the senior Department official's letter which won't be for
15 another month or so and then we aren't going to meet and so it will
16 be a year plus the staff review following that.

17 I'm just trying to say it's not so much I object to it
18 but there is a 4-year time frame and it gets us into 6-years or a
19 considerable period of time with an agency around which there
20 have been previous issues and so how far can we go out and before
21 we get to conduct our review.

22 MR. BOUNDS: If I may?

1 CHAIRMAN KEISER: Sure, the question was
2 directed to you.

3 MR. BOUNDS: Okay thank you, so there's an
4 issue. There's and Sally you can help me if I step on my toes here
5 but so there are procedures in 602 and procedures in 603 and the
6 relevance of it too where in 602 it states that an accrediting agency
7 must submit their petition for recognition every 5 years. They are -
8 - they being a state agency -- Puerto Rico -- they have a 4-year
9 limit so that application of process kind of crosses over.

10 So the issue is did they submit a petition within the
11 4-year period and then if there are other extenuating circumstances
12 it causes a delay in the Department's review or in this case for
13 substantial reason.

14 I don't think we would be in danger of any of the
15 schools losing their Title IV, you know, losing their Title IV
16 eligibility and since I have a mic I want to thank Frank for pointing
17 out our comparison of our foreign metal committee with the aids
18 was just an example of different languages that we were in no way
19 saying that Puerto Rico was a foreign country, I just wanted to get
20 on the record of saying that.

21 CHAIRMAN KEISER: There was a motion to
22 make a friendly amendment. It was accepted by the maker, was it

1 accepted by the second?

2 MS. DERLIN: The friendly amendment.

3 CHAIRMAN KEISER: Okay so the motion has
4 been changed to reflect that one 6 month period. Is there any
5 further discussion? All in favor of the motion signify by saying
6 "Aye" -- all opposed thank you. You have been deferred.

7 **NACIQI RECOMMENDATION**

8 **NACIQI recommends to defer the Agency's recognition for**
9 **one year to allow time for the Agency to submit and complete**
10 **necessary documentation in English in a timely manner to**
11 **enable full staff review period and to allow a single 6 month**
12 **extension at the discretion of Agency staff.**

13 CHAIRMAN KEISER: Anything else that we need
14 to cover today?

15 MR. BOEHME: I just wanted to at least say on the
16 record that I agree with Frank's point and certainly what's going
17 on with the hurricane, you know, our thoughts and prayers are with
18 you and something to think about as a statement.

19 CHAIRMAN KEISER: Thank you. This meeting
20 is continued tomorrow morning at 8:30.

21 (Adjourned at 3:40 p.m.)

22