

1 U.S. DEPARTMENT OF EDUCATION
2 OFFICE OF POSTSECONDARY EDUCATION
3 NATIONAL ADVISORY COMMITTEE ON INSTITUTIONAL QUALITY AND
4 INTEGRITY
5 (NACIQI)

6 THURSDAY, AUGUST 3, 2023

7 The Advisory Committee met at 9:00 a.m., at U.S. Department of
8 Education Headquarters, 400 Maryland Avenue, SW, Barnard
9 Auditorium, Washington DC, 20202
10 Claude Pressnell Jr., Chair, presiding.

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13 ADVISORY COMMITTEE MEMBERS PRESENT:

14 CLAUDE PRESSNELL JR., CHAIR

15 ZAKIYA SMITH ELLIS, VICE CHAIR

16 KATHLEEN ALIOTO

17 ROSLYN CLARK ARTIS

18 JENNIFER BLUM

19 WALLACE BOSTON

20 DEBORAH COCHRANE

21 JOSÉ LUIS CRUZ RIVERA

22 KEITH CURRY

23 DAVID EUBANKS

- 1 MOLLY HALL-MARTIN
- 2 ARTHUR KEISER
- 3 D. MICHAEL LINDSAY
- 4 ROBERT MAYES
- 5 MARY ELLEN PETRISKO
- 6 MICHAEL POLIAKOFF
- 7 ROBERT SHIREMAN
- 8 DEPARTMENT OF EDUCATION STAFF PRESENT:
- 9 GEORGE ALAN SMITH, NACIQI Executive Director, Designated Federal
- 10 Official
- 11 HERMAN BOUNDS, Director, Accreditation Group
- 12 LACO L.G. CORDER
- 13 PAUL FLOREK
- 14 MONICA FREEMAN
- 15 NICOLE S. HARRIS
- 16 CHARITY HELTON
- 17 DONNA MANGOLD
- 18 STEPHANIE MCKISSIC
- 19 SCOTT PRINCE
- 20 REHA MALLORY SHACKELFORD
- 21
- 22

- 1 CHRISTLE SHEPPARD SOUTHALL
- 2 ANGELA SIERRA
- 3 KARMON SIMMS-COATES
- 4 MIKE STEIN
- 5 ADRIANNE WALKER
- 6 WESLEY WHISTLE
- 7 NAME CHANGE OF DEGREE PROGRAM:
- 8 NATIONAL DEFENSE UNIVERSITY (NDU):
- 9 NACIQI PRIMARY READERS:
- 10 MARY ELLEN PETRISKO
- 11 D. MICHAEL LINDSAY
- 12 DEPARTMENT STAFF:
- 13 STEPHANIE MCKISSIC
- 14 AGENCY REPRESENTATIVE:
- 15 CASSANDRA C. LEWIS, Chancellor
- 16 THIRD-PARTY COMMENTERS:
- 17 METHOD TWO SIGN-UPS To Be Announced (if applicable)
- 18
- 19
- 20

- 1 RENEWAL OF RECOGNITION:
- 2 AMERICAN OPTOMETRIC ASSOCIATION, ACCREDITATION COUNCIL ON
- 3 OPTOMETRIC EDUCATION (AOA-ACOE)
- 4 NACIQI PRIMARY READERS:
- 5 ROBERT MAYES
- 6 ROBERT SHIREMAN
- 7 DEPARTMENT STAFF:
- 8 CHARITY HELTON
- 9 AGENCY REPRESENTATIVES:
- 10 DR. G. TIMOTHY PETITO, ACOE Chair
- 11 STEPHANIE PULJAK, ACOE Director
- 12 THIRD-PARTY COMMENTERS:
- 13 Method Two Sign-Ups To Be Announced (if applicable)
- 14
- 15 RENEWAL OF RECOGNITION:
- 16 ACADEMY OF NUTRITION AND DIETETICS, ACCREDITATION COUNCIL
- 17 FOR EDUCATION IN NUTRITION AND DIETETICS (ACEND)
- 18 NACIQI PRIMARY READERS:
- 19 WALLACE BOSTON
- 20 DEBBIE COCRHANE
- 21 DEPARTMENT STAFF:
- 22 NICOLE S. HARRIS
- 23 AGENCY REPRESENTATIVES:
- 24 RAYANE ABUSABHA PhD, RD; Executive Director, Accreditation Council
- 25 for Education in Nutrition and Dietetics
- 26 LONG WANG, PhD, RDN, FAND, Chair, ACEND, Board 2023-2024
- 27 LAUREN BOZICH, MS, RD, LDN, Senior Director of Accreditation
- 28 THIRD-PARTY COMMENTERS:
- 29 *Method Two Sign-ups To Be Announced (if applicable)

- 1 NACIQI POLICY DISCUSSION
- 2 CLAUDE O. PRESSNELL, JR., NACIQI Chairperson
- 3 THIRD-PARTY COMMENTERS: Method Two Sign-ups To Be Announced
- 4 (if applicable)
- 5 ADJOURNMENT, CLAUDE O. PRESSNELL JR., NACIQI Chairperson
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- 22

1	Table of Contents	
2	Name Change of Degree Program: National Defense University (NDU)	14
3	Renewal of Recognition: American Optometric Association,	
4	Accreditation Council on Optometric Education (AOA-ACOE)	23
5	Renewal of Recognition: Academy of Nutrition and Dietetics,	
6	Accreditation Council for Education in Nutrition and Dietetics (ACEND)	
7	52
8	NACIQI Policy Discussion	111
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		

1 PROCEEDINGS

2 9:00 a.m.

3 G. SMITH: Good morning and welcome everyone.

4 This is the third and last day of the National Advisory Committee
5 on Institutional Quality and Integrity Summer 2023 Meeting. I'm
6 George Alan Smith, the Designated Federal Office of NACIQI,
7 which was established by Section 114 of the Higher Education Act
8 of 1965 as amended, and is also governed by provisions of the
9 Federal Advisory Committee Act as amended, which sets forth
10 standards for the formation and use of advisory committees.

11 Sections 101-C and 487-C-4 of the HEA and
12 Section 8016 of the Public Health Service Act 42 USC Section
13 2966 require the Secretary to publish lists of state approval
14 agencies, nationally recognized accrediting agencies and state
15 approval and accrediting agencies for programs of nurse education
16 that the Secretary determines to be reliable authorities as to the
17 quality of education provided by the institutions and programs they
18 accredit.

19 Eligibility of the educational institutions and
20 programs for participating in various federal programs requires
21 accreditation by an agency listed by the Secretary. As provided in
22 HEA Section 114, NACIQI advises the Secretary in the discharge

1 of these functions, and is also authorized to provide advice
2 regarding the process of eligibility and certification of institutions
3 of higher education for participation in the federal student aid
4 programs authorized under Title IV of the HEA.

5 In addition to these charges, NACIQI authorizes
6 academic graduate degrees from federal agencies and institutions.
7 This authorization was provided by letter from the Office of
8 Management and Budget in 1954, and this letter is available on the
9 NACIQI website along with all other records related to NACIQI's
10 deliberations.

11 Thank you for joining us today, and I'll turn the
12 meeting over to our Chair, Claude Pressnell.

13 CHAIR PRESSNELL: Thank you George, and I
14 also want to welcome everyone to the final day of our
15 deliberations. So we have three agencies to discuss today, as well
16 as a policy discussion and third party comments at the end of that.
17 So before we begin, let's do introductions.

18 As George indicated I'm Claude Pressnell, I serve as
19 the Chair of the Advisory Committee, and during my day job is as
20 President of the Tennessee Independent Colleges and Universities
21 Association. So Vice Chair Zakiya introduce yourself please.

22 Z. ELLIS: Thank you. I'm Zakiya Smith Ellis, a

1 Principle at Education Council.

2 W. BOSTON: Wally Boston, President Emeritus of
3 American Public University System.

4 M. PETRISKO: Mary Ellen Petrisko, Past
5 President of the WASCUC Senior College and University
6 Commission.

7 R. SHIREMAN: Bob Shireman, Senior Fellow at
8 the Century Foundation.

9 R. ARTIS: Roslyn Artis, President of Benedict
10 College.

11 D. COCHRANE: Debbie Cochrane, Bureau Chief
12 of California's Bureau for Private Postsecondary Education.

13 R. MAYES: Robert Mayes, CEO of Columbia
14 Southern Education Group.

15 K. ALIOTO: Kathleen Sullivan Alioto, supporter of
16 community colleges, which educate 42 percent of Americans.

17 K. CURRY: Keith Curry, President and CEO of
18 COMTA College.

19 M. HALL-MARTIN: (Spoke In Native Language.)
20 Molly Hall-Martin, I'm Director of W-SARA at the Western
21 Interstate Commission for Higher Education.

22 M. LINDSAY: I'm Michael Lindsay, President of

1 Taylor University.

2 CHAIR PRESSNELL: Wonderful. And we have
3 three members that are with us virtually. Jen, introduce yourself.

4 J. BLUM: I'm sorry not to be there in person today.
5 Jennifer Blum with Blum Higher Education Advising.

6 CHAIR PRESSNELL: Thank you. Jose?

7 J. L. CRUZ RIVERA: Good morning. Jose Luis
8 Cruz Rivera, President of Northern Arizona University.

9 CHAIR PRESSNELL: And David?

10 D. EUBANKS: Good morning everyone. I'm
11 David Eubanks, with Furman University.

12 CHAIR PRESSNELL: And to continue
13 introductions Herman if you want to introduce yourself and your
14 team please.

15 H. BOUNDS: Good morning. My name is Herman
16 Bounds. I'm the Director of the Accreditation Group, and we'll
17 start with our one person who is here in person. Nicole would you
18 introduce yourself?

19 N. HARRIS: Good morning, my name is Dr.
20 Nicole S. Harris. I'm an Analyst with the Accreditation Group.
21 We'll go to the intern.

22 N. PATHAK: Good morning. My name is Nehi

1 Pathak, and I am the summer intern.

2 H. BOUNDS: All right. So Elizabeth would you
3 introduce yourself?

4 E. DAGGETT: Good morning everybody. This is
5 Elizabeth Daggett. I'm an Analyst with the Accreditation Group.

6 H. BOUNDS: Reha, would you introduce yourself
7 please?

8 R. SHACKELFORD: Good morning everyone.
9 Reha Mallory Shackelford, Analyst with the Accreditation Group.

10 H. BOUNDS: Okay. Charity would you introduce
11 yourself please?

12 C. HELTON: Good morning. This is Charity
13 Helton. I'm an Analyst at the Accreditation Group.

14 H. BOUNDS: Karmon are you on? I didn't see
15 your face.

16 K. SIMMS-COATES: Yes. Good morning.
17 Karmon Simms-Coates, I'm an Analyst with the Accreditation
18 Group.

19 H. BOUNDS: Mike?

20 M. STEIN: Good morning. Mike Stein, Staff
21 Analyst with the Accreditation Group.

22 H. BOUNDS: L.G.?

1 L. CORDER: L.G. Corder, Analyst with the
2 Accreditation Group.

3 H. BOUNDS: Paul?

4 P. FLOREK: Good morning. Paul Florek, Analyst
5 with the Accreditation Group.

6 H. BOUNDS: Adrian is our staff assistant. Adrian
7 are you on this morning? Okay. And then Monica Yassa, who is
8 our ASL records manager, there she is.

9 M. YASSA: Good morning everyone. I'm Monica
10 Yassa, Records Manager with the Accreditation Group.

11 H. BOUNDS: All right. Thank you Chair.

12 CHAIR PRESSNELL: All right. Thank you
13 Herman, and thanks to the team for all the work and dedication
14 you've put into the reviews. And George, would you introduce
15 your team as well?

16 M. FREEMAN: Good morning. I'm Monica
17 Freeman, Management and Program Analyst with OPE.

18 A. SIERRA: Good morning. I'm Angela Sierra
19 from the Department's Office of the General Counsel, and we also
20 have with us appearing virtually Donna Mangold, and Christle
21 Sheppard Southall of OGC.

22 CHAIR PRESSNELL: Great, and thank you for all

1 your work as well. Appreciate it very much. All right. We have
2 three agencies, so let me first review the procedures for
3 everybody's memory on how we will proceed.

4 The agency will be named, and then the primary
5 readers from the Committee will introduce the agency's
6 application, followed by the Department staff who will provide a
7 briefing on the report that's been filed.

8 The agency representatives then will be invited to
9 the microphone to provide comments, then there will be questions
10 by the Committee members with the agency. If there are third
11 party comments, they will occur at that time, and then the agency
12 will be given an opportunity to respond to the third party
13 comments.

14 And then finally we'll invite the Department staff
15 member back to respond to the agency's comments and third party
16 comments. And we'll have then discussion among the Committee,
17 and then a vote and move forward from that point.

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1 Name Change of Degree Program: National
2 Defense University (NDU)

3 CHAIR PRESSNELL: So our first agency today is
4 the National Defense University. The primary readers are Mary
5 Ellen Petrisko and Michael Lindsay, and Mary Ellen you can take
6 the lead.

7 M. PETRISKO: I will introduce the agency yes.

8 CHAIR PRESSNELL: Thank you.

9 M. PETRISKO: The National Defense University,
10 NDU, is a graduate university funded by the United States
11 Department of Defense, comprising five graduate colleges,
12 including the College of Information and Cyberspace, the National
13 War College, the Eisenhower School for National Security and
14 Resource Strategy, the Joint Forces Staff College, and the College
15 of International Security Affairs. They received initial recognition
16 in 1952, and has received periodic recognition since that time with
17 its last review occurred in 2017.

18 CHAIR PRESSNELL: All right. Thank you. Now
19 we'll invite Stephanie McKissic up. Oh is Paul going to do it? My
20 apologies, Paul? Sorry Paul.

21 P. FLOREK: Good morning. I'm not Stephanie
22 McKissic. Good morning Mr. Chair and members of the

1 Committee. My name is Paul Florek. I am presenting the report of
2 the National Defense University's completion of the Middle States
3 Commission on Higher Education Substantive Process for a
4 Program Name Change.

5 The institution has changed the name of the Master
6 of Science and Government Information Leadership to Master of
7 Science and Strategic Information and Cyberspace Studies in order
8 to better align the name of the degree with the program's mission,
9 outcomes and college name.

10 The institution was accredited by the Middle States
11 Commission on Higher Education in 1997, and was last reaffirmed
12 in 2013. In conjunction with NACIQI members pending
13 agreement with the Department staff recommendation for the
14 change of name of its degree, Department staff also recommends
15 authority for the National Defense University to retroactively
16 award this degree, beginning with the 2021-2022 academic year to
17 accommodate the first graduating classes of 2021 and 2022.

18 This authority is not retroactive accreditation, and is
19 not subject to regulations under 34 CFR Part 602. The Department
20 received one comment regarding National Defense University.
21 The comment stated that the Department's solicitation of written
22 third party comments occurred without access to the institution's

1 report.

2 This comment is not applicable to the National
3 Defense University because the Department's review process for
4 military degree granting institutions assesses whether or not an
5 institution meets the Department of Defense documented
6 instruction number 5545.04 dated April 7, 2011, and regulations
7 for a military degree granting institutions under Department of
8 Defense instruction are unrelated to those applied by the
9 Department of Education to accrediting agencies.

10 The comment also stated the complaint processes
11 used by accrediting agencies should be more accessible to
12 complainants. However, since the National Defense University is
13 a military degree granting institution, and not an accrediting
14 agency subject to the requirements of 34 CFR Part 602, this issue
15 is also not applicable to the National Defense University.

16 Only information and documentation concerning
17 actions or examples in the Office of Management and Budget letter
18 of authorization dated December 23, 1954, and the Department of
19 Defense document of instruction number 5545.04 dated April 7,
20 2011, are applicable to this analysis. There are representatives
21 from the institution that are here today to respond to any questions.
22 Thank you.

1 CHAIR PRESSNELL: Thank you Paul. Any
2 clarification questions to Paul before we -- all right. Very good.
3 So we'll invite Chancellor Cassandra Lewis to address the name
4 change of the degree, Cassandra?

5 C. LEWIS: Thank you and good morning. As
6 noted, my name is Cassandra Lewis. I'm the Chancellor of the
7 College of Information and Cyberspace. The mission of CIC is to
8 educate joint war fighters, national security leaders on the cyber
9 domain and information environment to lead, advise and advance
10 national and global security.

11 So we are seeking to have the name of our current
12 degree, which is the Government Information Leadership Degree
13 to be changed to Strategic Information and Cyberspace Studies to
14 better reflect our curriculum, our mission, and the outcomes for our
15 graduates. So I'll pause there pending any questions.

16 CHAIR PRESSNELL: Very good. Thank you very
17 much. So questions from the Committee? Mary Ellen?

18 M. PETRISKO: I have no questions. I believe that
19 the information provided both by Paul Florek and now by the
20 Chancellors are very clear. This is a very simple request. It makes
21 a great deal of sense, and I would leave it at that.

22 CHAIR PRESSNELL: Michael's nodding. Any --

1 M. LINDSAY: No additional question or comment.

2 I agree.

3 CHAIR PRESSNELL: Okay. Very good.

4 Questions from the rest of the Committee? Seeing none there were

5 no third party commenters that I know, holding your tongue over

6 there. I see it. There were no third party commenters and so we

7 will invite Paul back to respond to the agency's presentation.

8 P. FLOREK: No further comments, thank you very

9 much.

10 CHAIR PRESSNELL: Any questions for Paul?

11 All right.

12 M. LINDSAY: I'd like to make a motion. And it

13 will be the longest part of this discussion, so.

14 CHAIR PRESSNELL: Very good. Thank you.

15 M. LINDSAY: So I move that in accordance with

16 the 1954 federal policy governing the granting of academic

17 degrees by the federal agencies and institutions, and the revised

18 Department of Defense instructions dated April 7, 2011, that the

19 National Advisory Committee on Institutional Quality and

20 Integrity, NACIQI, recommend that the Secretary approve the

21 request of the National Defense University College of Information

22 and Cyberspace, to change the name of its Master of Science and

1 Government Information Leadership to the Master of Science and
2 Strategic Information of Cyberspace Studies, to better align the
3 name of the degree with the college's main mission and program
4 outcomes.

5 I further move that NACIQI also recommend that
6 the Secretary approve and to use requests that the name change be
7 granted retroactively, starting on August 1, 2021, to accommodate
8 the first graduating classes of 2022 and 2023.

9 CHAIR PRESSNELL: Thank you. And that's
10 seconded by Robert Mayes. And so, sorry it was a joke. But okay,
11 and the Chair notes that the motion was clearly articulated into the
12 record, so the Chair will not repeat the motion. Any discussion on
13 the motion? Seeing none, let's take the vote.

14 M. FREEMAN: Kathleen Alioto?

15 K. ALIOTO: Yes.

16 M. FREEMAN: Kathleen Alioto votes yes. Roslyn
17 Artis?

18 R. ARTIS: Yes.

19 M. FREEMAN: Roslyn Artis votes yes. Jennifer
20 Blum?

21 J. BLUM: Yes.

22 M. FREEMAN: Jennifer Blum votes yes. Wallace

- 1 Boston?
- 2 W. BOSTON: Yes.
- 3 M. FREEMAN: Wallace Boston votes yes. Debbie
- 4 Cochrane?
- 5 D. COCHRANE: Yes.
- 6 M. FREEMAN: Debbie Cochrane votes yes. Jose
- 7 Luis Cruz Rivera?
- 8 J. L. CRUZ RIVERA: Yes.
- 9 M. FREEMAN: Jose Luis Cruz Rivera votes yes.
- 10 Keith Curry?
- 11 K. CURRY: Yes.
- 12 M. FREEMAN: Keith Curry votes yes. David
- 13 Eubanks?
- 14 D. EUBANKS: Yes.
- 15 M. FREEMAN: David Eubanks votes yes. Molly
- 16 Hall-Martin?
- 17 M. HALL-MARTIN: Yes.
- 18 M. FREEMAN: Molly Hall-Martin votes yes. Art
- 19 Keiser is absent. Michael Lindsay?
- 20 M. LINDSAY: Yes.
- 21 M. FREEMAN: Michael Lindsay votes yes.
- 22 Robert Mayes?

1 R. MAYES: Yes.

2 M. FREEMAN: Robert Mayes votes yes. Mary

3 Ellen Petrisko?

4 M. PETRISKO: Yes.

5 M. FREEMAN: Mary Ellen Petrisko votes yes.

6 Michael Poliakoff is absent. Bob Shireman?

7 R. SHIREMAN: Yes.

8 M. FREEMAN: Bob Shireman votes yes, and

9 Zakiya Smith Ellis?

10 Z. ELLIS: Yes.

11 M. FREEMAN; Zakiya Smith Ellis votes yes.

12 CHAIR PRESSNELL: All right. Thank you very

13 much. The motion passes 14 zero. Congratulations Chancellor.

14 **Recommendation: The National Advisory**
15 **Committee on Institutional Quality and Integrity, NACIQI,**
16 **recommend that the Secretary approve the request of the**
17 **National Defense University College of Information and**
18 **Cyberspace, to change the name of its Master of Science and**
19 **Government Information Leadership to the Master of Science**
20 **and Strategic Information of Cyberspace Studies, to better**
21 **align the name of the degree with the college's main mission**
22 **and program outcomes.**

1 And further moves that NACIQI also
2 recommend that the Secretary approve and to use requests
3 that the name change be granted retroactively, starting on
4 August 1, 2021, to accommodate the first graduating classes of
5 2022 and 2023.

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1 Renewal of Recognition: American Optometric
2 Association, Accreditation Council on Optometric
3 Education (AOA-ACOE)

4 CHAIR PRESSNELL: Okay. Thank you. Our
5 next agency is the American Optometric Association,
6 Accreditation Council on Optometric Education, and primary
7 readers Robert Mayes and Bob Shireman. Robert are you going to
8 take the lead on this?

9 R. MAYES: Yes. I'll introduce the agency. The
10 American Optometric Association was on the first list of nationally
11 recognized accrediting agencies published, and has received
12 periodic renewal of recognition since that time. The agency was
13 last reviewed for continued recognition at the May 2018 meeting
14 of NACIQI.

15 They accredit 23 professional optometric degrees
16 programs in the United States, and 259 residency programs. The
17 ACOE is a programmatic accreditor.

18 CHAIR PRESSNELL: All right. Thank you. And
19 the Department staff is Charity Helton. Charity, do you want to
20 give us a briefing on the document?

21 C. HELTON: Good morning Mr. Chairman, and
22 members of the Committee. My name is Charity Helton, and I am
23 providing a summary of the Petition for Renewal of Recognition

1 for the Accrediting Counsel on Optometric Education, which will
2 be referred to as ACOE.

3 The agency serves as a programmatic accreditor for
4 schools that offer professional optometric degree programs and
5 optometric residency programs, and for the pre-accreditation for
6 professional optometric degree programs. The agency accredits
7 schools throughout the United States.

8 They do not serve as a Title IV gatekeeper, and so
9 they are not required to meet separate and independent
10 requirements. The staff analysis was based on the review of the
11 agency's petition and supporting documentation, as well as a
12 review of the agency's files and staff observations of the site visit
13 in April of 2022, and the Commission meeting in February 2023.

14 The Department did not receive any complaints or
15 third party comments about this agency during the review period.
16 The staff determination found that the agency is currently in full
17 compliance with the regulations. The staff recommendation to the
18 Senior Department Official is to renew the agency's current
19 recognition for a period of five years.

20 There are representatives from the agency here
21 today to respond to your questions.

22 CHAIR PRESSNELL: Thank you Charity. Any

1 questions for Charity before we invite the agency to come up?

2 Jennifer please.

3 J. BLUM: This is really, really minor, but I did
4 want to point it out, and we'll talk about it more in the policy
5 conversation. I noticed in the final staff report Charity, that it just
6 says that the agency is not subject to separate and independent
7 because it's programmatic.

8 But you clearly stated just now why I think it's not,
9 it's that it's not a Title IV gatekeeper. It's not that it's because
10 programmatic, so I just wanted to point that out. There's so much -
11 - to me, there's a lot of lack of clarity around separate and
12 independent, and so I noted that in the report, and I think that that's
13 slightly mischaracterized in the report as the reason why they're
14 not separate and independent.

15 I'm not questioning that they aren't, it's just that it
16 was I think stated slightly off in the report, so I just wanted to
17 highlight that.

18 C. HELTON: Great. So just to clarify that point.
19 In this case the agency only accredits programs that are set within
20 institutionally accredited schools. They never serve as a
21 specialized accreditor for independent schools, which is why they
22 are not a Title IV gatekeeper, and not subject to separate and

1 independent.

2 CHAIR PRESSNELL: All right. Very good.

3 Thank you. Any other questions for Charity? All right. We'll
4 invite the agency up. I'm not sure which of the two of you is going
5 to take the lead. All right. Very good. So Stephanie do you want
6 to introduce yourself and your colleague?

7 S. PULJAK: Sure. So thank you Mr. Chairman,
8 members of the Committee. My name is Stephanie Puljak. I am
9 the Executive Director at the Accreditation Council on Optometric
10 Education, also called the ACOE.

11 We appreciate the opportunity to speak with the
12 Committee about the ACOE as the programmatic accreditor for
13 optometric education. I'm accompanied by Dr. Tim Petito. He's
14 our Chair. I will ask Dr. Petito just to really briefly introduce
15 himself.

16 T. PETITO: Hello Mr. Chairman, members of the
17 Committee, I am Dr. Tim Petito. I'm a practitioner in St.
18 Petersburg, Florida. And I've just completed my first year as Chair
19 of the ACOE. This is my fourth year on the Committee. I was an
20 evaluator onsite for approximately 25 years before joining ACOE
21 as a Council member, and I'm glad to be here and happy to answer
22 any questions that I can help.

1 S. PULJAK: So I have been with the ACOE for
2 just under three years, having started this role in late 2020. One of
3 the first items on my to do list upon joining the ACOE was
4 drafting our petition for our continued recognition.

5 So despite my being a neophyte, we were very
6 excited to receive a clean report from the Department staff, and I
7 need to publicly acknowledge my predecessor who spent many
8 years in this role for all of her work, allowing me to take
9 responsibility for what was already a very strong accrediting
10 agency.

11 The ACOE includes within its scope as Charity has
12 mentioned, our recognition of the accreditation of professional
13 optometric degree programs, which are doctoral level programs,
14 and optometric residency programs which are one year post-
15 doctoral certificate granting programs.

16 Our current status is that we accredit 25
17 professional optometric degree programs, 23 of which are located
18 in the United States and Puerto Rico. We also accredit 275
19 optometric residency programs. One professional optometric
20 degree program currently holds the ACOE's pre-accreditation
21 status of preliminary approval.

22 Each year approximately 1,800 students graduate

1 with their doctor of optometry degree, and about 25 percent of
2 those enroll in optometric residency programs. We'd like to take
3 this opportunity to briefly address a couple of the topical areas that
4 have been raised with other agencies over the course of this
5 meeting.

6 With respect to student achievement, the ACOE
7 takes a holistic approach to assuring the programs we accredit are
8 provided clear expectations in this area. This approach includes
9 both qualitative and quantitative factors.

10 In our professional optometric degree program
11 standards we draw a line of sight between the attainment of
12 knowledge, skills and values needed for the independent practice
13 of contemporary optometry, each program's mission, goals and
14 objectives, and the program's establishment of the clinical
15 competencies each graduate must attain.

16 In conjunction with this, the ACOE also specifies
17 the core set of competencies that all graduates of any accredited
18 program must attain by the time of graduation. Programs
19 demonstrate evidence that they have both established these
20 competencies, and that they evaluate student attainment.

21 The ACOE has also implemented a bright line
22 standard that is tied to board passage rates and licensure. The

1 ACOE requires that the six years of matriculation, that 80 percent
2 of matriculants, must either pass all three parts of the optometry
3 board examination series, pass the Canadian examination, or be
4 licensed.

5 This standard was implemented with the ACOE's
6 2017 standards, and the 80 percent level was the topic of
7 significant debate when it was initially formulated. The 80 percent
8 level was intended to take into consideration that one, student
9 attrition will occur, and often for reasons completely outside the
10 control of the program.

11 And two, the size of each program's cohort, plays a
12 factor in the percentages. We have cohorts as low as 38 students
13 per class to as high as over 160. And related to outcomes, but
14 more specific to transparency, the ACOE also requires programs to
15 publish certain outcomes including board passage rates for first
16 time takers, ultimate passage rates, and a graduation and attrition
17 rate on the website.

18 And the ACOE monitors this via our annual report
19 process. Another area of focus in these proceedings has been
20 around the actions taken by the ACOE to address disparities of
21 healthcare outcomes. While the ACOE is not prescriptive in its
22 standards, the standards promote that graduates of optometric

1 programs are prepared to provide care to all members of the
2 population.

3 The ACOE standards require that programs provide
4 students with quantity, quality and variety of experiences in the
5 supervised care of patients that must be sufficient to develop
6 clinical competency to independently practice contemporary
7 optometry.

8 The Council considers the demographics of
9 students' clinical experiences, and whether they are sufficiently
10 diverse. In addition, ACOE curricula standards address that the
11 program graduates must be able to address healthcare needs of
12 diverse populations being served to apply diversity, equity and
13 inclusion of principles to the delivery of optometric care, and to
14 demonstrate effective and culturally competent communications.

15 The ACOE currently also has a standard that
16 requires programs to demonstrate efforts to recruit diverse faculty.

17 As we look forward to our next generation of professional
18 optometric degree program standards, which are currently out for
19 comment, the ACOE is proposing a broader standard that
20 addresses the programs, processes and activities demonstrate the
21 diversity, and the concepts of equity and inclusion are reflected
22 throughout the academic and clinical program.

1 In addition, the ACOE has placed a great deal of
2 focus on carefully defining key terms, including diversity, equity
3 and inclusion used in its policies and procedures, and it's standards.
4 I will conclude my comments by saying the ACOE takes great
5 pride in its focus of continuous improvement, and we strive to be a
6 role model to the programs that we accredit.

7 We critically evaluate our policies and procedures
8 on a regular basis and have made numerous updates to improve
9 transparency, clarify expectation and approve our processes.
10 We're excited the enhancements underway with our comprehensive
11 standards review process, will continue to raise the bar for the
12 quality of optometric education, and we welcome undergoing a
13 recognition review process, and greatly appreciate the feedback
14 from this help.

15 At this point we are happy to answer questions that
16 the Council, or that the Committee may have.

17 CHAIR PRESSNELL: All right. Thank you very
18 much. And thank you for those introductory comments on issues
19 that have been discussed throughout the meeting. So let me turn it
20 back over to Robert and Bob, Bob Shireman.

21 R. SHIREMAN: Thank you. Thank you so much
22 for your presentation. I was going to ask about DEI and race and

1 healthcare, and you've addressed that, so really appreciate that.
2 And appreciate that you, that your organization is aware of and
3 seeking to address disparities and inequities in healthcare, really
4 important.

5 Another issue that has come up occasionally here
6 has been around the issue of debt and earnings, and information
7 about debt and earnings at the program level is available now in
8 the college scorecard and other sources, and the last time I looked
9 anyway it appeared that at least that a couple, two programs failed
10 to meet if they were subject to the gainful employment
11 requirements, two programs would have not met that.

12 Can you talk a little bit about the extent to which
13 you monitor debt and earnings of your graduates?

14 S. PULJAK: As an agency we believe we need to
15 focus on that in terms of what we're doing and in terms of our
16 regular motions. This is actually the first time that I had seen this
17 data, and Dr. Petito and I have been talking about it over the last
18 couple of days. I think there's a lot of opportunity for us to dig in
19 and understand.

20 It's only to your point are there one or two programs
21 that exceed the benchmark rate of 20. I think for the discretionary.
22 There's a lot of variability across the programs as well, so I think it

1 warrants further scrutiny that it's not an area that ACOE has
2 specifically been focused on. And Dr. Petito, if you want to add
3 anything, feel welcome to.

4 T. PETITO: As other commenters have said, the
5 underlying dataset is not necessarily indicative of how the
6 profession actually functions, so this is the first time I saw the data
7 as well, and I'm not exactly clear on all the sources of the data, and
8 how it's vetted because there's a lot of variability depending on the
9 source that you look at.

10 In terms of not only income, but even the number of
11 optometrists that are out there. And optometry is a little bit of a
12 unique profession in that you know, there could be a lot of
13 employed optometrists that have obviously a cap on their earnings,
14 that later in their career when they go into private practice, or have
15 higher administrative positions in the companies they also work
16 for, their income soars dramatically.

17 So the timing of when the income data is taken has
18 a lot to do with what it looks like, so I'm not familiar exactly how
19 all of that is done. I've been trying to catch up fairly quickly in the
20 last couple of days, but I've also, as you can see, seeing patients
21 and it's a little bit more than I can digest in the three days that I've
22 been looking at this.

1 But we'll deal with it in the future because it seems
2 to be an important issue that we haven't really dealt with in the
3 past.

4 R. SHIREMAN: Great. I do think it is important to
5 pay attention even though you're not a Title IV gatekeeper.
6 Institutions, universities have a wide variety of programs, and there
7 are some programs, especially in healthcare that tend to take on a
8 lot of debt, and so paying attention to the amounts that students are
9 taking on, whether they're able to repay.

10 I do want to emphasize for you and for other
11 agencies, that while just in the last few days some of these data
12 appeared on the new dashboard. They have been available for
13 many months on the college scorecard by looking by program and
14 institution.

15 And so, especially for something like ACOE there's
16 not that many schools. It's not that even if -- it's not very hard,
17 actually, to go on look at the program, see what the debt and
18 income levels are, and check in with schools about that. In terms
19 of understanding the profession. So are all optometrists in the
20 country assuming that they didn't come from another country, but
21 are all of them trained at just 23 degree programs in the U.S. all
22 optometrists?

1 S. PULJAK: Tim, do you want to take that, or do
2 you want me? So in order to get licensed within the United States
3 you need to have graduated from an ACOE accredited program.
4 There are some alternative pathways to licensure.

5 In terms of you can either get an advanced standing
6 course where you can have certain credits internationally, and then
7 go into an ACOE accredited institution and get your degree there,
8 and be sponsored by that ACOE accredited program to take your
9 board exams, and qualify for licensure.

10 There are other avenues for being sponsored to
11 qualify for those board exams, but in all cases it is a pretty rigorous
12 process, and it does rely on ensuring that any student, or any
13 optometrist who's ultimately licensed to practice in the United
14 States meets the requirements and passes the board exams for
15 optometry.

16 R. SHIREMAN: Great, thank you. My last
17 question, at least for now, relates to the governance of ACOE.
18 And this is really perhaps mostly to point out to my colleagues as
19 we prepare for a discussion about separate and independent. While
20 separate and independent is not required of this agency, it's
21 interesting to think about if they were to try to be a Title IV
22 gatekeeper and be separate and independent, it is part of this larger

1 organization that is the profession and not an association of
2 schools.

3 And I think that's an important difference. And I
4 really like what I see in terms of who are the members of the
5 Commission. Out of the 11 members of the Commission, it's only
6 three representatives of the actual schools. The rest are either
7 public or representative of the profession more broadly.

8 Doctors of optometry, two members that are on the
9 state boards of optometry, and optometric technician representative
10 and then two public members. I didn't take a look at who your
11 public members were, but I'd welcome any comments that you
12 might have about your structure, or your public members.

13 S. PULJAK: Yeah, so one of the things we try to
14 have a Council that is comprised of as diverse a set of perspectives
15 as possible. The balance between practitioners and educators is
16 very important. We definitely value -- we have an optometric
17 technician who is a member of our Council as well, and our public
18 members.

19 Our public members add a tremendous amount of
20 value. And to me personally, as Executive Director of the Council
21 as well, I'm constantly tapping into our public members for their
22 perspectives on dealing with topics or areas that maybe I do not

1 have personal experience with, or the ACOE has not dealt with
2 quite a bit.

3 We definitely get a lot of value out of our public
4 members, and I know some agencies have perhaps a limited usage
5 or limited sort of opportunities for public members to participate.
6 We welcome our public members to fully participate. We have
7 public members who serve on site visit teams. We have public
8 members who Chair site visit teams.

9 We have actually added a new facet to our
10 complaint review process, and it's actually just coming out in our
11 updated policies and procedures which are going to be posted very
12 soon where we've actually added a public member to our smaller
13 group that sort of triages and pre-reviews any complaints that are
14 submitted to the agency about accredited programs.

15 So we, we absolutely value the input of our public
16 members, but really all of our members we make sure that we have
17 counseled them in the veteran affairs, and we have that perspective
18 as well. So it's really an important face of what the ACOE does,
19 and this is to try to bring all of these different sort of sets of
20 experiences and perspectives together and to result in better
21 decision making ultimately.

22 R. SHIREMAN: Thank you.

1 CHAIR PRESSNELL: Thank you. Robert?

2 R. MAYES: Yes. Thank you. First I'd like to
3 commend you on a very good report with no issues. That's not
4 seen a lot, and for what you do. So kind of in follow-up to Bob's
5 comments about your structure. In your minutes back in February
6 the Council initiated a plan to be more financially self-sufficient,
7 and you raised dues to achieve that.

8 And it was hoped to be achieved over three years,
9 and I noticed in the reports in 2021 you did I think above what you
10 expected, even better. Could you update us on how that went so
11 far for 22 and through today, through 23, the first half of 23?

12 S. PULJAK: So the ACOE actually has not had to
13 rely on funding from our affiliated trade organizations or trade
14 associations since 2018. We are projected the same in 2023. I
15 think that one of the things that our planning committee is going to
16 take a look at, and regularly takes a look at is the funding of the
17 ACOE and whether those levels of accreditation fees are set
18 appropriately.

19 So we have actually outperformed those projections
20 when this plan was initially put in place, and so that is something
21 that the planning committee will take a look at and make
22 adjustments there. Because we want to make sure that we're

1 staying as close to breakeven as possible.

2 R. MAYES: Thank you.

3 CHAIR PRESSNELL: All right. So we'll go to
4 questions from the Committee. Jen?

5 J. BLUM: Thank you. So I know I don't want to
6 repeat, but I do want to express appreciation for you having
7 watched the last couple of days. It makes it so great when agencies
8 pay attention to what interests us, and it is very efficient, so
9 appreciate your level of preparation, not just in your petition, but
10 today.

11 I want to follow-up on a couple things. On separate
12 and independent I noted, and I'm just curious more than anything
13 else, I noted -- I think I noted, in the report that I know you're not a
14 Title IV gatekeeper, which means that your federal link is to some
15 other form of federal funding.

16 You cited I think there was a first on do not meets,
17 and then you provided the statutory cites of some healthcare
18 related funding, to which your schools could be eligible for, and
19 that you know, is your federal link in that is sufficient for the
20 purposes of you being recognized by the Secretary.

21 But I think there was a note that you didn't indicate,
22 and it doesn't matter that you didn't, but you didn't indicate that

1 students actually are availing themselves, or schools are availing
2 themselves of that federal funding. And so I'm curious. Are you
3 since you filed or whatever, are you aware that there is funding?

4 And I guess secondarily to that I mean it's a lot of
5 work to go through these petitions and be recognized by the
6 Secretary. And so if you're not, your schools aren't receiving a lot
7 of federal funds why go through this process? You may answer
8 that of course by saying they do receive lots of federal funds from
9 outside DOE.

10 So I'm just curious to hear your thoughts.

11 S. PULJAK: Yeah, so we -- one of the things that
12 we have added to our annual report template is a question just that,
13 to each of the programs to ask them each year which programs
14 they are using their ACOE accreditation to establish eligibility for.

15 So we do have confirmation that we do have
16 programs that are using the ACOE's accreditation for the NIH
17 research enhancement award program, which is the one that was
18 ultimately cited in our petition.

19 And your question is correct. I mean clearly, I'm
20 not out there to do work that's unnecessary, so I absolutely think
21 it's a valid thing to consider each year and keep tabs on, is -- are
22 schools getting value from this effort.

1 J. BLUM: Well then as you've pointed out in terms
2 of dues, that they're paying dues to you, which I guess they would
3 be paying anyway, but I'm sure this is an expensive, you know,
4 going through the petition process and the recognition, so it's
5 expensive, so I was just curious.

6 T. PETITO: I would just like to add with respect
7 that we did discuss when there was some question as to whether
8 we would have a federal link early on in the process. And the fact
9 that we're going through the same process that we put schools and
10 colleges of optometry through, and residency programs through to
11 ensure that they are appropriately following, you know, standards,
12 for their behavior and their performance.

13 I think we need to have that same kind of scrutiny,
14 so I look at the process as even though it's expensive and
15 somewhat painful periodically, as all of these are, I think it's a
16 good thing, particularly since we want to be an example for the
17 programs that we expect to be dedicated to continuous quality
18 improvement, we also have to be dedicated to the same thing.

19 J. BLUM: And then just finally, I want to thank
20 Bob for raising the debt to earnings issue. I quickly while you all
21 were talking, I quickly went on to the CIP codes because I thought
22 well maybe there's a CIP code problem. But there's actually a four

1 digit CIP for optometry, so I would just emphasize I think it is
2 worth spending some time, especially if you're seeing desperate
3 results if nothing else it's educational for you and your programs to
4 be looking at it.

5 I thought for sure I would say oh, there might be a
6 CIP code problem, but in this instance I don't think there is, so
7 anyway thank you very much for all your hard work.

8 CHAIR PRESSNELL: Thanks. And I think that is
9 an important discussion. I think I'm wondering if looking at
10 repayment percentages, as well as default rates, it would not give
11 us a better picture of this because you know, the one optometry
12 school that I have the opportunity to work with, the debt level
13 seems overwhelming, but the default rate is zero.

14 So you know, I think maybe we look at repayment
15 rates, default rates, debt, and earnings together as a package.
16 Anyway Wally?

17 W. BOSTON: Thanks Claude. So as you may
18 recall we suspended the repayment default rates simply because of
19 the two administrative decisions to suspend repayments due to
20 COVID, so the default rates are currently meaningless. So if you
21 go and look at that, they're not useful today.

22 CHAIR PRESSNELL: Yeah.

1 W. BOSTON: They may be useful three years from
2 now, but they're not useful today. But I was going to bring up that
3 if you look at the recent data that I think Brian Fu contacted the
4 agencies and this agency particularly. There's a box and whiskers
5 at the earnings ratio that Jennifer is clearly using the wrong CIP
6 code or a broader CIP code.

7 The six digit, you know, versus four because it's
8 showing about a median of 15 to 1 debt to earnings, so I think
9 there is lower paid individuals, not people who are getting their
10 doctorate degree. But I will say though that Bob's point about the
11 college scorecard...

12 If you go to the college scorecard, and this is I think
13 important for all agencies, and this agency to look at, you know,
14 the data that's disclosed because if you don't have at least 30
15 graduates you're not going to be in that port, or 60 graduates over
16 two years shows that there's still a pretty high range with a median
17 close to you know, two times earnings for debt to earnings.

18 I agree with your comment about default rate. It's
19 just currently those numbers aren't a meaningful piece of the
20 analysis. But I would hope that this agency and others take a look
21 at the ratio of the debt to their graduates, or being burdened at
22 graduation.

1 As near as I can tell from the scorecard data Bob, it
2 appears that there's one institution that's close to three, which is the
3 highest of the data that's published, three to one of debt to
4 earnings. And there's actually one that's in fact, I ought to
5 commend it because there's one that has a positive ratio where
6 earnings exceed debt.

7 So, but only one. Every other one the debt exceeds
8 the earnings by more than one and one close to three.

9 CHAIR PRESSNELL: All right. This can be an
10 ongoing debate.

11 W. BOSTON: Yeah.

12 CHAIR PRESSNELL: For sure. Because I think
13 that we over the last two and half days have plenty of examples
14 really that the data don't seem to reflect reality at times, but all
15 right. Jen, did you want -- you had your hand back up again, are
16 you down? You're up, okay go ahead.

17 J. BLUM: Oh, I was going to say Claude, I put it
18 down because I was going to reserve it for the policy conversation.

19 CHAIR PRESSNELL: That would be fine. So all
20 right very good. Other questions for the agency from the
21 Committee? Bob?

22 R. SHIREMAN: I just wanted to follow-up on the

1 federal link question. Am I right in assuming that there are state
2 agencies that are overseeing optometry that require graduates to be
3 from schools accredited by federally recognized accrediting
4 agency, which obviously a state is not a federal link, but we've
5 seen that in some of the other programmatic areas.

6 T. PETITO: Virtually all states, I think only three
7 maybe, don't require the graduate to come ACOE recognized
8 accredited school, and maybe there's none left. Our goal,
9 Association of the Regional Boards of Optometry represent all of
10 the licensing agencies, and we have two representatives from that
11 board on the ACOE Council, so that we are apprised of the
12 licensing requirements that relate to accreditation issues.

13 And I think, and Stephanie you can certainly chime
14 in. I think all states require ACOE accredited schools as the
15 graduates from ACOE accredited school to be eligible for
16 licensure.

17 S. PULJAK: Correct.

18 R. SHIREMAN: Thanks.

19 CHAIR PRESSNELL: Okay. Any other questions
20 from the Committee? All right. Agency thank you very much.
21 We're going to invite Charity bank to respond to the discussion.

22 C. HELTON: Thank you. I have no further

1 comments at this time.

2 CHAIR PRESSNELL: Okay. Wally, questions for
3 Charity?

4 W. BOSTON: So Charity, I have a quick question.
5 What's the cut-off date for the data because when the agency
6 reported they actually said that they had one program in pre-
7 accreditation status, and yet our summary says no programs are
8 currently pre-accredited, so I'm kind of wondering when that is
9 submitted what date that's submitted, how old is it, and obviously
10 somebody pre-accredited it since then.

11 C. HELTON: Yes. So we do ask the agencies to
12 submit their petitions of all two years prior to their appearance at
13 NACIQI, so this is a situation that we find occurs where by the
14 time the agency is responding to the draft staff analysis some
15 things may have changed, and in this case the agency did indicate
16 that a school has entered the pre-accreditation process and they
17 provided documentation of that to us.

18 CHAIR PRESSNELL: Okay. Good. Herman?

19 H. BOUNDS: Yeah. I just have, excuse me, one
20 comment to make about the federal link, and separate and
21 independent. Since this is a programmatic agency, and they're
22 recognized for non-HEA purposes. When you all are looking at

1 the petition you probably figured that out. I just wanted to bring it
2 up again. You know, there won't be anything in the separate and
3 independent block, right?

4 But to see the full analysis of why they don't --
5 aren't required to be separate and independent, you will see that
6 whole thing in 602.10 Section A and B, so I just wanted to bring
7 that up. And like Jennifer said, we can put some additional
8 language in our oral presentations just to remind folks of the
9 reason why they don't have to, you know, comply with separate
10 and independent, but I just wanted to remind everyone if you want
11 to see the full analysis of that look in 602.10 A and B.

12 CHAIR PRESSNELL: All right. Thank you. And
13 separate and independent is in the policy bucket discussion for
14 later, so. All right. And I failed to mention that there were no
15 third party commenters signed up to provide remarks, so any other
16 questions? All right.

17 So discussion among the members, and a motion
18 possibly? Bob?

19 R. SHIREMAN: I'm ready to make a motion. I
20 move that NACIQI recommend that the Senior Department
21 Official accept all the recommendations of the final staff report for
22 ACOE.

1 CHAIR PRESSNELL: All right. Very good.

2 R. MAYES: I'll second it.

3 CHAIR PRESSNELL: Robert. I almost I thought
4 Mary Ellen was going to second that. What do I know? Robert,
5 you did. All right. Let's, yeah, Monica?

6 R. SHIREMAN: One item of discussion. I just
7 wanted to point out that I'm wearing my multi-focal contact lenses.

8 CHAIR PRESSNELL: You and me both.

9 R. SHIREMAN: I'm able to see my screen and this
10 and them. It's really interesting.

11 CHAIR PRESSNELL: Then yours are working
12 better than mine because if I didn't have this light on I wouldn't be
13 able to read anything down here, so I was almost tempted to revert
14 back to my bifocal glasses, so. All right. So the recommendation
15 is that NACIQI's recommendation that the Senior Department
16 Official accept the recommendations of the final staff report on
17 AOA-ACOE.

18 And there's been a motion and a second to that.
19 Any further conversation, debate or questions on the motion.
20 Seeing none, let's take the vote.

21 M. FREEMAN: Kathleen Alioto?

22 K. ALIOTO: Very impressive presentation. Yes.

1 M. FREEMAN: . Roslyn Artis?

2 K. ARTIS: Yes.

3 M. FREEMAN: Roslyn Artis votes yes. And
4 Kathleen Alioto votes yes. Jennifer Blum? Jennifer. I think are
5 you muted?

6 J. BLUM: I said yes, did you hear me?

7 M. FREEMAN: I hear you now. Jennifer Blum
8 votes yes.

9 J. BLUM: Okay.

10 M. FREEMAN: Wallace Boston?

11 W. BOSTON: Yes.

12 M. FREEMAN: Wallace Boston votes yes. Debbie
13 Cochrane?

14 D. COCHRANE: Yes.

15 M. FREEMAN: Debbie Cochrane votes yes. Jose
16 Luis Cruz Rivera?

17 J. L. CRUZ RIVERA: Yes.

18 M. FREEMAN: Jose Luis Cruz Rivera votes yes.

19 Keith Curry?

20 K. CURRY: Yes.

21 M. FREEMAN: Keith Curry votes yes. David

22 Eubanks?

1 D. EUBANKS: Yes.

2 M. FREEMAN: David Eubanks votes yes. Molly

3 Hall-Martin?

4 M. HALL-MARTIN: Yes.

5 M. FREEMAN: Molly Hall-Martin votes yes. Art

6 Keiser is absent. Michael Lindsay?

7 M. LINDSAY: Yes.

8 M. FREEMAN: Michael Lindsay votes yes.

9 Robert Mayes?

10 R. MAYES: Yes.

11 M. FREEMAN: Robert Mayes votes yes. Mary

12 Ellen Petrisko?

13 M. PETRISKO: Yes.

14 M. FREEMAN: Mary Ellen Petrisko votes yes.

15 Michael Poliakoff is absent. Bob Shireman?

16 R. SHIREMAN: Yes.

17 M. FREEMAN: Bob Shireman votes yes, and

18 Zakiya Smith Ellis?

19 Z. ELLIS: Yes.

20 M. FREEMAN; Zakiya Smith Ellis votes yes.

21 CHAIR PRESSNELL: Okay. Thank you very

22 much. The motion passes 14 - zero. So congratulations to the

1 agency. And we will take a 10 minute break, and come back and
2 invite the Academy of Nutrition Dietetics to come forward.

3 **Recommendation: NACIQI recommend that the**
4 **Senior Department Official accept all the recommendations of**
5 **the final staff report for American Optometric Association,**
6 **Accreditation Council on Optometric Education.**

7 (Break 9:52 a.m. - 10:02 a.m.)

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1 Renewal of Recognition: Academy of Nutrition
2 and Dietetics, Accreditation Council for Education
3 in Nutrition and Dietetics (ACEND)

4 CHAIR PRESSNELL: And welcome back from
5 the break. The agency that is now up is the Academy of Nutrition
6 and Dietetics, the Accreditation Council for Education in Nutrition
7 and Dietetics or ACEND. And our primary readers for this agency
8 is Wally Boston, Debbie Cochrane, and who is going to introduce
9 the agency Wally? Thank you.

10 W. BOSTON: Thank you Claude. So the Academy
11 of Nutrition and Dietetics Accreditation Council for Education and
12 Nutrition and Dietetics (ACEND) accredits didactic and
13 coordinated programs in dietetics at both the undergraduate and
14 graduate levels.

15 Nutrition and dietetics internships at the post-
16 baccalaureate level and nutrition and dietetics technical programs
17 at the associate degree level. Accreditation of these programs does
18 extend to distance education. As of the date of the renewal petition
19 submission, ACEND accredited 562 programs, including 210
20 didactic programs and dietetics, 61 coordinated programs, 264
21 dietetic internship programs, and 27 dietetic technician programs.

22 ACEND is a specialized accreditor. It is the sole
23 accreditor of certain post-baccalaureate dietetic internships

1 sponsored by academic medical centers and healthcare facilities.
2 These internships are eligible to participate in Title IV. However,
3 most programs accredited by ACEND are located within an
4 institution that is accredited by another nationally recognized
5 accrediting agency, and are eligible to participate in programs
6 offered by the Department of Health and Human Services.

7 The agency currently receives a waiver of the
8 Secretary's separate and independent requirements, and has again
9 requested a waiver within the renewal petition, and however, based
10 upon the response, the agency has now demonstrated compliance
11 with the separate and independent requirements within that section
12 of the criteria, so the Department staff cannot recommend approval
13 of a separate and independent waiver of criteria.

14 And they've been recognized since 1974 originally
15 as the accrediting agency for dietetic internships and coordinated
16 undergraduate programs in dietetics.

17 CHAIR PRESSNELL: Thank you Wally. And so
18 now we'll ask for Department staff Nicole S. Harris, Dr. Harris, if
19 you would give us a briefing on the document please.

20 N. HARRIS: Absolutely. Good morning everyone,
21 Mr. Chair and members of the Committee. For the record, my
22 name is Dr. Nicole S. Harris, and I am providing a summary of the

1 Renewal Petition for the Accreditation Council for Education and
2 Nutrition and Dietetics, or the agency which serves as a Title IV
3 gatekeeper for post-baccalaureate dietetic internship programs that
4 may use the agency's accreditation to establish eligibility to
5 participate in Title IV programs.

6 The Department staff recommendation to the Senior
7 Department Office is to continue the agency's recognition as a
8 nationally recognized accrediting agency at this time, and require
9 the agency to come into compliance within 12 months with the
10 criteria listed below, and submit a compliance report due 30 days
11 hereafter that demonstrates the agency's compliance.

12 Department staff also recommends a limitation on
13 the agency's ability to accredit any additional programs beyond
14 what it currently accredits for Title IV purposes until it
15 demonstrates compliance with all Title IV related criteria identified
16 in the issues and problems section of the petition.

17 The agency also requested a waiver as was stated
18 prior to separate and independent requirements within 602.14 D
19 and E. However, the agency has acknowledged, and the petition
20 analysis demonstrates compliance with the separate and
21 independent requirements within 602.14-B has been met.
22 Therefore, Department staff does not recommend approval of the

1 agency's request for a waiver of the separate and independent
2 requirements.

3 The staff determination is based upon my review
4 and communication with the agency regarding the renewal
5 petition. Supporting documentation and observation of the
6 agency's board, meetings in January 2022 and 2023 virtually, as
7 well as a virtual accreditation committee meeting April and July of
8 2022, and January of 2023, as well as in person evaluation site
9 visits consisting of candidacy and accreditation visits during
10 September and November of 2022 and March of 2023, in addition
11 to a file review conducted in March of 2023.

12 Based upon the review of the response to the draft
13 staff analysis supporting documentation, observations and follow-
14 up communication with the agency, Department staff has identified
15 issues that remain in the final staff analysis. Some of the issues
16 remaining pertain to the following sections of the petition.

17 602.14-A2 competency of representatives within the
18 organizational and administrative requirements section. 602.16-A1
19 Roman at 10, Title IV responsibilities within the required
20 application of standards section, and 602.27-A 5 through 6 and B
21 fraud and abuse within the required operating policies and
22 procedures section of the petition.

1 In addition, the agency has provided a request to the
2 Department to update its current scope of recognition to reflect the
3 agency internships and program names accredited by the agency,
4 which were announced within the 2017 standards, and does not
5 amend the applicability of the agency's current scope of
6 recognition.

7 Thus, the agency scope of recognition would read:
8 The accreditation and pre-accreditation within the United States of
9 didactic and coordinated programs, nutrition and dietetics at both
10 the undergraduate and graduate level, post-baccalaureate nutrition
11 and dietetics internships, and nutrition and dietetics technician
12 programs at the associate degree level, and for its accreditation of
13 such programs offered via distance education upon the SDO's
14 decision, of course.

15 This concludes my presentation. There are agency
16 representatives present today, and they will be happy to respond to
17 the Committee's questions. Thank you.

18 CHAIR PRESSNELL: Thank you Nicole. Any
19 questions for Nicole, clarifying questions for Nicole? All right.
20 Very good. So I'm sorry, oh Kathleen, I'm sorry.

21 K. ALIOTO: What was the fraud problem?

22 N. HARRIS: Sorry, for the section -- there is a

1 section in the petition that's entitled fraud and abuse within the
2 required operating policies and procedures. So we have 602.27,
3 which is the criterion in which we requested that the agency
4 document and notify any notifications that come from the
5 Secretary, or any information they have regarding fraud and abuse
6 from any of their institutions or Title IV institutions there to report
7 to the Department.

8 The agency had not provided any information in
9 that section, or in their policies and procedures, didn't reflect their
10 policies and procedures -- their procedures on how to review such
11 cases. They have the criteria listed in their policy manual,
12 however the procedures in which they follow when this occurs was
13 not included, so that was cited for them to update in their
14 compliance report as well as provide documentation of this review
15 from the Title IV gatekeeping responsibilities they have for an
16 internship dietetic internship program.

17 K. ALIOTO: But it wasn't a problem with
18 somebody?

19 N. HARRIS: Oh. It wasn't a fraud problem. This
20 is all about the way they captured their data and provided it, and
21 their policy procedures on how they document it. None of the --
22 the internship that they are the Title IV gatekeeper for do not have

1 a fraud and abuse problem.

2 K. ALIOTO: And I don't know if this is for you or
3 for them.

4 N. HARRIS: Okay.

5 K. ALIOTO: But there are 28 programs on
6 probation and 27 programs voluntarily closed, that seems like a red
7 flag to me in both areas.

8 N. HARRIS: Yeah. That will be a question for the
9 agency. However, what I did review is the documentation that
10 they've provided on these closures and the timelines in which they
11 followed their policies to make sure that the students were taking
12 care of meaning teach out plans. And the probation that they
13 followed the timelines within 602.20 of the criteria.

14 K. ALIOTO: And what's your opinion in terms of
15 what's going on. Was this because of COVID, or is this?

16 N. HARRIS: I really can't speak to what might be
17 going on with the specific institutions, the agency could speak to
18 that. I'm just referring to how they document it, the issues they are
19 having based on the criteria.

20 K. ALIOTO: Thank you.

21 N. HARRIS: No problem.

22 CHAIR PRESSNELL: All right. Thank you

1 Kathleen. Thank you Nicole. We'll invite the agency up, and I'm
2 not sure if it's Dr. Rayane AbuSabha who is going to speak, or
3 okay we'll let you introduce your team.

4 R. ABUSABHA: Good morning. This is Rayane
5 AbuSabha, and I am the Executive Director. And with me today is
6 Dr. Long Wang, the current Chair of the ACEND Board and
7 Lauren Bozich, the Senior Accreditation Manager at ACEND. So
8 Long will start with providing an introduction, and then I will
9 follow and discuss some of the findings.

10 L. WANG: Thank you Rayne for the introduction,
11 and good morning. Distinguished Chairman and members of
12 NACIQI, we appreciate this opportunity to speak on behalf of the
13 Accreditation Council for Education in Nutrition and the Dietetics,
14 known as ACEND.

15 As Rayne mentioned, my name is Dr. Long Wang.
16 I'm the current Chair of the ACEND Board of Directors. I'm also a
17 clinical professor and Chair of the nutrition department at the
18 University of the Pacific here in California. We would like to
19 recognize and thank our two NACIQI primary readers, Dr. Boston
20 and Ms. Cochrane

21 We would also like to recognize the efforts of our
22 Department staff analyst, Dr. Nicole Harris. Finally, we would

1 like to express our appreciation for the careful review by NACIQI
2 of ACEND's accreditation practices. ACEND's mission focuses on
3 ensuring the quality of the nutrition and the dietetics education to
4 advance the practice of the profession.

5 Our board of directors consists of 17 voting
6 members, 11 of whom are educators or administrators and
7 represent the various program types that ACEND accredits. Of the
8 remaining six members, two are non-educator practitioner
9 members, three public members, and one is a student member.

10 ACEND accredits 20 dietetic technician programs
11 at the associate level, 222 undergraduate didactic programs, and
12 137 coordinated and graduate programs. All of our associate
13 degree undergraduate coordinated and graduate programs rely
14 upon their accrediting agency for purpose of institutional
15 accreditation and Title IV.

16 And we act only as their programmatic accrediting
17 body. Additionally, ACEND accredits 265 dietetic internship
18 programs at the post-baccalaureate level, 98 of which are
19 freestanding programs. Of the 98 freestanding dietetic internship
20 programs only 1 participates in the Title IV program, relying on
21 ACEND as a gatekeeper.

22 Dietetic internships are post-baccalaureate programs

1 that provide a supervised practice, and only admit the students who
2 have completed an ACEND accredited dietetic program in
3 dietetics, or known as DPD, and earned a bachelor degree.
4 Students must complete a dietetic internship before they can sit for
5 the registered dietician nutritionist or RDN exam.

6 The United States Bureau of Labor Statistics report
7 that the job market for dieticians and nutritionists to be strong with
8 the employment expected to grow by 7 percent over the next
9 decade. This is a positive outlook since the field is already
10 experiencing a shortage of dietician practitioners, and educators,
11 and expect this trend to continue.

12 In terms of the student outcomes, ACEND review
13 exam pass rates, program completion rates and the graduation rates
14 on an annual basis. In ACEND's 2022 regular standards the board
15 of directors established an 80 percent pass rate target for dietician
16 nutritionists on the national credentialling exams within one year
17 of the first attempt.

18 Results of the most recent pass rate report indicate
19 that 80 percent of the programs met the pass rate target of 80
20 percent. Annually, ACEND collects data on student program
21 completion rates, and require all programs to meet an 80 percent
22 target within 150 percent of the program length. In 2022, 98

1 percent of the programs reported a completion rate of 80 percent or
2 higher.

3 ACEND also collects data on graduate employment.
4 Programs set their own benchmark for demonstrating positive
5 program outcomes based on the historical data and their targeted
6 student population. Depending on the program type, 98 to 100
7 percent of graduates will seek employment, find a job within 12
8 months of graduation for registered dietitians, and 93 percent of
9 graduates who seek employment find jobs within 12 months of
10 graduation with dietetic technicians.

11 The Commission on Dietetic Registration, which is
12 the autonomous credentialing agency for nutrition and the dietetic
13 practitioner, announced close to a decade ago that effective
14 January 1 of 2024, applicants must have earned a minimum of a
15 master's degree to sit for the registration exam for dietitians.

16 ACEND has been working collaboratively with our
17 accredited programs to assist them with this transition, and we are
18 happy to report that all ACEND programs are currently prepared
19 for this change in eligibility. Separately, ACEND launched a
20 multi-year project in 2015 to assess the education and preparation
21 needed for future practice in the nutrition and the dietetic field.

22 ACEND collected the feedback from over 15,000

1 students, faculty, administrators, practitioners and employers.
2 Their feedback informed the revision of the accreditation standards
3 needed to assess the quality of master degree programs and prepare
4 future registered dietician nutritionists.

5 ACEND named these new standards the Future
6 Education Model Standards. The primary distinction between the
7 future education model standards and the coordinated program
8 standards is the focus on competency based curriculum. ACEND
9 has started a pilot of the future education model standard with
10 volunteer programs.

11 For clarification, while these standards are focused
12 on assessing the quality of the more competency based education
13 modality, this is not a direct assessment tool. The master's degree
14 programs use this model, still follow a time based curriculum
15 structure. Further, this is not a model that our dietetic internship
16 programs participate in.

17 ACEND has received positive feedback from
18 students, faculty and practitioners on these new standards and the
19 outcomes of these competence based programs. ACEND has
20 noted statistically significant improvements in programs pass rate
21 on the credentialing exam, along with other programmatic
22 outcomes compared to the coordinated programs.

1 For example, graduates of the program under the
2 future education model standards achieved 100 percent
3 employment rate compared to a 92 percent employment rate for the
4 coordinated programs. Future education model graduates also
5 received a first time pass rate of 80 percent compared to the first
6 time pass rate of the 67 percent for the coordinated programs.

7 And finally, a one year pass rate for future
8 education model graduates is 98 percent, compared to a 92 percent
9 for the coordinated programs. Thank you. With that said, I will
10 turn it to Dr. AbuSabha, ACEND Executive Director to address the
11 Department staff final report findings.

12 R. ABUSABHA: Thank you Dr. Wang and good
13 morning. Thank you for this opportunity to address the
14 Committee. I'd like to start by assuring the Committee that
15 ACEND takes the Department's findings very seriously, and are
16 working to correct all of the issues identified.

17 However, there are several misunderstandings about
18 our process, and we would like to take the opportunity to provide
19 additional context to some of the issues raised in the staff report,
20 especially with respect to the future education model and Title IV
21 monitoring.

22 I do want to apologize if it's going to take a few

1 minutes, but I think it's very important for us to make these points.
2 First, many of the findings pertaining to what procedures apply to
3 programs that are participating in the future education model
4 program compared to programs that are not. This is about criteria
5 in 602.16-B-C, 602.20 B-D and 602.22 A-1, and H.

6 ACEND requires all its programs to follow the
7 same procedures for monitoring and for submitting their
8 substantive changes no matter what model of accreditation they're
9 participating in. Our substantive change document is one
10 comprehensive document that includes the guidelines for the
11 regulator 2022 standards program, which include the freestanding
12 dietetic internship, or DI program.

13 It also includes the guidelines for the FEM, future
14 education model program. We've determined for clarity for our
15 program it is best to have a single comprehensive document. Each
16 substantive changes notes the set of standards it applies to in the
17 header of the document.

18 Since ACEND requires all programs to follow the
19 same policies, most substantive change guidelines are identical.
20 The only difference is the terminology for competency based
21 education curriculum for our FEM program. Finally, we would
22 like to emphasize that our FEM programs are all located in

1 universities and colleges, and ACEND does not act as their Title
2 IV gatekeeper.

3 A freestanding DI program eligible to apply for
4 Title IV funding are not accredited under the FEM standards. The
5 FEM substantive change guidelines do not replace the 2022
6 standards guidelines, and they were never intended to do so. The
7 substantive change guidelines document is clearly posted on the
8 website for our programs, and is noted that all programs will use
9 this document.

10 Our programs have not expressed confusion about
11 this document, or the use of this document, nor have we
12 encountered any issues with programs not following proper
13 procedure. That being said, we can of course clarify in our
14 documents which policies apply to our dietetic internship
15 programs, but they've never been confused about that before.

16 Let me move on to the site visitor training. With
17 regard to part of 602.15 A-2 onsite visitor training and conduct.
18 Specifically referenced is an experience Dr. Harris had while
19 observing a site team visit, and her concerns with the site team's
20 reviewer's training and conduct.

21 As noted, ACEND discussed these concerns with
22 Dr. Harris, and took immediate steps to address the issue. I

1 personally met with the reviewer to discuss remediation plans,
2 which included additional training, removed the reviewer from
3 their next scheduled onsite visit, assigned a coach from agency
4 staff to accompany the reviewer on future visits, and noted the
5 board's possible dismissal of the reviewer if improvements are not
6 made by that reviewer.

7 After further communication with the reviewer, the
8 reviewer notified ACEND that she wished to retire from being a
9 site team reviewer. She's been with us for a long time. ACEND
10 was informed that because this finding was inconsistent, it would
11 not be included in the final report. However, as noted, ACEND
12 has taken corrective action to ensure that its site team reviewers are
13 appropriately trained and monitored.

14 And we assured NACIQI that we take responsibility
15 in this regard very seriously. I would like now to address the Title
16 IV gatekeeping responsibilities of ACEND's 265 dietetic internship
17 programs, 98 are freestanding DI programs that are located in
18 hospitals, long-term care facilities and other public or private
19 entities.

20 These freestanding DI programs only provide
21 students with the structured, supervised practical portion of the
22 curriculum, and they do not award certificates, degrees, or

1 academic credits. DI programs typically enroll less than 10 to 20
2 students, and more than 30 percent of them are tuition free. For
3 those DI programs that charge tuition, they may be eligible to
4 participate in federal student aid funding programs, and can use
5 ACEND as their accreditor of record to establish eligibility.

6 We wanted to provide some context to the issues
7 pertaining to the DI program and Title IV related to 602.16 A-C,
8 602.19-B, 602.20 F-G, and 602.27 A-B. While undergoing this
9 efficient process ACEND became aware that one of its
10 freestanding DI programs was participating in federal student aid
11 funding programs, and listed ACEND as its accreditor of record.

12 ACEND had not previously been aware that this
13 program was relying on it for purposes of Title IV eligibility, and
14 we immediately conducted a thorough investigation to identify the
15 cause of this oversight. We determined that during the program's
16 2017 onsite visit, which was prior to this recognition period, the
17 review team mistakenly selected not applicable on the federal
18 student aid section of the site team report.

19 However, in 2017 and to this date, ACEND
20 continued to apply its policies and procedures, which require all
21 programs to submit comprehensive reporting and documentation to
22 ACEND. On its annual report, ACEND requires all programs to

1 report whether they enrolled students who receive federal student
2 aid, including the number of students who receive these funds.

3 ACEND also requires programs to document
4 compliance with Title IV requirements in the self-study process.
5 Thus, freestanding DI programs in question. This is the 1
6 freestanding DI program that is in question, continued to select and
7 affirm on the annual report that they were not using ACEND as
8 their accreditor of record for participating in federal student aid
9 funding programs.

10 In subsequent meetings with the director of this
11 program, and their financial aid administrator, we learned that the
12 program director misunderstood how to correctly complete the
13 annual report. The program then clarified that in 2022 it enrolled
14 six students, four of whom were receiving federal student aid for a
15 combined total of less than \$65,000.00.

16 That said, in ACEND's review on this matter we did
17 identify deficiencies in the training of site evaluators and
18 freestanding DI programs. We promptly updated our training
19 materials and held several training sessions for all site evaluators in
20 our accredited programs to prevent this oversight from happening
21 again in the future.

22 We also want to clarify that our policies and

1 procedures apply equally to all programs and to freestanding DI
2 programs, regardless of whether they participate in federal student
3 aid funding programs, or if they list ACEND as their accreditor of
4 record. ACEND monitors all programs annually for growth in
5 enrollment, changes in their budgets, and their programmatic
6 outcomes.

7 All ACEND programs must submit substantive
8 changes for any high impact high-risk changes, including the
9 delivery of distance education, adding a branch campus or
10 additional location, and any other major changes that apply to
11 programs and institutions that receive Title IV funding.

12 We are extremely close to our programs, and
13 monitor them very closely. ACEND requires its accredited
14 programs to maintain compliance with all the Department's
15 requirements, including those specific to federal student aid
16 funding programs.

17 Throughout this recognition period ACEND
18 monitored this one freestanding DI program in question, the same
19 way we monitor all other programs. The only monitoring that we
20 missed per our policy is to collect default rates and composites for
21 that one freestanding DI program.

22 We've corrected this oversight, and submitted to the

1 Department most of these revisions and documents in our
2 response. During this recognition period the freestanding DI
3 programs consistently report a zero percent default rate, and the
4 institution has a 2.9 composite score.

5 As noted in the final staff report, ACEND must also
6 obtain from this particular DI program a copy of its state
7 authorization documentation, which we also have done. Again, I
8 want to assure you that ACEND took immediate steps to
9 investigate, correct and prevent these same errors from ever
10 happening again moving forward, specifically, we implemented
11 the following:

12 We conducted staff training on three occasions in
13 March and April 2023, highlighting how federal student aid
14 participating program data prompts additional reporting
15 requirements to the Secretary. This training also included
16 guidance on effectively answering federal financial aid questions,
17 and supporting site evaluators in their reviews.

18 In terms of the programs, in March 2023 ACEND
19 sent all 98 freestanding DI programs a survey regarding their
20 understanding of ACEND's role as gatekeeper, and to educate
21 them on their potential eligibility to participate in federal student
22 aid funding programs, using ACEND as their accreditor of record.

1 This survey further confirmed that no other
2 freestanding DI program, other than the one program in question
3 were using ACEND as their accreditor of record to participate in
4 federal student aid funding programs. ACEND conducted
5 additional training for faculty and program directors, during its last
6 two town halls in January and April 2023, and we had more than
7 200 programs attend each one.

8 ACEND also enhanced the site evaluator training
9 program beginning with its most recent June 2023 workshop. We
10 also created a reporting for site evaluators to review ACEND's
11 expectation for monitoring federal student aid participating
12 programs. This reporting is part of the annual site evaluator
13 mandatory training, and must be completed before they can
14 participate in future onsite visits.

15 In March 2023, we conducted a thorough review of
16 all accreditation documentation, and revised the self-study reports,
17 the site visit reports, and the guidance information documents to
18 include specific sections and checked boxes that evaluators cannot
19 skip, and have to complete to make sure that any federal student
20 aid section cannot be overlooked.

21 We also revised the site visit schedule to include
22 required interviews with financial aid administrative personnel

1 whenever applicable. These revised documents were included as
2 evidence for Department staff review.

3 Finally, ACEND updated its annual report to
4 include the section that guides and educates programs on
5 completing the federal student aid section as applicable to them. In
6 May 2023, ACEND affirmed that it followed its procedures for
7 monitoring all freestanding DI programs, accessing federal student
8 aid funding programs, including reviews of their default rates and
9 composite scores.

10 The freestanding DI program that was using
11 ACEND as its accreditor of record for Title IV gatekeeping
12 services remains in good standing. This program continues to
13 report excellent outcomes of over 90 percent pass rates on the
14 registered dietitian exam, 100 percent completion rate, and 95
15 percent employment rate.

16 Finally, just as we require all our programs,
17 including freestanding DI programs, ACEND engages in
18 continuous quality improvement as the U.S. Department of
19 Education recognized accrediting agencies, and we do take our
20 gatekeeping responsibilities seriously.

21 Dietetics education is rigorous, and access to federal
22 student aid funding programs ensures that these programs can

1 remain acceptable for students who might not otherwise be able to
2 pursue employment in this growing field. In the past from 2014 to
3 2017, ACEND was the accreditor of record for three programs, and
4 applied its policies and procedures to effectively oversee these
5 programs, including demonstrating compliance with all
6 Department report requirements on Title IV.

7 ACEND continues to educate its freestanding DI
8 programs on the opportunity to participate in federal student aid
9 funding programs to ensure that these programs remain affordable
10 for all students. Given our immediate response to the issues, and
11 the context pertaining to the one program in question, we
12 respectfully ask that the Committee not recommend imposing the
13 limitations on our recognition recommended by staff.

14 With respect to the remaining time being we believe
15 many of these will be addressed through submittal of requested
16 documents that the final staff report identifies, and ACEND has
17 already addressed most of them. ACEND remains grateful for the
18 comprehensiveness of the recognition process, and the opportunity
19 to clarify issues raised by the final staff report.

20 We're honored to appear here today before NACIQI
21 and look forward to answering any questions. This concludes our
22 remarks, and thank you for your patience.

1 CHAIR PRESSNELL: And thank you for that
2 explanation. Questions? Wally or Debbie? Wally first.

3 W. BOSTON: Sure. This is for the agency. I
4 noticed that you didn't mention the name of the standalone
5 institution, but I think based upon the report it's West Virginia
6 University Hospitals, and so I'm just kind of curious.

7 My understanding that the School of Medicine at
8 West Virginia University is accredited by ACCME, but I'm kind of
9 curious how this misunderstanding that they checked the box, as
10 you as the standard even occurred, given the case that I'm not
11 familiar with a hospital system per se on a dietetic program going
12 through the university. So can you provide further clarification on
13 that?

14 R. ABUSABHA: Yeah, for sure. Many of our
15 hospitals, even though they have the name of the university,
16 sometimes they're separate, and they have their own administration
17 separate from the university. One of them, you know we have a
18 few of them like that, and so this is what this hospital is, so there in
19 some ways do need it to get gatekeeping responsibilities as an
20 institution for the separate hospital on their own.

21 The reason the program director misunderstood, and
22 the way they explained it to us is they have a geology of their

1 primary gatekeeper in a sense listed as their secondary gatekeeper,
2 so this program director misunderstood the word secondary and
3 thought that it meant that ACEND was not their gatekeeper.

4 And so they in the subsequent annual report, she
5 kept checking that we're not used to Title IV funding because
6 radiology was listed as their primary.

7 W. BOSTON: So I have another question. This
8 time can I ask a question of Nicole?

9 CHAIR PRESSNELL: We don't normally do that,
10 but if you need a clarifying.

11 W. BOSTON: Yeah, I just.

12 CHAIR PRESSNELL: Yeah. I think so. Let's go
13 ahead.

14 W. BOSTON: So you know, Dr. Harris, I'd like to
15 understand that explanation from our perspective, the evidence you
16 looked at and --

17 N. HARRIS: Sure.

18 W. BOSTON: Thank you.

19 N. HARRIS: No problem. Just to give a little
20 background. So the petition came in, and as you can see in the
21 original petition documents they listed that they had, they were the
22 Title IV gatekeeper for no institutions. Upon my research I found

1 that they did, and they explained to in communication they
2 explained that JCERT was their dietetic internship programs
3 accreditor.

4 And JCERT's scope of recognition does not include
5 dietetics, so they could not be their gatekeeper for their programs.
6 So with that being said, they ended up contacting them during the
7 review process, and finding out of this mistake that she mentioned
8 that you know, over the course of five years is where I reviewed
9 the petition.

10 So this mistake wasn't caught until the end of the
11 petition timeframe, and all the things that they're putting in place
12 now to catch it in the future is fine, but it wasn't done over the
13 course of five years to demonstrate that they were looking at fraud
14 and abuse and also Title IV gatekeeping responsibilities as cited in
15 their annual report monitoring that they're to do based on their
16 policies and procedures manual.

17 So that's the reason why it's been cited, because as
18 she stated multiple times that this was a mistake that they found,
19 and as a Title IV gatekeeper I have to note that they weren't
20 monitoring this to make sure it was found five years later. It was
21 found in year one as a gatekeeper.

22 W. BOSTON: Thank you. So I'll go back to the

1 agency. So do you have a process in place so that if you for a very
2 long time period historically did not serve as the primary Title IV
3 gatekeeper for any institution, do you have a process in place to
4 query the Department's database to see if anyone else has checked
5 the box differently?

6 R. ABUSABHA: Yeah. No. We had not about
7 querying the database for the Department, but we found the article
8 and since are doing that now for sure. What our process was that,
9 you know, our annual report we expected the programs to tell us
10 that they are using ACEND as the Title IV gatekeeper.

11 And then during their comprehensive review the
12 program would submit in response to required element 1.7, which
13 is all for the dietetic internship's Title IV gatekeeping, and give us
14 all of the documentation that is requested in that required element.
15 So unfortunately, the program did give us the documentation in
16 2017, and the review team just checked not applicable.

17 And that was the human error that occurred. And
18 we have done everything we can right now. I don't think we left a
19 stone unturned that we have done to make sure that this never
20 happens again, because as you can imagine, you know, we were --
21 that that happened, and we just have to correct it, and we've done
22 everything we can to correct it.

1 W. BOSTON: Thank you. I have another question,
2 and then I'll hand this over to my colleague. You in your opening
3 dialogue you talked about the fact that you're now, you prepared
4 and notified your member institutions about putting a priority on a
5 master's degree in dietetics for the profession.

6 And you probably received communication from
7 Brian Fu from the Department about our new dashboards, where
8 we're looking at the relationship between debt and equity for
9 graduates of programs. And I took a look at the college scorecard,
10 and I think there's only about 9 of your master's degree granting
11 institutions that have the highest enough number of graduates to be
12 reported for their earnings data.

13 Do you have any process in place as your member
14 institutions increase the number of students in their graduate
15 programs to meet the professional requirements to look at the
16 relationship between debt and earnings?

17 R. ABUSABHA: Yeah. We're again like most
18 other agencies. This is new information that we are looking at and
19 we're very excited to have this data. We are going to look at it
20 pretty carefully. We are you know, as you know it was the
21 credentialing agency that made this requirement to move to the
22 graduate degree, and did not have anything to do with it.

1 But we worked with our legal, we helped revise the
2 standards. We did everything we can to make sure that our
3 programs were able to come into compliance, you know, to be able
4 to graduate students, and to be able to sit for the RDN exam as
5 soon as they graduate.

6 We are very careful with the cost to students, and
7 we are always working with our programs and trying to work with
8 them in terms of, you know, trying to minimize the debt. As you
9 see, many of our internships are free for our students. We also
10 work closely with our programs to ensure that they are really
11 looking at their admission and everything, and look at the program
12 and make sure that it's not too long to keep the students away from
13 the job, or too long to charge the students a lot of money.

14 So we're very close with our programs, and often
15 trying to minimize them. For example the future education model
16 programs, one of the things that we discovered is because it's
17 combining the practical along with the didactic. It has shaved off a
18 full semester for the students, making it a lot more affordable, and
19 getting them in the workforce faster so they can earn more money.

20 And so this is why we're supporting that. We're just
21 going to try to keep going with that competency based just
22 curriculum, it's not direct assessment. But the process I think we

1 definitely will be looking into that soon as we examine a lot of that
2 data for sure.

3 W. BOSTON: Thank you. Debbie?

4 D. COCHRANE: Yeah. Thank you so much. I
5 think I'm going to pick up on the same thread as my colleague with
6 respect to the data and the dashboard and this decision to move to a
7 master's degree as the entry level degree. Recognizing that it was
8 not your decision, I know it was a decision of the Commission on
9 Dietetic Registration.

10 And I also want to recognize that I know your
11 agency has did, even in its documents, expressed concern about the
12 increased cost of tuition. Could you say a little bit, knowing again
13 this was not your determination to make, but what has changed so
14 much in this field that requires the move from a bachelors to a
15 master's degree?

16 R. ABUSABHA: Yeah. Great question. I think
17 every time you look at you know, how the health field, I think you
18 can understand the changes that have happened in dietetics.
19 There's just so much information, and so much new knowledge
20 that came in to the point that our programs -- I mean, I remember I
21 was a faculty and a department Chair, and our dietetic program at
22 the undergrad level had no more electives because we moved our

1 medical nutrition therapy course from 3 credits to 4 credits, to 8
2 credits, added the physical focused exam lab, then added the
3 advanced medical nutrition therapy because now diseases became
4 so complex.

5 Dietetics have become so complex, and I always
6 used to tell my students that when I took that medical nutrition
7 therapy class our book was 250 pages, and now it's close to 2,000
8 pages. So the curriculum has become very, very expansive to the
9 point that even, you know, the students were moving beyond 120
10 credits for undergraduates to be able to finish that undergraduate
11 degree.

12 You know we would have liked to let ACEND do
13 the due process, to do the research the way we're doing it with the
14 future education model, before moving to the graduate degree, but
15 unfortunately that did not happen, and the CDR decided to do that.
16 And it was based on research from the academy that was research
17 for 20 years that showed that dietitians needed to move to the
18 graduate degree.

19 Just one piece of information. I thought that you
20 would enjoy hearing that. Close to 60 percent of dietitians already
21 have a master's degree before even CDR made that decision. So a
22 lot of employers, and a lot of dietitians seem to feel the need for

1 the master's degree.

2 There's a need for it, but we would have liked to
3 have it happen for sure.

4 D. COCHRANE: I see. Okay. Well when you do
5 check out the dashboard, I would encourage you to not just look at
6 the debt to earnings ratios, but also the individual components in
7 particular as with a lot of programs there are more programs
8 represented in the debt data, than in the earnings data. And I
9 would say the data that was recently released does underscore your
10 concerns about tuition costs.

11 There is a master's degree program that you have
12 where there's no earnings data, so it's not in your debt to earnings
13 ratios, but the median debt is \$178,000.00. Meanwhile, the highest
14 median debt for a bachelor's degree program that you accredit is
15 \$37,500.00.

16 So again, encouraging you not to just look at those
17 ratios, but the individual components, because I think that these
18 numbers seem like they're probably going to get worse. Okay. I
19 also had a question -- first of all I wanted to thank you for the
20 information that was presented regarding complaints. I really did
21 appreciate the level of detail you provided on the number of
22 complaints received, how they were handled within your agency,

1 and what those outcomes of the complaints were.

2 That was very helpful. I think it just having that
3 type of information with evidence really does help to help NACIQI
4 to understand whether the process is working. So I had a question
5 in particular. There was an example that was provided where
6 ACEND -- I'm just trying to navigate to my right document here.

7 Where the agency reduced the term of accreditation
8 to for an institution. It wasn't on probation. It wasn't anything like
9 that. It just reduced the accreditation to allow for further review in
10 a more timely way. That was -- I was interested in that, and I was
11 also interested in how that relates to the required notifications that
12 the agency is required to provide to the Department, and state
13 agencies under 602.26.

14 And so that regulation of course under A requires
15 notification to a whole host of relevant coregulators around initial
16 or renewal accreditation decisions. It requires notification of final
17 probation decisions, or initial adverse actions, or final
18 terminations. Where does the reduction in the accreditation term
19 fit into the required notifications, or does it not?

20 R. ABUSABHA: Yeah. I'll turn it over to Lauren
21 if you want to explain that.

22 L. BOZICH: Yeah, thank you. Good morning

1 everybody. Yes, so that does fit into our notifications of decisions.
2 That is an ACEND board decision, just like any other for full
3 accreditation or probation. We do consider a reduced term, or a
4 shortened accreditation term for programs when they have not
5 demonstrated compliance with our standards.

6 However, it is not at the level of probation in that
7 sense, so it is slightly in between. That being said, it's a board
8 decision. The program is notified. It is put on our public website
9 of which programs were placed on a reduced term, and that
10 information is sent to the Secretary and to agencies, and also
11 updated on the database.

12 D. COCHRANE: So just to confirm that would fall
13 under B, which is sort of the probation or initiated adverse
14 reaction? Or would that fall under A.

15 L. BOZICH: I believe that would fall under A
16 because it is not a negative action taken by ACEND, where we
17 would just say probation, or withdraw the accreditation as a
18 negative action.

19 D. COCHRANE: Okay. Thank you.

20 CHAIR PRESSNELL: All right. Thank you
21 Debbie. Mary Ellen?

22 M. PETRISKO: Thank you, and welcome. I saw

1 on your website that ACEND accredits a number of international
2 programs in Australia, Lebanon, Mexico, Qatar, Saudi Arabia,
3 South Korea, and the UAE. All of the comments that we've heard
4 so far talk about all of the programs, and all of the programs
5 meeting U.S. regulations, and all the programs being evaluated for
6 debt and for employment, licensure, et cetera.

7 So I'm wondering. I have several questions in this
8 regard. One is what are the differences in the way that you look at
9 these programs when they don't fall under U.S. regulations when
10 there's no Title IV? How do you do that?

11 R. ABUSABHA: Great question. We require all
12 our programs, even our international programs to follow all
13 ACEND accreditation standards, and monitoring that we do, all
14 substantive changes, everything. The only thing that our
15 international programs do not submit of course, are the Title IV
16 specific documents like the default rate, and we don't get the
17 composites.

18 So those are about the only two things that they
19 don't submit, just like all our other institutions, you know, that are
20 not -- where ACEND is not their Title IV gatekeeper.

21 M. PETRISKO: Okay.

22 R. ABUSABHA: Otherwise they follow all our

1 standards, and they come to our trainings, and they go to the site
2 visits, they do everything that we do.

3 M. PETRISKO: So you've raised another question
4 that I had because looking at your site visitors I didn't see any site
5 visitors that work from any non-U.S. countries.

6 R. ABUSABHA: Yeah. You know that always
7 comes as a question, and we -- the issue is we do not have enough
8 dietitians outside the U.S. to have these kinds of visitors. A lot of
9 the international programs do not choose to select the RDN
10 pathway for their programs. They're most training nutritionists or
11 dietitians for their own country.

12 So there's no RDN. I think as far as I know we
13 have just a handful of dietitians that are outside the country, and
14 this is why we do try to -- we don't use many international
15 programs, otherwise it's going to be a lot of coordination for this
16 one dietitian that's on the other side of the continent.

17 However, I just want to say we are very careful to
18 always send a country representative to the country. For example,
19 we have a staff member who's from South Korea and she went --
20 attempted for her to go to South Korean with the review team to
21 guide and help in interpretation and anything needed, even though
22 we request all the documentation to be in English.

1 The other, you know, like Lebanon, you know, we
2 have a senior staff member from Lebanon who goes there with the
3 team every time. So we do that. We have faculty who lived in
4 Qatar, and she's the program reviewer. We send her as the
5 program reviewer for the Qatar program.

6 So we only send a representative to go to the
7 country to make sure that the review team is supported during the
8 visit, but unfortunately we don't have enough dietitians outside the
9 U.S. I'm working to change that because I think the world is
10 turning global, but we're not there yet.

11 M. PETRISKO: Aren't there administrators in
12 those programs though that could be valuable in some of the
13 reviews that they wouldn't have to be dietitians necessarily?

14 R. ABUSABHA: I'm sure there are quite a few
15 administrators. Unfortunately, you know, many of them probably
16 would not know dietetics, and we just have not recruited in that
17 area. That's a very interesting point. I mean I --

18 M. PETRISKO: It's a question if we're talking
19 about a community of programs around the world that are a part of
20 your accrediting community, what it means to be peer review, so I
21 just I was curious about that.

22 Looking at the United States State Department's

1 travel advisories, two of the locations where you have programs
2 are ones where travel should be reconsidered at this time, and one
3 is one where increased caution is to be exercised in traveling. So I
4 wonder how you handle that when visitors are going to countries
5 where travel is actually not really advised.

6 R. ABUSABHA: Great question, great question.
7 So the board has the vote on the site visits that are going to
8 international. And they take into account the travel advisories and
9 all the concerns that are happening. One of the site visits to
10 Lebanon, one of the programs in Lebanon, the board voted that site
11 visit, and in between the situation in Syria became very serious.

12 We were worried about our site visit team, so
13 ACEND then went back. We went back and talked to the board.
14 The board reviewed the situation, voted to move the site visit
15 virtual, and we were able to conduct the entire site visit virtual.
16 Actually that happened twice in Lebanon.

17 And what happens is then the program director and
18 the program faculty instead of paying the travel for the review
19 team to go to the country, they travel to the U.S. and then we had a
20 program for them, and you know, a conferencing room, and we
21 met with the program. The review team got a chance to meet with
22 the program in person at the area.

1 Now one of them at the time the documentation we
2 didn't have computers, as we usually you know, drop box and all
3 of this. The programs shipped about 20 boxes of documents on
4 site evidence to the place for review by the review team.

5 M. PETRISKO: So were those two visits back to
6 back that would have been scheduled that could not happen onsite?
7 Did I understand that correctly?

8 R. ABUSABHA: Yeah. They were for different
9 reasons about three years apart.

10 M. PETRISKO: Okay. I just want to note that I
11 think that's a concern we don't actually get to be on site for you
12 know, a couple of visits, well anytime really. As you know it's a
13 very, very different experience to have limited access online
14 compared to being on the ground there and having much more
15 access, and having many people there have access to you.

16 So when you were training your site visitors for the
17 foreign programs, do they get any kind of special training for that
18 reason?

19 R. ABUSABHA: No. They really get the same
20 training that we train our programs, plus and the addition, we do
21 have some training for all our program reviewers on the
22 international programs, a few. However, I do want to stress we

1 only send our very experienced reviewers to international countries
2 because you know, those are not easy reviews, and they need a lot
3 of attention, and so we often send our board chairs that are now
4 you know, past chairs.

5 The real experience would be that they definitely
6 know and understand very well, and know our standards very well,
7 and are able to apply them to the international country. We are
8 very, very picky with the reviewers that go international because of
9 the difficulty of the review.

10 M. PETRISKO: Yeah. Do you have to ever waive
11 any of your requirements because of, you know, national, legal
12 things that are very different from the United States, or any of your
13 other requirements? I know diversity, equity, inclusion is one of
14 your strategical as an agency, and you're working in a couple of
15 countries where gender equity and inclusion is not a high priority.

16 R. ABUSABHA: Yeah. Coming as a woman from
17 that area I'm with you on that. And I think that's where I come
18 with the strong feeling towards the diversity, equity and inclusion.
19 And you know, our moral compass is that our students are well
20 taken care of, and our students are not discriminated against, and
21 the students are well treated.

22 And they get opportunities to perform for their best

1 potential. Whatever country you are, whatever place you are, if
2 this is what you always think of and what you always have in your
3 mind as a goal, I think we can achieve that, and that's how we look
4 at DEI in our standards too. Because as you know, we're also
5 dealing with the states now.

6 We get faculty email, oh I'm from this state, and
7 you know, what do I do now? And so we always say that's fine,
8 you must follow your state policy and your institution's policy, but
9 as long as the students continue to be taken well taken care of, and
10 that's the goal. So even internationally that's what we expect.

11 M. PETRISKO: So you really haven't had to waive
12 any requirements, and you may have specific comments in the
13 reviews about some of these issues, but as far as foreign programs
14 meeting all of your standards, even in a country where things may
15 be different legally, you haven't had to do any waivers?

16 R. ABUSABHA: You know, I honestly can't say
17 100 percent, but I think we pretty much go through the standards.
18 You know for example, here's one example. The WIC program.
19 The international countries don't use WIC. They don't know WIC.
20 It's a community program. They don't know WIC very well. They
21 for example, I know I went on the site visit to Lebanon.

22 They work with refugees, and they work with

1 women and infants and refugees, so we accept that kind of
2 substitution. I don't think it's waived as long as they show that the
3 students are learning how to counsel, you know, women, infants
4 and children, and they're learning how to, you know, deal with
5 different diverse groups of individuals.

6 So not waiving, but maybe sometimes we will make
7 some changes. I don't know if Lauren, you have anything to add to
8 that? Lauren is much more intimate with that.

9 L. BOZICH: Yeah. No. I would agree with you. I
10 don't think we have ever had to waive any requirements. I do
11 know that in the site visit reports we would make comments about,
12 you know, what we have seen onsite, and how the program is
13 doing what they can to meet certain requirements, but I would
14 agree with Dr. AbuSabha that we have not had to waive any of our
15 required elements or our standards.

16 M. PETRISKO: Okay. Last question. It's always
17 about language. And I know that you require that all the
18 documents be translated into English, but not everybody speaks
19 English at these different places, and I just really wonder how
20 you've dealt with that?

21 R. ABUSABHA: Yeah. It's a wonderful question.
22 Because they just happened. I mean so last year we had a visit to

1 South Korea, and our -- one of our managers is from South Korea,
2 and he accompanied the site visit team. So what happens is we ask
3 sometimes that the program either have a translator, or that the
4 manager can translate for the program, the students struggle with
5 the English language because everything was in their country's
6 language, but we were meeting with them in English.

7 So there was a translator that helped translate a lot
8 of the information while the ACEND manager ended up just
9 helping and supporting the review team on everything else. But
10 the program directors, all of them speak the language, and they're
11 the ones who provide us with a lot of the information and the
12 language, but they do use a lot of translation services.

13 M. PETRISKO: Thank you.

14 R. ABUSABHA: I know the Qatar translates a lot
15 of their Arabic things back to the U.S.

16 M. PETRISKO: Okay. Thank you very much for
17 all of your responses.

18 CHAIR PRESSNELL: All right. Thank you.

19 Jen?

20 J. BLUM: So actually I will just really briefly pick
21 up on an observation from your most immediate conversation with
22 Mary Ellen. So you say that you don't waive standards

1 internationally, that you might adjust them, which I totally
2 understand, but you also say that you don't do any international
3 specific training, which I find a little bit problematic because if
4 you're going to be waiving standards, or not waiving standards.

5 If you're going to be adjusting sort of how you look
6 at something, it strikes me that you -- and I know that you said you
7 use experience for site visitors, and yet feels like you could use
8 some training to be able to know when to adjust. So I just wanted
9 to -- that's more of an observation, but I do have questions.

10 I want to go back to Debbie's questions on the
11 master's piece, because I don't know if you were watching the last
12 few days, but degree inflation is something that I think a lot of the
13 us on the Committee care deeply about, and again no, it's not your
14 decision to move to master's.

15 But you mentioned that on the bachelor's program
16 you are already seeing additional credits. So in moving to master's
17 will there still be bachelor's programs available in the field? Okay.
18 So if they're going to continue to exist do you expect to see, and
19 this goes to the question of cost and debt of course. Are you
20 expecting to see a lowering of the number of credits at the bachelor
21 level to accommodate that certain aspects are master's level?

22 So will there be an adjustment such that we're not

1 going to see added cost of you know, people going and getting
2 their bachelor and then going for a master's and sort of doubling
3 up?

4 R. ABUSABHA: Yeah. I mean this is such a
5 complicated question to a very complicated dietetics profession.
6 We started the future education model standards with the hope that
7 all our undergrads would go to schools, and this is where some of
8 you saw a lot of closing programs, would close to adopt the future
9 education model programs.

10 And we were hoping that they would do a two plus
11 three, or you know, a three plus one, and really limit and shorten
12 the whole training, and also the hope was that you use you know
13 the time around just to give you the practicum, so that they're also
14 not paying for the dietetic internship practicum that comes up,
15 which that also can sometimes be expensive.

16 So that was the goal of us moving to the future
17 education model. And we're seeing that it does, it takes away -- it
18 shortens the length of education by about one full semester, which
19 is great. But the issue is most of ACEND's undergraduate
20 programs now are 120 credits, and we are really working with our
21 graduate programs to try to keep them at minimal, you know, at
22 limited credits, and not have 75 credits and 80 credits.

1 I have to look at the program in the dashboard.

2 What concerns me is those ones that are very high that are usually
3 master's of public health. And as you know master's in public
4 health has a lot of credits, and those are the ones that end up with a
5 lot of courses and a lot of costs.

6 And dietetic master's in public health is very desired
7 in dietetics because we work so much in the community and in
8 public health. So you know, it's not working out as we expected.
9 We ended up with more new programs coming in in the future
10 education model. A lot of new programs. We had a few closures,
11 and that's why you saw so many closures, you know, few closures
12 that mostly undergrads, and then started to actually the future
13 education model program, which was great.

14 That's exactly what we wanted, but we thought also
15 that we got a lot of new programs, but most of our undergraduate
16 programs they did not want to move. The reason is because as you
17 see nutrition and dietetics has nutrition with it too. And about 50
18 percent of our students that we train in our undergrads, they don't
19 go to dietetics.

20 They are trained on STEM, they go to medical
21 school, OTPT, you know, it's because it's such a science based
22 curriculum, they use it to be a little more desirable as medical

1 doctors, as pediatricians. You know, so they use it to move on to
2 PA schools is now becoming very popular in dietetics in our
3 nutrition undergrads.

4 So this is what's happening. They don't want to
5 close these programs because they still can attract this other group
6 of students that is going to go on to other fields other than dietetics.
7 But they're saying, you know, so far we've only lost two of them.

8 J. BLUM: Well let me, I mean I'll just start, I feel
9 like this is an area where the accreditor actually can play a role, so
10 I don't, you know, you're reviewing curricular requirements and
11 such, so I feel like in concert with the association there's a project
12 here that needs to happen, otherwise you're really unnecessarily
13 charging certain students at least, so more than necessary.

14 Not you. Your schools, or your programs. So I
15 have one last question, and it might be a bit of a statement, but I'll
16 start with a question. So I know that you only have one, and I
17 don't want to revisit the whole conversation, so let's keep the
18 answer short here.

19 That you have one -- you are gatekeeper for one
20 program, but and correct me if I'm wrong, a number of your other
21 programs have students receiving Title IV, correct?

22 R. ABUSABHA: If they are at a university or at a

1 college they would be.

2 J. BLUM: Do you have any sense of how many
3 that is? Like how many sort of proportionately percentage-wise of
4 your programs are at a university just to give us a sense of that?

5 R. ABUSABHA: Yeah. So let's start with the
6 dietetic interns. We have 265 dietetic interns. 98 of them are
7 freestanding, they're not a university. ACEND is their gatekeeper,
8 is one we monitor for Title IV. We have only one single program
9 for 1 person that is accessing Title IV in these 98 dietetic
10 internships.

11 Now out of 265 dietetic internships, the other 167,
12 those are located at a university and at a college, and then along
13 with those in the undergrads and those in the master's may be able
14 to access Title IV through the university or college.

15 J. BLUM: I'm going to just pause there, and I think
16 later on I'll have -- it's not a Q and A, it's more of a comment that I
17 have to make later on, so Claude I think I'm good.

18 CHAIR PRESSNELL: Thank you Jen. Kathleen?

19 K. ALIOTO: All right. You had 27 programs that
20 closed voluntarily, and you just suggested that some of those
21 programs were closing in order to start a master's program? And
22 we have been discussing a certain inflation in degrees that might

1 not be necessary, so that was kind of a disturbing comment to me.

2 But I wondered about the 28 programs that you have on probation.

3 And since in the interest of time, could you tell me

4 three things maybe one sentence each of what you do to help?

5 What you're doing to help these 28 programs, and how did it end

6 up that you have 28 programs on probation, but it's limited because

7 we have to move on to another situation here.

8 R. ABUSABHA: Yeah. So the 28 programs,

9 usually ACEND prior to COVID used to the minute a program,

10 you know had -- did not meet the pass rate, you know, benchmark,

11 they were put on reduced term and then moved to probation. So

12 we ended up with a lot of our programs that had one, you know,

13 very small number of students that had English as a second

14 language, that had disasters, you know, all of them were put on

15 probation.

16 So now ACEND moved to a more holistic review

17 where we really look at the program, and we look at the situation

18 happening, and you know, and this is why now I believe we are at

19 a better shape. I see probably Lauren would like to add something

20 here quick?

21 L. BOZICH: I would, yes thank you. I just wanted

22 to clarify that currently we only have two programs on probation,

1 so that number of 28 was within our entire recognition period.
2 And just to echo, and not restate what Dr. AbuSabha said, is that
3 we are very close with our programs, and so both of these
4 programs that are currently on probation have been in talks with
5 our staff, and continue to be in talks with our staff as we guide
6 them through the process in hopes that they will be removed from
7 probation very soon.

8 K. ALITO: You didn't answer my question. What
9 do you do to help them move on?

10 L. BOZICH: I think -- oh

11 R. ABUSABHA: Go ahead Lauren.

12 L. BOZICH: I think from -- I can answer from a
13 staff perspective. We meet with the program once they receive
14 that decision letter to go through in detail all of the required
15 elements that are out of compliance, and talk about what their next
16 steps are in order to provide a report back to the ACEND board,
17 and really working with the program director so they understand
18 the compliance issues, so that they're more apt to provide a
19 complete report as they go on.

20 And so, that would be one of the things that staff
21 does. I don't know if Rayane you have other comments.

22 R. ABUSABHA: Well just one more. One of the

1 programs that is one of the two on probation, they really I mean at
2 some point they did not meet many, many, required elements, and
3 you know, had complaints and everything against them. And I
4 personally met with the Department Chair for about three times,
5 and we talked for a long, long time about the future, what's going
6 to happen, how maybe to help them out.

7 So we really take a very close approach. We're
8 close knit with our programs, and we do help them. We don't want
9 to see them on probation if we can help it.

10 L. WANG: If I could add one point here to answer
11 this question, also the board review all the programs on probation.
12 At the time of making that decision board can also decide if a full
13 site visit is needed, so it's ACEND's practice to stand against
14 seasoned experienced reviewers, to go on such focus site visit.

15 K. ALIOTO: Thank you.

16 CHAIR PRESSNELL: Very good. Any other
17 questions for the agency. All right. Thank you agency
18 representatives. We appreciate it. There were no third party
19 commenters for this meeting at this time, so Nicole?

20 N. HARRIS: Thank you. I just want to address a
21 few things that were mentioned in the agency's response starting
22 with the reviewer. Most of the times my comments on site visits

1 are incorporated in a report, and if it's something egregious it will
2 make it to the final. And the site visit that the agency is referring
3 to was something I brought to their attention.

4 They responded, which I appreciate, and I ended up
5 doing follow-up visits to make sure Jennifer will appreciate this,
6 the consistency, and the way things are done. And it was
7 discovered you know, they are a Title IV gatekeeper listed in their
8 scope, and with being a Title IV gatekeeper, it was a little
9 disheartening to be at site visits and the site team didn't know what
10 that meant.

11 Not only did they not know what that meant, you
12 know, you have students and faculty asking how do they become a
13 Title IV recipient? How do they get Title IV eligibility because the
14 future master's requirement is very costly. So with that being the
15 case and you know, I just had to note the discrepancies, the Title
16 IV discrepancies here because it does come back to the Department
17 in either a complaint or concern if the Title IV gatekeeper is not
18 demonstrating their responsibilities.

19 Just to mention in reference to the substantive
20 change. I understand that the substantive change document that
21 they provided, and I appreciate the clarity, and I will review it in
22 their compliance report of course, that I recommended. I know

1 that the documentation that they submitted was for the future
2 education model, and they provided clarity that all institutions, all
3 programs are supposed to follow the same language.

4 It's just concerning that you provide -- that the
5 agency provided the future education model documentation, which
6 is a pilot program, and in their response, two of the programs that
7 were included in the pilot program have gone away, and they were
8 voted not to be continued.

9 So to provide documentation for all programs that
10 are listed under the future education model is concerning in case
11 the other portion of the program that's still listed becomes obsolete
12 just like the other two portions. So documentation is key to make
13 sure that the agency provides the Department as well as their
14 constituents on their website, consistent information, so we can
15 refer to, especially if we had future complaints or what have you,
16 we go back to the petition.

17 So, that's the reason for the documentation question.
18 And I appreciate the information that they provided on what
19 they're doing now just to give you a timeline. The petition came in
20 in 2021, and they were notified in 2021 that we needed a list of
21 their Title IV participating dietetic internship programs.

22 That couldn't be provided, and they were -- I was

1 actually on a site visit when the program was being surveyed, but
2 this happened in March of 2023, which is fine, but again five years
3 of documentation has not been provided. Their policy and
4 procedure manual that's current, that they submitted states the
5 following programs currently use ACEND's accreditation for
6 students to apply for federal funds, for federal loans.

7 And it's listed as none in their documentation. And
8 we hear today that they do have a program, but they again have it
9 not listed in their current documentation, which is problematic as a
10 gatekeeper, and the monitoring of default rates. So their annual
11 reports that I have uploaded in the petition, we do a file review
12 separate of course, from the petition documents.

13 And the annual reports that came in for the
14 particular institution -- I'm sorry, the particular dietetic internship
15 program that they monitor has no questions about annual default
16 rates. Their file review didn't include anything Title IV related
17 aside from their annual reports ask the question does this program
18 receive Title IV monies?

19 That's the only question. There's no follow-up.
20 There's no review. And as a Title IV gatekeeper the gatekeeping
21 responsibilities just were not done. I can go on, but I'm going to
22 stop there. I just would recommend that the limitation that they

1 want removed to continue at this point, because I hear that they are
2 taking steps, they've done some things to train their staff and their
3 site visitors as of June of 2023.

4 I think a limitation would still be warranted to
5 ensure that this training is actually executed properly. This comes
6 with the monitoring and a compliance report that can demonstrate
7 that these things are actually being put in place since they also
8 discussed they mistakenly missed this for the five year period.
9 Thank you.

10 CHAIR PRESSNELL: Thank you very much
11 Nicole. Herman, do you have some comments on this?

12 H. BOUNDS: Just one. We put as much focus on a
13 Title IV gatekeeper no matter how many programs they accredit,
14 whether it's one, or whether it's HLC with 1,000, you know, we
15 make -- we take that serious, and that's part of one of the things
16 that the statute tells us is that we should prioritize these reviews of
17 Title IV gatekeepers.

18 So you know, that's why we have taken this one
19 seriously. Nicole did you want to speak real quickly just on the
20 geographic area point just to correct?

21 N. HARRIS: Yeah. So I did want to read the scope
22 of recognition into the record again since the Department now

1 separates the geographic area from the scope of recognition. I'm
2 going to read the scope of recognition without that included, so it
3 can be on the record.

4 So their scope, with the name changes would
5 include the accreditation and pre-accreditation of dietetic and
6 coordinated programs in nutrition and dietetics at both the
7 undergraduate and graduate level post-baccalaureate, nutrition and
8 dietetics internships, and nutrition and dietetics technician
9 programs at the associate degree level, and for its accreditation of
10 such programs offered via distance education. Thank you.

11 CHAIR PRESSNELL: Thank you Nicole. Any
12 questions for Nicole? Yeah, oh Jen? Sorry. No. She doesn't have
13 any questions. All right. Thank you. So discussion among
14 Committee members, and moving toward a motion. We would
15 entertain a motion from the primary readers. Debbie?

16 D. COCHRANE: Yeah. I'm happy to make a
17 motion. I move that NACIQI recommend that the Senior
18 Department Official accept all the recommendations of the final
19 staff report for ACEND.

20 CHAIR PRESSNELL: Thank you Debbie.
21 Seconded by Wally. And we'll allow it to get up and I'll read it one
22 more time, although you read incredibly clear. I don't know that I

1 need to read it again, but all right great. So NACIQI is
2 recommending that the Senior Department Official accept the
3 recommendation of final staff report for ACEND, so it's been
4 motioned, seconded. Any discussion about the motion? Seeing
5 none, let's take the vote.

6 M. FREEMAN: Kathleen Alioto?

7 K. ALIOTO: Yes. And I want to thank Dr. Harris
8 for really taking on what is a disturbing situation here, and trying
9 to assist thousands of students, and the health of the rest of us.
10 Thank you.

11 M. FREEMAN: Kathleen Alioto votes yes. Roslyn
12 Artis?

13 K. ARTIS: I vote yes, and I would echo the
14 comments by my colleague.

15 M. FREEMAN: Roslyn Artis votes yes. Jennifer
16 Blum?

17 J. BLUM: Yes. And I also want to thank Nicole,
18 and I also want to thank Herman, because that's what I was going
19 to bring up. I appreciate his comment about once you're a
20 gatekeeper you're a gatekeeper, so I appreciate Herman's comment
21 on that, echo it.

22 M. FREEMAN: Jennifer Blum votes yes. Wallace

1 Boston?

2 W. BOSTON: Yes.

3 M. FREEMAN: Wallace Boston votes yes. Debbie

4 Cochrane?

5 D. COCHRANE: Yes.

6 M. FREEMAN: Debbie Cochrane votes yes. Jose

7 Luis Cruz Rivera has recused. Keith Curry has recused. David

8 Eubanks?

9 D. EUBANKS: Yes.

10 M. FREEMAN: David Eubanks votes yes. Molly

11 Hall-Martin?

12 M. HALL-MARTIN: Yes.

13 M. FREEMAN: Molly Hall-Martin votes yes. Art

14 Keiser is absent. Michael Lindsay has recused. Robert Mayes?

15 R. MAYES: Yes.

16 M. FREEMAN: Robert Mayes votes yes. Mary

17 Ellen Petrisko?

18 M. PETRISKO: Yes, with a comment about my

19 ongoing concern about all international programs.

20 M. FREEMAN: Mary Ellen Petrisko votes yes.

21 Michael Poliakoff is absent. Bob Shireman?

22 R. SHIREMAN: Yes.

1 M. FREEMAN: Bob Shireman votes yes, and
2 Zakiya Smith Ellis?

3 Z. ELLIS: Yes.

4 M. FREEMAN; Zakiya Smith Ellis votes yes.

5 CHAIR PRESSNELL: Thank you. The motion
6 passes 11 to zero. So thank you to all the work on this and
7 especially to Nicole for your review. I appreciate it very much.

8 **Recommendation: NACIQI is recommending**
9 **that the Senior Department Official accept the**
10 **recommendation of final staff report for ACEND.**

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1 NACIQI Policy Discussion

2 CHAIR PRESSNELL: So that brings us to the end
3 of the agencies, and we now move into the policy discussion. And
4 so, if we could get those who -- do we still have some in the
5 building who have recused and can come back? So we'll give
6 George just a couple of minutes to do that.

7 We do have a third party commenter that we will
8 accommodate after our discussion on the policy piece.

9 All right. Thank you. And welcome back. So
10 we're now entering into the policy discussion. I've got some items
11 in that on the agenda for today's discussion. The first one is
12 separate and independent, and I've asked Herman if he would, to
13 kind of give us a baseline understanding of what we've got there,
14 and then we can open it up for discussion.

15 So Herman, could you enlighten us?

16 H. BOUNDS: I think we kind of talked about it a
17 lot during the presentation. I don't want to, Claude has said many
18 times, I don't want to be repetitive. I think most of us understand.
19 It's just that for us as staff when we're looking at you know,
20 separate and independent, and then the separate and independent
21 waiver, the first place we always start is under 602.14, you know,
22 because you have to figure out the category of the agency.

1 And so to get to whether they can apply for the
2 waiver or not you have to make sure that they are in that particular
3 category. And I think we kind of understood what that is, you
4 know, you have to be in A-4 to get to 602.14 A-4 to be able to
5 apply for the waiver. That's simply -- that's why people like HLC,
6 SACS, Northwest, even the nationals, that's why they can't ask for
7 waivers because they are recognized under 602.14 A-2 strictly.

8 Other than that, I mean we look at the, you know,
9 we look at all the requirements in D, and if they can meet those
10 requirements in D, of course they would meet separate and
11 independent. We will take all the comments that the Committee
12 made around separate and independent, and we'll incorporate that
13 into our reviews, and make sure we take everybody's concerns into
14 consideration.

15 I guess the trickiest one is 4, where it talks about the
16 agencies. The agency develops it, and determines its own budget,
17 if no review of consultation with any other entity or organization.
18 And again, for our call I think we had some situations where you
19 know, an agency might get a pot of money from someone, but then
20 we have to see how is wherever they're getting the funding from do
21 they have the authority to tell the agency how to use it, how it's
22 used in their budget, and those types of things.

1 So you know, when you look at the basic criteria for
2 separate and independent, it's pretty straightforward, you know, to
3 read through. I guess the other determinant factor too is the public
4 members, and you know we just want to make sure that they have
5 the proper, you know, amount.

6 If they have, you know, 13, they've got to have 2
7 because you're over the one-seventh. Some agencies wanted us to
8 break it down into decimal form and say you could have 1.83 if
9 you have 13. I think that's what that comes out to, so I mean we've
10 had those discussions too.

11 But I think that's it. It's all a little tricky sometimes.
12 I think the only tricky part is the determine its own budget, and
13 then number 4, which talks about the agency pays its own dues. I
14 guess they're all pretty significant. 1 is pretty significant too, but
15 we just try to determine whether they can meet that 13. And that's
16 been in the criteria since I think probably was it maybe the 98
17 amendment. It's been there quite a while, so it's not a new
18 requirement.

19 CHAIR PRESSNELL: All right. Thank you.
20 Questions? Debbie?

21 D. COCHRANE: Yeah, thank you. And you
22 know, I know we tried to move the discussion from the one agency

1 where we were talking about to a policy committee intentionally,
2 so I'm not going to name the agency that I'm looking at right now.
3 But I did want to put in, and I don't know what the right language
4 should be as folks are thinking about regulatory change, or how the
5 current regulations could be implemented.

6 But you know, in one of the agencies reviewed in
7 this meeting, you know, the financial agreement between the
8 agency and the association did say that the agency would
9 determine its own budget, but then it also said if there was any
10 shortfall in its budget, it would go to the association, and the
11 association would make up the gap, so there was a large grant that
12 was granted, and then but it was basically a blank check.

13 So I do think that that type of situation seems like to
14 be taken into account because the dynamics that it would create
15 even if on the face of it, it doesn't look like it would be a violation
16 of any of the provisions, you know.

17 If I have someone I'm looking to for a blank check,
18 I'm going to listen very carefully to the things that they say, and
19 I'm going to hesitate before I don't do the things that they would
20 like me to do. So I think there is some room for improvement.

21 CHAIR PRESSNELL: Great. Jen?

22 J. BLUM: Yeah, well I won't belabor on Debbie's

1 point except for just saying yes. I agree. I did make a quick list of
2 so Herman yes, clarity on your processes for what you do as being
3 separate and independent, and why you got there would be helpful
4 on the workforce.

5 From a regulatory standpoint I'm aware that the
6 policy folks are on the line today, which I appreciate. It feels like
7 there's regulatory room here to provide clarity and regulation as to
8 what the Department expects regarding separate and independent.
9 And I know, I wish to be honest with you, we learn something in
10 every meeting, but sort of as a verbal addendum to our policy
11 report I would say that this is an area that further definition around
12 that.

13 Ditto on the waiver. You know it strikes me that
14 yes, the agency can seek a waiver. The Department can also
15 provide a waiver it seems from the statute. And then finally, you
16 know, this is more statutory than anything else, but I want to put it
17 on record. That grandfathering from 1991 as I said during
18 comments earlier, was political in nature. It wasn't part -- a timing
19 issue, and at the time many, many years ago my personal view was
20 1991 was a long time, it's outdated.

21 And so whether there's necessary grandfathering or
22 not of any agency at this point for waivers, is something that

1 Congress should consider revisiting, so I just wanted to put that on
2 the record. Thanks.

3 CHAIR PRESSNELL: Great. Thank you Jen.

4 Yeah, I would you know, some of my experience has been that the
5 associations just so highly value the accreditation process that they
6 want to provide some support, financial support for it to occur. I
7 think that clearly demonstrating that that type of support does not
8 have any undue influence I think that's reasonable, you know, to
9 do.

10 But I think these points have been really good.

11 Bob?

12 R. SHIREMAN: I think my issue is more
13 regulatory than anything about the way the staff does their review
14 or anything. To me it matters separate and independent from
15 what? And I'm most concerned about relationships where it would
16 be the schools, or the programs that are receiving Title IV money
17 that would have some kind of undue influence because they've got
18 some kind of a connection, as opposed to when it is the profession
19 or the academic area, or whatever.

20 And that, like I'm not worried. In fact I kind of feel
21 that's a benefit to be connected to the profession, and not so reliant
22 on being the accreditation were that's your reason for existing. So

1 I think the connection to the profession is a positive thing,
2 connection to school can drive things in the wrong direction.

3 CHAIR PRESSNELL: Zakiya?

4 Z. ELLIS: Just to that point though, I think we also
5 saw some agencies where they primarily were coming from dues,
6 which is just coming from the members, which are schools, so
7 even though it's not a separate association, it has the same
8 implication to me. It's the primary source, and that actually doesn't
9 seem like all that unique, that actually seems -- so I'm just trying to
10 think of like what is the purpose of the separation and
11 independent?

12 And I get having the direct connection to an
13 organization whose whole purpose. But if at the same time you
14 have only 7 institutions, and if one of them is not accredited you
15 can't continue to operate as an agency because they're no longer
16 paying dues. That to me has the same implication of potential
17 undue influence that I think the underlying statute and regulations
18 here are trying to prevent.

19 CHAIR PRESSNELL: All right. Any other? I
20 didn't see, oh you did, you got it back up. Okay. Jen?

21 J. BLUM: I just want to react. So I hear Bob, and
22 I'm actually you know intrigued. And I can't remember if it was

1 Debbie and me, but having a side bar yesterday. This is about
2 striking the right balance. I think that you could go in a bad way
3 with the professional associations too. I know from my prior --
4 some prior work experiences of where I felt like the professional
5 association, some specialized agencies was too close, such that
6 literally the profession has quotas on how many students can be
7 graduated in a certain -- in certain fields in any given year.

8 So you can see sort of marketplace controls that
9 aren't necessarily a positive either from the industry side. So I
10 think it's about getting the right balance, and to Zakiya's point. So
11 I think whether it's called separate and independent, we need to
12 really figure out what the right balance is where there's some
13 comfort that the accreditors are working with some autonomy in
14 decision making and without undue influence.

15 CHAIR PRESSNELL: Yeah. I totally agree. And
16 again, I think it's a matter of in the review, making sure they
17 demonstrate that they are separate and independent, so. All right.
18 Any other comments on this particular issue? I actually did have
19 about four issues, and so okay.

20 The next one I also have asked Herman to give us
21 kind of a baseline for the discussion is the significant compliance
22 piece, and so I'm sorry, substantial compliance.

1 H. BOUNDS: I will give everybody a little history.

2 But I think I'm onboard with probably every Committee member
3 about in practice kind of what I think about substantial compliance
4 now, but. When the new regulations were being discussed several
5 years ago, you know, we put in place the two year review process.
6 I'm getting the substantial compliance, but we put into place the
7 two year review process.

8 And the goal was, we figured over that two year
9 time it would give the accrediting agencies more time to react, and
10 more time to demonstrate compliance, and the thought was that by
11 the time they got here they would kind of have zero deficiencies,
12 so we kind of seen that part of it didn't work out.

13 Yeah, but so then there was some discussions, you
14 know, this was all during the previous administration. We had
15 some discussions about, you know, we used to only have two
16 requirements, either you did it or you didn't. It was either fully
17 compliant or noncompliant. And that created a straight line.

18 Either you had policies and procedures in place, and
19 you demonstrated the application of those policies and procedures.
20 If you didn't do that then you were noncompliance, which made it
21 easy. So then we said well wait a minute though. If the agency
22 needs a piece of paper they have got to wait a year.

1 And so the thought was well maybe that's not that
2 well. So then the substantial compliance was put in, but I don't
3 think it doesn't appear now that you could write something in that
4 would cover all areas, and I think that's what's made the grade, you
5 know, with substantial compliance. Because it gives you an
6 option, but sometimes all the options, you know, don't fit.

7 I think most of my staff now would say if we had it
8 all to do over again, we would probably have recommended,
9 because that's all we could have done was recommend anyway.
10 We would have recommended that you're either compliant, or
11 you're noncompliant, and you just have to deal with the
12 compliance reports.

13 So that's kind of the history of where substantial
14 compliance came from. You know I read the definition yesterday,
15 but as you have seen there's just certain situations that you know,
16 that don't fit. And now that we have this caveat of substantial
17 compliance, that makes your mind try to think of ways.

18 You know, honestly it makes your mind try to think
19 of ways to either use it or not use it that won't cause questioning of
20 your use of it if that makes any sense. So again, I think it was
21 probably a good thought out idea. I just think now operationally
22 it's a little problematic, and that's the staff opinion of substantial

1 compliance.

2 CHAIR PRESSNELL: I think we would generally
3 agree with that. Comments?

4 M. PETRISKO: I think you know what I think
5 about substantial compliance, and I totally agree. It's yes or no.
6 What I don't understand is why there couldn't be a gradation in the
7 compliance reports, so that it would be, you know, if this piece of
8 paper is missing the report is give us this piece of paper. The staff
9 sees it. We have the piece of paper that's done.

10 So why would every compliance report have to
11 come back to this body. That doesn't make any sense to me, and if
12 that could be fixed, then you could get rid of substantial
13 compliance.

14 H. BOUNDS: It's just the way now because
15 remember we're recommending the compliance report, so the only
16 one that can actually say that an agency has to provide the
17 compliance report of course is the SDO, and once the way the regs
18 are written now, any compliance report just has to come back to
19 NACIQI. That would have to be readjusted.

20 M. PETRISKO: That's exactly my point.

21 H. BOUNDS: Yeah. You got it.

22 M. PETRISKO: Change that piece of it so that it's

1 clear. These compliance reports could be reviewed by staff and
2 don't need to come back to this Committee.

3 H. BOUNDS: Yeah.

4 M. PETRISKO: And others would come back to
5 this Committee.

6 H. BOUNDS: Yeah.

7 M. PETRISKO: That makes sense to me.

8 CHAIR PRESSNELL: Zakiya?

9 Z. ELLIS: Just a clarification on this. Are there
10 times when we just ask for a monitoring report that does not then
11 come back?

12 H. BOUNDS: And that's the monitoring report can
13 only at our level, the monitoring report can only be used in a
14 situation of substantial compliance, yeah.

15 Z. ELLIS: So it seemed like those two things went
16 together in my mind. You're substantially compliant, then you get
17 a monitoring report, which doesn't come back to NACIQI.

18 H. BOUNDS: Right.

19 Z. ELLIS: You know, and so I don't know that I
20 see it as that problematic if that is kind of the times where they're
21 to be paired together. It doesn't always have to be paired in that way,
22 but it seems like that's often what would happen.

1 CHAIR PRESSNELL: Jen?

2 J. BLUM: Zakiya, I've been struggling with this
3 too, but I'm where Mary Ellen is I've landed because we spend a
4 lot of time debating sort of the nuance, and we did this yesterday,
5 but the nuance of substantial compliance versus noncompliance.
6 And if we had the ability to say noncompliance, but then the sort of
7 corrective actions were with gradations, we could even call it a
8 monitoring report versus a compliance report.

9 I think it would be a lot more clear in terms of
10 expectations on the part of the agency, and the public, and what
11 our own conversations of struggling to get to point A and point B.
12 So some of this is purely for terminology if you will, as long as we
13 have the you know, the sort of gradation of level of corrective
14 function piece that Mary Ellen is pointing out.

15 CHAIR PRESSNELL: Okay. Zakiya came back
16 in, and Mary Ellen did too, but Mary Ellen since your name was
17 invoked, you get to speak first.

18 M. PETRISKO: I am just going to throw an idea
19 out there that I've mentioned to a couple of other folks in the
20 Committee, and that is you started with the issue of two years, so
21 that everything would be straightened out in the meantime. The
22 two years have proven to be challenging in that by the time we get

1 the information it's old.

2 Could we just have one period of review by the
3 staff, and then we get it and whatever was noted by the staff was
4 not being in compliance, they have a chance to address when they
5 come, and then we get stuff that's actually more current. They
6 don't have to go through two reviews, you don't have to go through
7 two reviews.

8 I know in some cases it would be very messy
9 because one of the agencies that I looked at today, there were 73
10 do not meets in the first review, which were reduced to 7 in the
11 second review. I wonder whether the agencies would be sure there
12 weren't 73 do not meets in the first review if this process were
13 changed.

14 And I know that's a really big question, but I just
15 wonder.

16 CHAIR PRESSNELL: Yeah. And I'm going to let
17 Herman, that seems incredibly complicated to me to do that.
18 Because almost all the agencies, unless again they view it
19 differently, but sometimes it's just timing, and getting things in.
20 One time we had a problem with just getting documents uploaded.
21 They did agencies, and then they were able to -- but
22 they kind of, but anyway, I understand the timeliness. Herman, do

1 you want to respond to that?

2 H. BOUNDS: Yeah I will. So you know what
3 happens. They submit, and then the staff gets about a year to
4 produce the draft staff analysis, and people say that's a long time,
5 but we've increased our observation requirements. So once we
6 then produce the draft, then the new regulations says you have to
7 give the agency that 180 days.

8 Now everybody here would think if there were any
9 issues that within that 180 days, they should be able to submit
10 something that's pretty comprehensive to fix the things that we
11 found wrong. The problem is we have seen that not happen. You
12 guys don't see it, but there have been times when we've uploaded
13 stuff, you know, a week before the meeting, just to try to get new
14 information in.

15 The problem with that is once they give us
16 something we have to analyze it, and sometimes that works out to
17 be the agency's detriment, because they will give us something that
18 makes absolutely no sense at all. And then we have to then go
19 back and change our findings, and you know, you're reading all the
20 documentation. You want to make sure you don't miss any.

21 But that's really the problem. A lot of our staff,
22 we're in agreement with if we could shrink the recognition period

1 back down, maybe even to 18 months or so, but we can't do that
2 and still require all the things that we have to do, the file reviews,
3 the site visit observations, and the Commission meetings. If folks
4 would say yeah, you can reduce some of those things, then we
5 could you know, kind of try to frame a new review period, but in
6 today's time everybody wants us to look at so much stuff, you
7 know, and they say you know staff how did you miss this?

8 You didn't see this. And I will say, now my staff is
9 going to shoot me. I will say that having to do all those
10 observations does help us capture more information about what's
11 going on outside. And then we can bring that forward. Now we
12 still don't get everything, but we do get more than we used to get.

13 I think you've all have seen that sometimes in the
14 past when we were under the one year system where we had six
15 months, the agency had six months, we would come to a NACIQI
16 meeting, and something would have happened that we didn't get to
17 review. That's a little less now. I mean you can't prevent that
18 totally.

19 But that's the reason. I think we were all wanting to
20 try to shrink this thing down, but with the expectations that the
21 Department has for us to kind of be aware of things, it's going to be
22 hard to do it unless folks will understand we'll have to reduce some

1 of those observations, you know.

2 And if that would be the case we could talk about
3 maybe you know, two years to 18 months, or something like that.
4 Real quick, the other thing I would say, the other one thing that
5 two years does provide is when we are in the one year review
6 period, we would go on a site visit, and we would see the site visit
7 for a school, but we would never get to see the corresponding
8 Commission meeting.

9 So we were never able to see the closed loop in the
10 one year timeframe. So we would be reporting on the site team's
11 actions, but then our observation of the Commission meeting
12 would be for something else, and so there was a hole there in those
13 timeframes, so that's it.

14 CHAIR PRESSNELL: Yeah thanks Herman.
15 Zakiya?

16 Z. ELLIS: Just one point on the substantial
17 compliance versus noncompliance. It sounds like what Jennifer
18 and Mary Ellen are suggesting, which I don't know that I'm
19 completely comfortable with is that you would want to find
20 someone noncompliant, but then ask for a monitoring report which
21 doesn't come back to NACIQI.

22 And I don't know that if we really do think that

1 something is noncompliant, that it shouldn't come back to the full
2 body. So I think if you think it's substantially complaint, and it's
3 almost good, just get that piece of paper, then no, don't come back.
4 But if we really think it's noncompliant I'm not sure why we
5 wouldn't want them to come back.

6 CHAIR PRESSNELL: Well first, wait a minute.
7 Jen's having a heart attack over there, and Mary Ellen too.

8 J. BLUM: Yeah. I think Mary Ellen and I aren't
9 saying that. We're saying that in the context of noncompliant you
10 could have different levels of how to solve the problem. So if it
11 were just a piece of paper, you would have a monitoring report. If
12 it were a bigger situation you would have a compliance.

13 Z. ELLIS: Saying you're noncompliant and it has a
14 monitoring report which doesn't come back. That's what you just
15 said, noncompliant. And it's only a little bit noncompliant, which
16 doesn't come back. To me, it's like if it's substantially compliant,
17 then you could have the monitoring report. We don't have to go
18 over and over this, we're not voting on anything, but I do think I
19 just disagree.

20 And it's also it doesn't -- not to lessen the
21 importance of NACIQI, but the difference is really what is the
22 action that you're asking from the agency? And I'm trying to

1 figure out what is it that we are trying to prevent on their behalf, or
2 change on our behalf. And I think it is things that are minor
3 coming back to the full body, but maybe I'm misunderstanding.

4 CHAIR PRESSNELL: Well just to be clear here,
5 this conversation is good for the SDO. We are going to affect no
6 change, you know, so the bottom line is I think it's just clarity of
7 understanding. I really like the way you tied together -- yeah,
8 yeah, the substantial you know, with the monitoring report versus
9 noncompliance with a compliance report, so that was good. Mary
10 Ellen? Yeah?

11 M. PETRISKO: Listen to the staff. They don't like
12 it. It doesn't work.

13 CHAIR PRESSNELL: Oh, and I'm fine with that
14 and I understand. I'm saying that this body can make these
15 comments, but we're not going to affect the change on this one,
16 and the staff is not going to affect the change on this one, it takes
17 something beyond all of us at this point.

18 But I think we've given some really good advice on
19 it. Jen?

20 J. BLUM: Yeah. I'm not raising it, I mean with all
21 due respect, I'm not raising it for the SDO's listening today, it's not
22 going to affect decisions or anything like that. I'm raising it

1 because the Department is interested in making potential policy
2 changes in regulation, and so I think it's incredibly timely that I
3 think that the Department recognize and hear from its own staff,
4 but also from NACIQI.

5 Even the fact that we're disagreeing it took me --
6 shows some level of discomfort with the current situation, and I
7 think that's just important to have on record today, so that's the
8 reason for you know, spending time on it. I think we all know that
9 the SDO, you know, that that's sort of an administrative issue in
10 terms of what we have today.

11 CHAIR PRESSNELL: Right. Yeah, no, and I
12 appreciated the discussion. I just didn't want to get so deep into
13 the weeds that like we were under the false assumption we were
14 going to change it today, so and I know that you didn't feel that, so
15 are we okay to move on to the next topic?

16 All right. So the next topic that -- oh Kathleen?

17 K. ALITO: I'd just like to think about it in terms of
18 two of the major agencies, yes today. Northwest, North whatever
19 it is, and today with the dieticians. In both cases, they ended up
20 with things that they have to address, but I felt more assured
21 yesterday that those things would be taken care of, whereas today
22 I'm not so sure that the things would be taken care of. So is one a

1 monitoring and the other?

2 CHAIR PRESSNELL: No. They're both
3 compliance reports. They have to demonstrate that they have
4 executed the policy.

5 K. ALIOTO: But the policies were not of the same
6 weight.

7 CHAIR PRESSNELL: Well the number of findings
8 were not at equivalence either. I mean the findings for the dietetic
9 group were very lengthy and significant, and very pointed about
10 the Title IV piece as well, so.

11 K. ALIOTO: Whereas yesterday I just thought it
12 was not a serious, it wasn't going to impact as many people in a
13 disastrous way. I mean today I was kind of shaken by what was
14 going on.

15 H. BOUNDS: I mean everything that we found that
16 in a noncompliant status, they're going to have to come back and
17 fix, and that's why I made the statement about you know, if you're
18 a Title IV gatekeeper, we look at you under the microscope just
19 like we do the big folks.

20 So everything that they were found noncompliant
21 for they've got to come back. We went the additional step in
22 recommending that limitation because we want to make sure,

1 Kathleen to your point, we want to make sure that they can carry
2 out these functions before the phrase, before the gloves come off,
3 and you can then go out and accredit multiple programs for Title
4 IV purposes. We wanted to make sure that you can demonstrate
5 that you can do this with, you know, that one current program that
6 you can go back and re-review them, or however you have some
7 sort of special review.

8 But we want to make sure that you can apply and do
9 all those, apply those policy changes that they told you that they
10 made. And we want to make sure that they do that before we
11 allow them to go out and start accrediting other programs for Title
12 IV purposes. And then there was a training piece too.

13 CHAIR PRESSNELL: Yeah. I think that's a good
14 distinction. I mean we put them on hold for Title IV accreditation
15 until they demonstrate so, any other questions? All right. So the
16 next item I had on here deals with the dashboard. It was asked,
17 you know, that we could put it in here.

18 I'm wondering if maybe Wally you could just kind
19 of give us your thoughts on what you've learned during this
20 meeting, and possibly what the next steps might be. And I know
21 that you and Brian Fu have really been burning up the text line as
22 well, but could you just help us think through what might be next?

1 W. BOSTON: Well obviously, well I don't know
2 that it's obvious, but I'm going to reconvene my subcommittee for
3 a call with Brian. You know, this is a work in progress, and
4 clearly our Committee spent a lot of time, more than a year looking
5 at data available, including going beyond the regular database that
6 the old dashboards were based on, including data from the DAPIP,
7 I'm not sure how the Department pronounces it, the database that
8 has CIP codes.

9 And I would say preliminarily you know, I
10 remember the old in the days when you know, we didn't have a lot
11 of cable and your television came on the air and it said technical
12 difficulties. There are some technical difficulties, not due to Brian,
13 but there's just some technical difficulties in reconciling CIP codes,
14 and CIP codes being too broad.

15 I mean, in one case we had CIP codes that we're
16 looking at an agency that you know, approves doctoral programs,
17 and we're including in that same CIP code, you know, nurses that
18 are not in doctoral programs, so you know we couldn't get the
19 appropriate matching of debt to earnings for you know, because we
20 didn't have a specific enough CIP code.

21 I believe that was the one reason for the one, and so
22 we're just going, and then in another instance we had an agency

1 that still was treated -- the dashboard was only showing data for
2 the six standalone institutions, but I believe it accredited 329
3 programs, and we had no data from that. So this is a work in
4 progress. I think we need to talk about some of the bigger issues.

5 I would really love to see data get specific enough
6 so that you could actually granularly go into individual degrees and
7 the appropriate degrees, and not a broader field. I don't know how
8 long that will take, but you know, we're I think we're going to
9 regroup. We're going to have at least one meeting and talk about
10 strengths, weaknesses, and probably issue, and I'm just talking.

11 I can't say that I represent the rest of the
12 subcommittee, but probably issue a paper sort of evaluating our
13 first cut at this. Okay, this is our first cut at expanding the
14 dashboards from where they were before, and this is our
15 preliminary observation with the agencies who came in who did
16 get the data in advance, most of which didn't have time to
17 comment, but a few of them had some observations as well.

18 CHAIR PRESSNELL: Yeah. And I appreciate that
19 very, very much. And I definitely again want to applaud you for
20 the work you are doing. And I think that it's definitely stimulated
21 good discussions with the accrediting agencies, so I think that's all
22 been good, but thanks for your continued work on that.

1 And also, just again a sign of appreciation for both
2 subcommittees, and the reports that came out. It's just been
3 incredible, so. Any comments to Wally, or about the dashboard, or
4 do we want to just -- oh David, thank you.

5 D. EUBANKS: Yes. Just very briefly. You know,
6 the work with the dashboard has been really productive, and
7 Wally's done an amazing job as his role of Chairman in perpetuity
8 as you mentioned. And I think in some of our conversations lately,
9 we're thinking of the second track, which is one of the original
10 charges way back then.

11 You know, which is to engage with the accreditors,
12 figure out how they might view and use this data, or their own
13 version of it that they're creating. So I hope what will happen is
14 we will start to have conversations with them about this topic
15 much like we did with the other couple of subcommittees we've
16 had recently.

17 CHAIR PRESSNELL: Yeah, thank you David.
18 Bob?

19 B. SHIREMAN: And I will just add to that, that is
20 with Dave's help, exactly the kind of recommendation we made in
21 the subcommittee report, so that part of the process would change
22 regulation, would be asking the agencies take a look at what's on

1 the dashboard, what do you think? What other data do you have to
2 kind of prompt that? You know, what other data do you look at?
3 Do you have? And at least get more thoughtful commentary from
4 the agencies here when they appear.

5 CHAIR PRESSNELL: Very good. Very good.
6 Kathleen?

7 K. ALIOTO: Can that be included in the
8 government report when the next meeting goes out? Could that
9 request to the agencies to find out what?

10 R. SHIREMAN: Like in the Federal Register, or
11 something like that.

12 K. ALIOTO: In the Federal Register. I don't know
13 with my words today.

14 R. SHIREMAN: Yeah. That's a good question.

15 K. ALIOTO: I'm like my one year old grandson,
16 only he's better.

17 CHAIR PRESSNELL: I think George?

18 G. SMITH: I suspect that we could probably do
19 that, but I'll check in with OGC just to make sure. Thanks.

20 CHAIR PRESSNELL: Okay. And let me say too
21 that it's obvious that the agencies pay attention to the Register,
22 because I was so impressed with how many of the agencies were

1 very brief in their introductory comments, and went directly to
2 responding to the report. And that I want to encourage all of those
3 who are still online with us, please continue that practice because it
4 saves us time and keeps us focused, so thank you George, for
5 doing that for us.

6 The next two issues, actually Jen, you gave this to
7 me kind of in an email, so let me just pick one off. You had asked
8 about the final summary reports, and what are your thoughts on the
9 final summary reports?

10 J. BLUM: Yeah. I mean this is really more
11 administerial than anything else, and I don't know if it's Monica
12 Yassa, or Ku, but and this is like literally would be a timesaver,
13 and this is just me talking. But on the final summary reports,
14 which I'm sure we all rely on a lot. It goes right into the it has the
15 regulatory citation what the issue presented it, but it doesn't
16 literally name it.

17 And I know that sounds really lame. For example,
18 if the problem is, you know, 602.16 A-1, I happen to know what
19 that one is, but if it just said next to it student achievement
20 standard, and then -- because sometimes the summary goes right
21 into the problem, but it doesn't give, and I know it cites the statute,
22 the regulation itself, but literally if there were headers, you know,

1 in the summary report of what the problem was.

2 And I know that sounds really like lame.

3 R. SHIREMAN: I'm so excited you have that
4 problem also, because I feel like you know all the numbers.

5 J. BLUM: Oh yeah.

6 R. SHIREMAN: And I'm always like I don't know
7 which that is, and have to look it up. No. I totally agree.

8 J. BLUM: Bob, I'm so happy. Thank you for the
9 support.

10 CHAIR PRESSNELL: All right. I think it's been
11 well noted actually.

12 R. SHIREMAN: All in favor say aye.

13 CHAIR PRESSNELL: Not only, but you even got
14 Herman out of his seat on that one, so I think that can be, thank
15 you. So, another issue is sub change. Jen, you want to talk about
16 sub change?

17 J. BLUM: Yeah. So like I said a couple minutes
18 ago, I feel like you know, I feel like I've been doing this for a long
19 time, but I learn something new at every meeting, or at least have
20 my memory refreshed. And so the other day, I can't remember if it
21 was yesterday or the day before at this point.

22 But on sub change the regulations as Herman

1 reminded me, and all of us, are applicable to institutional agencies,
2 institutional accrediting agencies, but not to specialized. Now I
3 know a lot, and I know this just from my own practice.

4 I know that a lot of specialized accrediting agencies
5 have their own, and we've heard this actually in the last couple
6 days, have their own sub change policies, many of them mirror
7 what the regs, you know, they consider the same types of actions
8 or activities to be sub changes, what is reflected in the regulations.

9 I asked Angela yesterday, and I went myself to the
10 statute, to see you know, is that applicability of sub change to
11 institutional accrediting agencies only something that's in the
12 statute, or is that something that's in regulation only. And Angela
13 sort of confirmed, and I'll ask Angela to jump in in a second,
14 confirmed what I thought was the case.

15 Which is the word sub change, substantive changes
16 in the statute, there are certain actions that are in the statute like
17 change of ownership, and change of control that are considered in
18 statute, but a lot of this is at the discretion of the Department of Ed.

19 And as we said in our policy report you know, the
20 list of issues that are considered sub change, and who considers
21 them, staff versus Commission, is one issue. I wish I had sort of
22 thought about this when we were drafting the report. I did not. I

1 do think that there's something to be considered around the list of
2 issues and whether some of them, not all of them, but some of
3 them are appropriate for programmatic specialized consideration as
4 part of their recognition criteria.

5 So Angela, I don't know if you want to expand upon
6 your findings of sort of where the regulatory, I'm just not sure I got
7 the wording set.

8 A. SIERRA: Sure. I can do that really briefly with
9 the understanding that I really can't answer the question today,
10 other OGC divisions, and other offices in the Department would
11 have to be involved if NACIQI wants to suggest that the
12 requirements in 602.22 for sub change could be potentially
13 expanded to apply to purely programmatic agencies.

14 You know, so that's not a question I can answer
15 today. NACIQI is certainly free to make its own
16 recommendations. I just pointed out that there are provisions in
17 the statute. I pointed out to Jennifer, that let's see it's 20 USC 1099
18 B, paragraph C talks about a number of items that apply to
19 institutional accreditors, and specifically ones that are titles for
20 gatekeepers I think.

21 And so, 1099 B, C4, relates to the establishment of
22 a branch campus, and a 1099 B, C5 to changes of ownership and

1 control and branch campuses. Those are types of substantive
2 change. Whether you now, some of the other ones that are listed in
3 602.22 could be applicable to purely programmatic agencies, is a
4 question that would require further research and discussion with
5 other people at the Department beyond me, but thank you for
6 raising it Jennifer.

7 J. BLUM: Yeah. I, and again the reason I'm raising
8 it today is mostly because so the Department can hear, you know,
9 if there's going to be a rule making, and I know that's an if, but if
10 there's going to be a rule making, this strikes me as something
11 along the lines.

12 It's not that far remitted from what our
13 recommendations were, which is the review of the list of sub
14 change and whose responsibilities they are. And I'll just give you
15 an example.

16 You know, the degree -- changing a degree, or
17 adding a program, you know, that's in a field of study that's already
18 being reviewed by, or already being accredited by specialized
19 accreditors, in some instances it strikes me that the institutional
20 accreditor, while it might be good for them to review the sub
21 change, they're not going to have the level of expertise to really dig
22 in to whether that's a good substantive change, or bad substantive

1 change.

2 So I was sort of surprised to know that the
3 specialized wouldn't be required, they might do it under their own
4 standard, but that they might not be required to do so under the
5 recognition criteria. So that's, and it's very esoteric, but I did want
6 to just raise it as an additional policy thought.

7 CHAIR PRESSNELL: All right, thank you very
8 much Jennifer. Bob had a question about federal link, or bring it
9 up?

10 R. SHIREMAN: Yeah. I wanted to, it's been really
11 interesting hearing different agencies, and hearing the staff kind of
12 grapple with the federal link question. One of the things we
13 realized as we were looking at this in the context of the
14 subcommittee was that there are programmatic agencies that really
15 want the Good Housekeeping seal of being able to say that they are
16 federally recognized.

17 And in order to get that, they have to find some, so
18 let's say they're not a Title IV gatekeeper. The purpose is not like
19 they have schools that are coming to them and saying we really
20 want access to Title IV. Instead, it sounds good to say we're
21 federally recognized.

22 It's kind of saying, you know, we're the official one.

1 So they have to find some federal agency that will say oh yeah, we
2 need this for your application for some grant program, which we
3 see a lot of in healthcare fields. Some of them kind of questionable
4 links.

5 But if they're not able to find a link from some
6 federal agency, the way they can do it is to find some school that
7 will say oh yeah, we need this for Title IV. And I don't know that
8 we're seeing some of that happening, but the more -- what we
9 realized in doing the subcommittee report was the more kind of
10 strict and difficult.

11 We are on the kind of other agency, the more we
12 may find agencies that are like, oh that are becoming Title IV
13 gatekeepers, which is not necessarily something that we really
14 want, because we know that being a Title IV gatekeeper, it takes
15 more work, and creates more danger in terms of use of federal aid.

16 It was also pointed out, I think maybe it was Debbie
17 that pointed this out, that a lot of states in certain areas in their
18 state licensing say that they want accreditation by an entity
19 recognized by the Secretary of Education, which is not a federal
20 link, but it's a state link.

21 So I kind of wanted all of this in the record because
22 maybe it's an area for some regulatory attention. I'm not sure. We

1 didn't make much of a, you know, we didn't kind of grapple with
2 this fully, but it was just sort of an interesting dynamic that I think
3 we're seeing sometimes when we talk to agencies.

4 CHAIR PRESSNELL: I think that's a good point,
5 so any comments or questions about federal link? Zakiya?

6 Z. ELLIS: I was trying to bring this up, but I'm not
7 sure if it's really appropriate here, but since we're having
8 tangentially, and maybe this falls into another discussion.

9 But just to point, is as the Department starts to think
10 about opening the regs, and to the extent that some of this needs to
11 be clarified in statute, or perhaps new things added in the statute,
12 just note that when we were talking about the dashboards and data
13 around particularly affordability, debt levels, et cetera, several
14 times.

15 And we asked the agencies about them, the first
16 time that they looked at this data, it was just very clear to me that
17 that is not something that is top of mind for these agencies. It's
18 like how much students pay, what their debt levels are coming out,
19 you know. And we've seen that at varying levels for different
20 agencies.

21 And I don't necessarily say it as a critique, like
22 they're so bad that they don't care about this. I just realized it's

1 actually not part of the standard. So when you think about like
2 what should I be. I'm spending lots of time thinking about my
3 board members, and whether I have enough public members, and
4 I'm spending lots of time thinking about, you know, what is the
5 federal link that I have, or what you know agency needs to give me
6 a letter, or all of the other things.

7 Because they're actual standards that they have to
8 adhere to, and there's nothing about that piece. And so I will say to
9 you on tribal I think colleges need to be more responsive to the
10 needs of students in that particular area, but the fact that it's not
11 required at all in their accreditation processes I think are part of
12 that, so I'm just sharing this with air, as we talk about the federal
13 link to whoever may be listening that that may be something we
14 want to consider in the future.

15 CHAIR PRESSNELL: Well we've already
16 recommended that it go into the Register, so you know, and
17 obviously you're going to have a difference between Title IV
18 gatekeepers and programmatic that, you know, from a
19 programmatic standpoint it would be great for them to look at it,
20 but, nevertheless.

21 Z. ELLIS: I think it's not just about Title IV. I
22 think just my general philosophy on this though is as someone who

1 offers an academic program, were there no federal -- if you had to
2 do this on your own, if you were like opening up a piano school,
3 you would be trying to figure out how are -- who am I getting to
4 pay for my piano school even if I just believe in piano education,
5 unless I'm independently wealthy and offering that.

6 You would need to think is this something that
7 would be \$20.00 an hour? How do I charge for that? And the fact
8 that it is -- and not only the federal aid, the loans, that adds a whole
9 other layer of complication. But if someone is offering any kind of
10 program or service, you should be thinking about how people are
11 paying for that, and what is a reasonable price to charge as part of
12 how you structure it.

13 And it is so disconnected from the thinking of many
14 of these folks that it really, really disturbs me to my core because it
15 is heightened the fact of loans and all of that. So just again, as just
16 an educator, as anyone you think of like oh, we don't need to think
17 about that. People think about that when they offer services. In
18 general, it's part of how you should be thinking about structuring a
19 program regardless if its linked to Title IV or not, in my opinion.

20 CHAIR PRESSNELL: I totally agree, and I think
21 you misunderstood, but that's fine. Debbie and then Bob.

22 D. COCHRANE: So this might seem a little bit

1 tangential, but I wanted to pick up on something that Bob just said
2 about how other agencies and states and otherwise do rely on
3 accrediting agency determinations because it's absolutely true.

4 The notifications that are under 602.26 are a critical
5 way for regulatory agencies to coordinate with each other to stay
6 on top of what they're doing, and make sure that we're coordinating
7 in our own regulating entire universe of institutions.

8 I am concerned that the type of situation we talked
9 about with one of the agencies today does not actually fall within
10 the scope of the required notifications, and that's the reduction in
11 the accrediting term. It does not look to me like it is in the letter of
12 the regulation. It does not look to me like that was actually in the
13 policy manual of the agency we were discussing.

14 So just for me personally in my day job role, this
15 would be very disturbing to me if an agency reduced the term of an
16 institution, and my agency was not aware of it because our
17 approval for that agency and our oversight relies on a specific date
18 of when that accreditation term is going to end.

19 If that is not clear to the Department that those types
20 of situations would fall under this language, I think that that is
21 worth considering modifications.

22 CHAIR PRESSNELL: Thank you. Bob?

1 R. SHIREMAN: Just following on Zakiya's point.
2 Wanted to -- as an example LCME is a programmatic accreditor,
3 but obviously medical school debt is a huge issue that they should
4 be paying attention to, and it's actually hard to get at in the context
5 of the former regionals, where most of these med schools are
6 because most of their students are actually just undergraduate
7 students, and they have many programs, but it's really the
8 programmatic area that both is the cause of and the place for
9 discussion about the amounts of debt, even though they're not the
10 gatekeeper.

11 I will mention that there was in the 1992
12 reauthorization, there was the inclusion of something about prices
13 and debt or tuition levels or something in accreditor reviews, and
14 then a question from one of the accreditors went to the Federal
15 Trade Commission about does that create anti-trust problems were
16 accreditors are -- if accreditors are made up of schools, that they
17 then you know have issues with that.

18 So it's not that it can't be done, but when you have
19 accreditors made up of schools then you have potential issues
20 around that.

21 CHAIR PRESSNELL: All right. So I have Jen,
22 then Wally, then Mary Ellen, so Jen you're up.

1 J. BLUM: Yeah, I just want to go back to
2 something Zakiya said. So I do think that once gainful is out the
3 accreditors will have -- probably pay more attention, so I did want
4 to just mention that. I think there might even be language in those
5 regs, but I suspect that even if there is a full, that will probably get
6 a lot of their attention.

7 So I did want to mention that, and then on Bob's
8 point on the federal link. So it's why I -- so one of the things is
9 slightly different but related I think as to what you're saying Bob.
10 On the last agency is why I asked the question of okay I get that
11 you are only the gatekeeper for one, but there's a lot of Title IV,
12 you know, across your other programs.

13 And I really, I mean personally I will say, I really
14 struggle with this issue on the federal link. Like you only need one
15 to be a link. But once you're in there's a whole bunch of Title IV.
16 Just because you only have one school doesn't mean there aren't a
17 whole bunch of Title IV programs and dollars that are related.

18 And so you know, I just don't know how to beef up
19 the understanding of the accreditor, and the specialized accreditors
20 that the level of responsibility, and I really feel like there's a
21 symbiotic relationship or should be, a symbiotic relationship
22 between institutional accreditation and programmatic accreditation

1 that sometimes is lacking.

2 And with all due respect to the specialized and
3 programmatic, I sometimes feel like you know, somehow they
4 don't feel like quite the level of responsibility, and they in my view
5 need to.

6 W. BOSTON: Thanks. I'm just going to add this
7 for the record, commenting on Zakiya and Bob about affordability
8 and levels of debt. I've noted as part of our subcommittee's work
9 that in trying to reconcile accreditors, to me using the AMA or the
10 ABA as examples, actually it's not the AMA, but the L whatever.

11 That there doesn't seem to be a process to have teeth
12 in it when a school will submit their graduation records as Ph.D.
13 instead of first professional degree. So you know, in trying to
14 reconcile for example, there are law schools that seem to be
15 submitting their data at a Ph.D. program instead of a J.D.

16 And the same thing for medical schools, so that you
17 don't get the match in that college scorecard reported graduate data
18 of income to debt. And while it's not a vast majority of it, it just
19 seems to me there's not enough teeth there that we ought to be able
20 to, if that's noticed they should be forced to correct that data and
21 not wait a year.

22 CHAIR PRESSNELL: Mary Ellen?

1 M. PETRISKO: Those of you that are much better
2 with the data analysis with regard to the financial debt than I am,
3 maybe can answer a question for me. And that is students often
4 borrow more than the cost of their education for living expenses.
5 And especially if the graduate level when the students have taken
6 more than one degree, and everything is added up into their final
7 debt load.

8 Is there some rule of thumb by which one could say
9 okay, this actually needs to be discounted by this much because
10 generally speaking when students are borrowing for education
11 they're borrowing above and beyond the cost of the education for
12 living expenses, et cetera.

13 So I don't know what we're really looking at when
14 we look at that one big number, especially big numbers for medical
15 students, dentists, you know, people have gone for multiple
16 degrees, above the responsibility of the institutions for that debt,
17 and just how to understand that.

18 So has there work been done to kind of split those
19 things out? What's the real cost of education compared to what the
20 debt loads are?

21 CHAIR PRESSNELL: Jen has her hand up. You're
22 muted. You're fine.

1 J. BLUM: Oh, I thought I was fine. Under I can't --
2 Wally can speak to what's going on with the dashboard, but on
3 gainful, years ago this issue was raised, and so the Department, its
4 tuition and fees. So for gainful employment debt to earnings
5 metrics, which I assume Brian is using for the dashboard too, is
6 tuition and fees. They exclude living expenses.

7 CHAIR PRESSNELL: I don't see how they could
8 do that Jen, myself. I mean being a financial record -- that's nearly
9 impossible.

10 J. BLUM: Yeah. It's self-report. Well, I mean
11 somebody at the Department might be able to speak to this better
12 than I, but it relates to Gable -- not talking dashboard, but for
13 gainful purposes, it relates to the reporting by the institution.

14 M. PETRISKO: So the institution could pull up
15 that number, pull up those numbers for -- that's really my question.
16 Can anybody do that?

17 J. BLUM: You know under Gable it's the lower of
18 the amount of the debt were tuition and fees.

19 CHAIR PRESSNELL: Okay. I think that there's --

20 K. ALITO: That doesn't include living expenses
21 and housing and food.

22 CHAIR PRESSNELL: Yeah.

1 K. ALITO: Which is what part of them are using
2 the money for.

3 M. PETRISKO: So my point is just let's make sure
4 that we know what we're talking about with regard to debt and
5 institutional responsibility and how the other things are figured out.

6 CHAIR PRESSNELL: Well, and one of the things
7 I'd like to add on that is that institutions can only tell a student how
8 much they're eligible for. You cannot tell a student not to borrow.
9 So it's against the law for a financial aid officer to say you
10 shouldn't take out this loan. So that's always been a little bit of a
11 burr in my saddle as it deals with institutional responsibility when
12 under federal regulations we can't tell them to borrow less, so. Let's
13 see Roslyn and then Zakiya.

14 R. ARTIS: So my burr is under the saddle as well
15 as yours. We certainly do tell them.

16 CHAIR PRESSNELL: Could you talk into the mic,
17 sorry.

18 R. ARTIS: We certainly do attempt to tell them
19 they should not borrow as much, but we can't prohibit them from
20 borrowing, which is critically important. And the current gainful
21 employment rules as written, do not distinguish with clarity
22 between tuition and fees and total borrowed debt, which is the

1 challenge. You cannot exercise control over poverty. Until we
2 solve that problem we can never have a fair comparison of debt to
3 income ratio that does not control for the needs of the student.

4 And I will continue to say this until I turn blue and
5 pass out. I don't see how right thinking; intelligent people can
6 think this is a fair fight. This is ridiculous.

7 CHAIR PRESSNELL: Very good. True. Zakiya?

8 Z. ELLIS: Yeah, and my point in raising this wasn't
9 for us to become the negotiated rulemaking roundtable for gainful
10 employment, but I do -- Roslyn raised such an important point
11 yesterday when we were talking about student achievement, about
12 how, you know, bright lines don't allow for nuance.

13 And this is one that is a nuanced conversation. The
14 point that I was simply making is that folks were looking at this as
15 this is the first time I'm wondering about how much -- and that is
16 alarming, so you should have a nuanced conversation about so it's
17 not to say that we should be telling institutions or accreditors if
18 your debt to income ratio was over this, that you can't.

19 That's again another process, but just to say it seems
20 bizarre to me that they are so in the weeds of every other aspect
21 except for the one main thing that when you are a student you are
22 trying to think about just as much as what is the quality of this

1 education, how much is it going to cost me? And so I raise debt
2 just because that's often a piece of it, but frankly again, taking the
3 federal financial aid out of it, even if this was privately financed,
4 wholly right? Like you would be having a conversation if you
5 were the realtors association you care about how much do houses
6 cost for people? How are people paying?

7 Not just what's the quality of the house? Is the
8 house made of wood or brick? It's like no, obviously the house
9 like the price of the house matters, so I just was very in reflecting
10 on the conversations, really disturbed that that wasn't a bigger part
11 of how people think about the process of accreditation.

12 CHAIR PRESSNELL: And I think that's an
13 excellent point. But I would say to their defense, I think many of
14 them were simply referring to the August, brand new August data
15 around the box and what do you call it Wally? Box and whisker,
16 which is a brand new thing about graduate level debt, I think. And
17 not all of them.

18 So Zakiya's point is well made, and I totally agree.
19 Roslyn?

20 R. ARTIS: And I'm not sure. I think her point is
21 exceedingly well made, and probably the most critical
22 conversation we've had here today, and yet there's no solution. We

1 are not empowered as NACIQI to engage in this conversation in a
2 meaningful way. And so therein lies the rub. We are asked to
3 make decisions based on compliance standards, et cetera, without
4 that nuanced conversation around equity, and source, and sources
5 and uses of funds as it were.

6 And so I think we are at a distinct disadvantage in
7 that regard.

8 CHAIR PRESSNELL: Very good.

9 R. ARTIS: A thoughtful conversation happened.

10 CHAIR PRESSNELL: I agree. So we've got two
11 hands up. I want to be sensitive a little bit. I goofed, and I moved
12 my flight earlier because I thought we were going to be done, so
13 no, no, no Mary Ellen, don't you dare do that, but yeah, David and
14 then Mary Ellen.

15 D. EUBANKS: This is just very quick. In the
16 conversation with one of the agencies I explicitly asked does cost
17 figure into student success? And I think with the big complicated
18 institutional accreditors, we're a long way from that.
19 Understanding the causes and effects of success, short and long-
20 term.

21 So I'm hoping that these conversations we may have
22 with them can shed some light on what the solution might be to at

1 least understanding the problem

2 CHAIR PRESSNELL: I think we're making
3 important steps that way. Mary Ellen?

4 M. PETRISKO: And asking questions, making sure
5 their institutions are asking questions, and informing their students.
6 There was a survey that I read somewhere, some time ago about
7 the percentage of students who did not even realize that they had
8 borrowed money.

9 So what are institutions doing about that, and how
10 and of course there's always going to be some percentage of people
11 that are, you know, not quite aware of what they're doing in life,
12 but I think those are legitimate questions to ask, and the accreditors
13 could --

14 CHAIR PRESSNELL: I agree, and FSA has
15 policies in place for financial aid directors that they are to be
16 putting together entrance interview with amortization tables, and
17 really, but that's not always done at the level it ought to be done. I
18 totally, totally agree.

19 We have covered all the topics that I had on my list.
20 Are there other topics that we would like to discuss today?
21 Kathleen?

22 K. ALIOTO: Sorry. Just the inflation in master's

1 programs that Bob brought up, I must admit I never really thought
2 about that, but you know, from the position of the colleges, it
3 would make more money for the colleges, but is it really for the
4 benefit of students?

5 I mean I have -- I'm delighted in getting my
6 degrees, and love school, and da, da, da, da, but in terms of really
7 benefitting people who need it, is it necessary?

8 CHAIR PRESSNELL: I think degree inflation has
9 been a topic really for quite some time, and it tends to be in the
10 healthcare arena for sure. I mean OTPT went there really hard and
11 fast, and the one thing and I'm blanking on the group that we were
12 talking to about that. The one thing that I was encouraged about is
13 that they didn't add a huge amount of load.

14 In other words, they said the problem was the
15 master's degree was getting well beyond from a requirement
16 standpoint, and so therefore they said this was we're knocking on
17 the door of a doctorate in terms of what's required, so let's do the
18 doctorate.

19 It seemed the more reasonable discussion of many
20 that I've heard. Many of them it was like why are we -- oh it was
21 nurse anesthetists. And the development of the DNP. I think that
22 was the best explanation I've heard within the profession. But it's

1 an issue that we need to continue to press on. I agree. Jen, you
2 had a comment on that.

3 J. BLUM: Yeah because one of the things I think is
4 interesting, and this doesn't -- I don't want to like go down a rabbit
5 hole, but I do think it's interesting understanding who's pushing for
6 the increase in the degree inflation I think is something that's good
7 to put on the table, whether it's the licensure boards, whether it's
8 the professional association, that in this case with nurses.

9 Now if they answered it really well I agree Claude,
10 but it's the profession itself, and that does go to the relationship
11 between the professions of the accreditors. So I was not happy,
12 you know, with answers today about that where you know, it
13 seemed like, you know, they might keep the same number of
14 credits at the bachelor's, and so I definitely think this is an area to
15 keep pressing and to keep mentioning.

16 I'm not sure it's a federal issue, but more it's
17 something that's going on at the states, often with state licensure
18 boards too, so but definitely something we should keep raising.

19 CHAIR PRESSNELL: Totally agree. Any other
20 comments about that, or any other issues that we need to discuss?
21 Yeah, Zakiya?

22 Z. ELLIS: Just one question that actually I meant to

1 ask when we were talking about the substantial compliance, et
2 cetera. It came up, but I don't remember the answer. When can
3 things be put on the consent agenda versus the full agenda? So if
4 we didn't want to have like something had to come back, but we
5 didn't want to have it be kind of a full discussion, and it's just on
6 the consent agenda, is there a rule on that?

7 CHAIR PRESSNELL: Yeah, George can respond.

8 G. SMITH: Yeah. I think you're probably referring
9 to something where we didn't have any of this on, but it's just a
10 Title IV issue, right Herman? That's basically it if you're
11 responsible for Title IV funds, you cannot be placed on a consent
12 agenda.

13 CHAIR PRESSNELL: Good question. All right.
14 Well thank you all very much. A fabulous job, good, thoughtful
15 questions, I'm sorry? Oh third party commenters recused, they
16 pulled themselves off the calendar. And George, final comments?
17 I want to say thanks to all for all the work you've done.

18 G. SMITH: Yeah, just thanks to you, Claude, for
19 chairing an incredible meeting. You've done a great job.
20 Committee members I really am impressed with the sincere
21 seriousness of purpose you bring to your work, it's impressive and
22 motivating for us.

1 Herman, you're dynamite, don't leave us.
2 Accreditation Group, terrific reviews of petitions. Monica, you're
3 the best. Logistically. Okay yes, definitely, and Angela Sierra,
4 you're also awesome. Thanks for all your support and your OGC
5 colleagues. And behind the scenes, the people you don't see who
6 make this work, T. Crew, thank you so much for all you do in
7 event services, all right.

8 CHAIR PRESSNELL: Herman?

9 H. BOUNDS: I just wanted to say one thing. For
10 us as staff this has been a very, very informative meeting for us. I
11 truly, truly appreciate all the dialogue, even you know, we all don't
12 agree on everything, but man, having the professionals that are in
13 this room to give us feedback, whether we agree or not has really,
14 really been official, so I just appreciate each and every one of you
15 all.

16 And just because we don't agree, we have respect
17 for you all just like, you know, I do, my whole staff. So I
18 appreciate it, you guys have a lot of experience, and we really try
19 to take to heart what you all say, so I just wanted to say that.

20 CHAIR PRESSNELL: Safe travels. Thank you.

21 (Whereupon at 12:44 p.m. the National Advisory
22 Committee on Institutional Quality and Integrity adjourned.)