

## **Report of the Meeting**

### **National Advisory Committee on Institutional Quality and Integrity (NACIQI)**

**July 27-29, 2021**



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Arthur E. Keiser, Ph.D., Chair

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### **DISCLAIMER**

This report summarizes the deliberations of the National Advisory Committee on Institutional Quality and Integrity (NACIQI) at its virtual July 27-29, 2021 meeting. The NACIQI is an advisory committee established by the Higher Education Opportunity Act of 2008 and is subject to the Federal Advisory Committee Act. This report represents the views of the NACIQI. The report has not been reviewed for approval by the Department of Education, and therefore, the report's recommendations do not purport to represent the views of the Department.

## EXECUTIVE SUMMARY

NACIQI was most recently authorized by Section 106 of the Higher Education Opportunity Act of 2008. NACIQI's primary functions include advising the Secretary of Education on the establishment and enforcement of criteria for recognition of accrediting agencies under Subpart 2 of Part H, Title IV, of the Higher Education Act of 1965, as amended (HEA), as well as the recognition of specific accrediting agencies or associations or a specific State approval agency. The NACIQI also advises the Secretary on the eligibility and certification process for institutions of higher education under Title IV, of the HEA, including the relationship between accreditation of institutions of higher education and the certification and eligibility of such institutions, and state licensing responsibilities with respect to such institutions.

NACIQI met virtually July 27-29, 2021 through the WebEx platform to carry out its responsibilities to advise the senior Department official (SDO) with respect to the recognition of accrediting agencies.

NACIQI reviewed the following types of applications at its July 27-29, 2021 meeting:

- Nine applications for renewal of recognition from accrediting agencies.

NACIQI reviews all information submitted by an agency in support of its petition, the staff analysis and report, and third-party comments.

Chairman Arthur Keiser opened the virtual meeting and welcomed the Committee and members of the public.

Julie Morgan shared remarks on behalf of Dr. Michelle Asha Cooper—Acting Assistant Secretary, Office of Postsecondary Education—who was unable to attend.

Brian Fu, Program and Management Analyst, Office of Planning, Evaluation, and Policy Development, presented on the Department's Accreditor Dashboards.

The Subcommittee on Student Success, chaired by David A. Eubanks, submitted its report for the committee's review. The committee accepted the report and voted to submit it to the Secretary.

Committee members participated in a general policy discussion after reviewing all agencies for renewal of recognition. Members identified issues and concerns that warrant staff research and input. As a result of the conversation, Chairman Keiser requested Accreditation Director, Herman Bounds and NACIQI Designated Federal Official, George Alan Smith to provide more applicable training for committee members and to continue working on making documents that are used for recognizing agencies more transparent for public review.

NACIQI members in attendance for all or part of the meeting included Arthur Keiser (Chair), Kathleen Sullivan Alioto, Roslyn Clark Artis, Jennifer Blum, Ronnie L. Booth, Wallace E. Boston, Jill Derby, David A. Eubanks, Molly Hall-Martin, Paul J. Leblanc, Robert Mayes, Mary Ellen Petrisko, Claude O. Pressnell, Jr., Robert Shireman, and Steven VanAusdle.

U.S. Department of Education representatives who participated in the meeting included: NACIQI Executive Director and Designated Federal Official George Alan Smith; Accreditation Director Herman

Bounds; Office of the General Counsel staff member Donna Mangold; and accreditation staff members Elizabeth Daggett, Nicole S. Harris, Jass Holt, Reha Mallory, Stephanie McKissic, Karmon Simms-Coates, and Michael Stein.

## SUMMARY OF AGENCY-RELATED ACTIONS

The following agencies were acted on—in the order they are listed—using NACIQI’s standard review procedures:

### **Renewal of Recognition | Accrediting Agency**

#### ***American Psychological Association, Commission on Accreditation (APA)***

##### **Action for Consideration:**

- Renewal of Recognition

##### **Recommendation:**

- Renew the American Psychological Association, Commission on Accreditation’s recognition as a nationally recognized accrediting agency at this time, subject to the submission of a compliance report due in 12 months and a review and decision on the compliance report. In the event that recognition is continued following a decision on the compliance report, the period of recognition will not exceed 5 years from the date the decision on the renewal of accreditation is issued by the Senior Department Official.
  - [602.16(a)(1)(ix)]--The agency has responded and noted that its accredited doctoral, internship, and post-doctoral programs must maintain student complaints and grievances until the next accreditation review period in addition to as required by federal, state, and institutional policies. However, the agency does not provide clarity on which policy would take precedence for a program's record keeping of student complaints and grievances when there are conflicting time periods for which policy the agency will apply to the program.
- Vote: 14 “Yes”; 0 “No”; 0 Recusal; and 0 “Abstention”

##### **NACIQI Primary Readers:**

- Mary Ellen Petrisko
- Roslyn Clark Artis

##### **Representatives of the Agency:**

- Georita Frierson, PhD, Chairperson, APA; Dean, School of Arts, Sciences and Education, D’Youville College
- Jacqueline Remondet Wall, PhD, Director, Office of Program Consultation and Accreditation, APA

#### ***Accrediting Commission of Career Schools and Colleges (ACCSC)***

##### **Action for Consideration:**

- Renewal of Recognition

##### **Recommendation:**

- Recommends that the Accrediting Commission of Career Schools and Colleges’ recognition be renewed for 3 years.
- Vote: 10 “Yes”; 3 “No”; 1 “Recusal”; and 0 “Abstention”

##### **NACIQI Primary Readers:**

- Kathleen Sullivan Alioto
- David A. Eubanks

##### **Representatives of the Agency:**

- Dr. Michale S. McComis, Executive Director, ACCSC
- Karen Marcinski, Director of Member Services, ACCSC
- Jennifer Bergeron, Chair of the Commission, ACCSC
- Joanne Wenzel, Vice-Chair of the Commission, ACCSC

Third-Party Commenters:

- Michael Itzkowitz, Third Way
- Barmak Nassirian, Veterans Education Success
- Marissa Alayna Navarro, Center for American Progress
- Nora Ann House, Oklahoma Board of Private Vocational Schools
- Dr. Tommy Mosley, ACCSC Volunteer

*Accrediting Bureau of Health Education Schools (ABHES)*

Action for Consideration:

- Renewal of Recognition

Recommendation:

- Recommends that the Accrediting Bureau of Health Education Schools recognition be renewed for 5 years.
- Vote: 11 “Yes”; 2 “No”; 0 “Recusal”; and 1 “Abstention”

NACIQI Primary Readers:

- Ronnie Booth
- Jennifer Blum

Representatives of the Agency:

- India Tips, Executive Director, ABHES
- Amy Rowe, Associate Executive Director of Membership Services, ABHES
- Dr. Thomas Kenny, Chairperson, ABHES

*American Bar Association, Council of the Section of Legal Education and Admissions to the Bar (ABA)*

Action for Consideration:

- Renewal of Recognition

Motion:

- Accept staff recommendation with monitoring report in two years.
- Vote: 7 “Yes”; 8 “No”; 0 “Recusal”; and 0 “Abstention” **[MOTION FAILED]**

Recommendation:

- Recommends that the American Bar Association, Council of the Section of Legal Education and Admissions to the Bar recognition be renewed for 5 years. NACIQI also recommends approval of the agency's requested scope of recognition which removes the Accreditation Committee of the Section of Legal Education. Requested scope of recognition: the accreditation throughout the United States of programs in legal education that lead to the first professional degree in law, including those offered via distance education, as well as freestanding law schools offering such programs.
- Vote: 14 “Yes”; 0 “No”; 0 “Recusal”; and 0 “Abstention”

NACIQI Primary Readers:

- Paul J. LeBlanc
- Jennifer Blum

Representatives of the Agency:

- Scott Bales, Council Chair, ABA Section of Legal Education and Admissions to the Bar and Chief Justice of the Arizona Supreme Court (Retired)
- William E. Adams, Jr., Managing Director of Accreditation and Legal Education, ABA Section of Legal Education and Admissions to the Bar
- Stephanie Giggetts, Deputy Managing Director, ABA Section of Legal Education and Admissions to the Bar
- Kirsten M. Winek, Accreditation Counsel, ABA Section of Legal Education and Admissions to the Bar

Third-Party Commenter:

- Barmak Nassirian, Veterans Education Success

*Transnational Association of Christian Colleges and Schools, Accreditation Commission (TRACS)*

Action for Consideration:

- Renewal of Recognition

Recommendation:

- Renew the Transnational Association of Christian Colleges and Schools, Accreditation Commission's recognition as a nationally recognized accrediting agency at this time, subject to the submission of a compliance report due in 12 months and a review and decision on the compliance report. In the event that recognition is continued following a decision on the compliance report, the period of recognition will not exceed 5 years from the date the decision on the renewal of accreditation is issued by the Senior Department Official.
  - [602.15(a)(2)]--The agency does not meet the requirements of this criterion. The agency must demonstrate that all Commissioners are trained on their responsibilities, as appropriate for their roles, regarding the agency's standards, policies, and procedures, to apply or establish its policies, and make its accrediting decisions, including their responsibilities regarding distance education. Further, the agency must demonstrate that all Appeal Committee members are qualified for their roles according to their education and experience in accordance with section C of its appeals policy, BP219, by submitting resumes, CVs or applications. Lastly, the agency must demonstrate that all Appeal Committee members are trained on their roles and responsibilities as required by section C.3 of BP219 by submitting attendance records from one or more of the training programs provided for the Appeal Committees listed in exhibits F and G of the agency's response.
  - [602.15(a)(3)]--The agency must demonstrate that all Appeal Committee members are qualified for their roles according to their education and experience in accordance with section C of its appeals policy, BP219, by submitting resumes, CVs , or applications. In addition, a member of an Appeal Committee may be qualified to serve in multiple roles; however, for the purposes of determining whether an Appeal Committee is of the proper composition, the role each member is performing should be identified on all decision-making bodies.
  - [602.15(a)(5)]--The agency must provide evidence it confirmed the individuals serving as representatives of the public on its Commission and Appeal Committees meet the definition of public representative. The agency must provide documentation it vetted each public member serving on its Commission and Appeals Committees, according to the agency's policy.



- [602.15(a)(6)]--The agency must provide evidence verifying the delivery and attendance at trainings on conflicts of interest for its Commissioners, Peer Evaluators and agency staff.
- [602.16(b)(c)]--The agency must provide documentation it systematically and consistently applies its accreditation standards related to reviews of institutions that offer distance education.

- Vote: 13 “Yes”; 0 “No”; 0 “Recusal”; and 1 “Abstention”

NACIQI Primary Readers:

- Steven VanAusdle
- Robert Mayes

Representatives of the Agency:

- Dr. James L. Flanagan, Chair, TRACS Accreditation Commission; President, Luther Rice College and Seminary
- Dr. Benson M. Karanja, Vice-Chair, TRACS Accreditation Commission; President, Beulah Heights University
- Dr. Timothy W. Eaton, President, TRACS
- Dr. Ronald D. Cannon, COO/Vice President, Institutional Compliance, TRACS
- Dr. Tanmay Pramanik, Vice President, Institutional Compliance, TRACS

*Council on Occupational Education (COE)*

Action for Consideration:

- Renewal of Recognition

Recommendation:

- Renew the Council on Occupational Education’s recognition as a nationally recognized accrediting agency at this time, subject to the submission of a compliance report due in 12 months and a review and decision on the compliance report identified by staff 602.15 (a)(3) and 602.20. In the event that recognition is continued following a decision on the compliance report, the period of recognition will not exceed 5 years from the date the decision on the renewal of accreditation is issued by the Senior Department Official.
  - [602.15(a)(3)]--The agency did not demonstrate that it includes both academic and administrative personnel on its evaluation bodies, if the agency accredits institutions.
  - [602.20]—Enforcement of standards.
- Vote: 14 “Yes”; 0 “No”; 0 “Recusal”; and 0 “Abstention”

NACIQI Primary Readers:

- Jill Derby
- Robert Mayes

Representatives of the Agency:

- Dr. Lois Gackenhimer, Chairperson COE; President, Academy for Nursing and Health Occupations
- Robert Aguis, Vice Chairperson, COE; Director, Marchman Technical College
- Dr. Gary Puckett, Executive Director, COE
- Cindy Sheldon, Deputy Director, COE

*Commission on Accrediting of the Association of Theological Schools (ATS)*

Action for Consideration:

- Renewal of Recognition

Recommendation:

- Recommends that the Commission on Accrediting of the Association of Theological Schools recognition be renewed for 5 years.
- Vote: 14 “Yes”; 0 “No”; 0 “Recusal”; and 0 “Abstention”

NACIQI Primary Readers:

- Wallace Boston
- Robert Shireman

Representatives of the Agency:

- Frank M. Yamada, Executive Director, ATS
- Tom Tanner, Director of Accreditation, ATS
- Stephen R. Graham, Strategic Director of Context and Continuity, ATS

*Accreditation Commission for Acupuncture and Oriental Medicine (ACAOM)*

Action for Consideration:

- Renewal of Recognition

Recommendation:

- Renew the Accreditation Commission for Acupuncture and Oriental Medicine’s recognition as a nationally recognized accrediting agency at this time, subject to the submission of a compliance report due in 12 months and a review and decision on the compliance report. In the event that recognition is continued following a decision on the compliance report, the period of recognition will not exceed 5 years from the date the decision on the renewal of accreditation is issued by the Senior Department Official.
  - [602.15(a)(4)]--The agency must address how its policies ensure that educators and practitioners are present on appeals panels for which it serves as the programmatic accreditor or for single-purpose institutions.
- Vote: 8 “Yes”; 0 “No”; 0 “Recusal”; and 5 “Abstentions”

NACIQI Primary Readers:

- Claude Pressnell
- Robert Shireman

Representatives of the Agency:

- Mark S. McKenzie, Lac, PhD (China), MSOM, Executive Director, ACAOM
- Marnae C. Ergil, Lac, DACM, Chairperson, ACAOM
- Karl Gauby, PhD, JD, Director of Reg. Affairs, ACAOM

Third-Party Commenters:

- Ellie Bruecker, Seldin/Haring-Smith Foundation
- Abigail Seldin, Seldin/Haring-Smith Foundation

*American Osteopathic Association, Commission on Osteopathic College Accreditation (AOACOCA)*

Action for Consideration:

- Renewal of Recognition

Recommendation:

- Recommends that the American Osteopathic Association, Commission on Osteopathic College Accreditation recognition be renewed for 5 years.

- Vote: 9 “Yes”; 1 “No”; 0 “Recusal”; and 2 “Abstentions”

NACIQI Primary Reader:

- Wallace Boston

Representatives of the Agency:

- David Forstein, DO, FACOOG, Chairperson, AOACOCA; Provost and Professor of OB/GYN, Rocky Vista University
- Joshua Prober, JD, Senior Vice President and General Counsel, AOACOCA
- Wambui Wang’ombe, Associate Vice President, Operations and Accreditation, AOACOCA
- Daniel Mendelson, MS, CAE, Director, Accreditation, AOACOCA

Third Party Commenters:

- Humayum J. Chaundhry, Federation of State Medical Boards
- Brian Kim, Arkansas Colleges of Health Education
- Robert T. Hasty, Roundcity
- Dan Arviza, New Mexico State University

## **ADMINISTRATION UPDATE**

Julie Morgan shared remarks on behalf of Dr. Michelle Asha Cooper—Acting Assistant Secretary, Office of Postsecondary Education—who was unable to attend.

## **ACCREDITOR DASHBOARDS**

Brian Fu, Program and Management Analyst, Office of Planning, Evaluation, and Policy Development, presented on the Department’s Accreditor Dashboards.

Third Party Commenters:

- Alejandra Acosta, New America
- Amy Laitinen, New America

## **SUBCOMMITTEE ON STUDENT SUCCESS**

The Subcommittee on Student Success, chaired by David A. Eubanks, submitted its report for the committee’s review. The committee accepted the report and voted to submit it to the Secretary.

Third Party Commenter:

- Dr. Bernard Fryshman, Association of Advanced Rabbinical and Talmudic Schools

## **NACIQI POLICY DISCUSSION**

Committee members participated in a general policy discussion after reviewing all agencies for renewal of recognition. Members identified issues and concerns that warrant staff research and input. As a result of the conversation, Chairman Keiser requested Accreditation Director, Herman Bounds and NACIQI Designated Federal Official, George Alan Smith to provide more applicable training for committee members and to continue working on making documents that are used for recognizing agencies more transparent for public review.

Third Party Commenter:

- Barmak Nassirian, Veterans Education Success

