

U.S. DEPARTMENT OF EDUCATION  
OFFICE OF POSTSECONDARY EDUCATION

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NATIONAL ADVISORY COMMITTEE ON INSTITUTIONAL  
QUALITY AND INTEGRITY  
(NACIQI)

+ + + + +

TUESDAY  
FEBRUARY 27, 2024

+ + + + +

The Advisory Committee met in  
Barnard Auditorium at the U.S. Department of  
Education Headquarters, 400 Maryland Avenue,  
SW, Washington, D.C., at 9:00 a.m., Claude  
Pressnell Jr., Chair, presiding.

ADVISORY COMMITTEE MEMBERS PRESENT

CLAUDE PRESSNELL JR., Chair  
ZAKIYA SMITH ELLIS  
KATHLEEN SULLIVAN ALIOTO  
ROSLYN CLARK ARTIS  
JENNIFER L. BLUM, ESQ.  
WALLACE E. BOSTON  
DEBBIE COCHRANE  
JOSE LUIS CRUZ RIVERA  
KEITH CURRY  
DAVID EUBANKS  
ARTHUR E. KEISER  
D. MICHAEL LINDSAY  
MOLLY HALL-MARTIN  
ROBERT MAYES  
MARY ELLEN PETRISKO  
MICHAEL POLIAKOFF  
ROBERT SHIREMAN

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DEPARTMENT OF EDUCATION STAFF PRESENT

GEORGE ALAN SMITH, NACIQI Executive Director;

Designated Federal Official

HERMAN BOUNDS, Director, Accreditation Group

LG CORDER, Analyst, Accreditation Group

ELIZABETH DAGGETT, Analyst, Accreditation Group

PAUL FLOREK, Education Program Specialist,

Accreditation Group

ANTOINETTE FLORES, Deputy Assistant Secretary

for Policy, Planning and Innovation

MONICA FREEMAN, Management Program Analyst

NICOLE S. HARRIS, Analyst, Accreditation Group

CHARITY HELTON, Analyst, Accreditation Group

REHA MALLORY SHACKELFORD, Analyst,

Accreditation

Group

DONNA MANGOLD, Office of the General Counsel

STEPHANIE McKISSIC, Analyst, Accreditation

Group

NASSER PAYDAR, Assistant Secretary for

Postsecondary Education

SCOTT PRINCE, Senior Director, Policy

Development, Analysis, and Accreditation

Services

ANGELA SIERRA, Office of the General Counsel

KARMON SIMMS-COATES, Analyst, Accreditation

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Chairperson of the Board of Directors,  
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P-R-O-C-E-E-D-I-N-G-S

9:01 a.m.

G.A. SMITH: Good morning, and welcome, everyone. This is the winter 2024 meeting of the National Advisory Committee on Institutional Quality and Integrity, also known as NACIQI. I'm George Alan Smith, the Executive Director and designated federal official of NACIQI.

NACIQI was established by Section 114 of the Higher Education Act of 1965, as amended, and is also governed by provisions of the Federal Advisory Committee Act, as amended, which sets forth standards for formation and use of advisory committees.

Sections 101C and 487C-4 of the HEA, and Section 8016 of the Public Health Service Act, 42 USC Section 2966, require the Secretary to publish a list of state approval agencies, nationally recognized accrediting agencies, and state approval and accrediting agencies for programs of nurse education that the Secretary

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1 determines to be reliable authorities as to the  
2 quality of education provided by the  
3 institutions and programs they accredit.

4 Eligibility of the educational  
5 institutions and programs for participating in  
6 various federal programs requires accreditation  
7 by an agency listed by the Secretary.

8 As provided in HEA Section 114,  
9 NACIQI advises the Secretary in the discharge  
10 of these functions and is also authorized to  
11 provide advice regarding the process of  
12 eligibility and certification of institutions  
13 of higher education for participation in the  
14 federal student aid programs authorized under  
15 Title IV of the HEA.

16 In addition to these charges, NACIQI  
17 authorizes academic graduate degrees from  
18 federal agencies and institutions. This  
19 authorization was provided by letter from the  
20 Office of Management and Budget in 1954. This  
21 letter and 2011 guidance is available on the  
22 NACIQI website, along with all other records

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1 related to NACIQI's deliberations.

2 So at this time, thank you for  
3 joining us today, and I'll now turn it, the  
4 meeting over to our chairperson, Claude  
5 Pressnell.

6 C. PRESSNELL: Thank you, George.  
7 And I want to welcome everybody as well to the  
8 February meeting. I especially want to thank  
9 the committee members for their time and  
10 devotion to this, to the staff as well, and  
11 welcome all the agencies who come before us in  
12 the next couple of days.

13 So, really grateful for, again,  
14 taking the time to be with us here today.

15 Let's start off with introductions,  
16 and we'll start off with the committee members.  
17 First we'll have introductions from the  
18 committee members here in the room. And we'll  
19 start with Jose and work our way around the  
20 room.

21 J.L. CRUZ RIVERA: Good morning, my  
22 name is Jose Luis Cruz Rivera. I am the



1 President of Northern Arizona University.

2 M. HALL-MARTIN: (Native language  
3 spoken.) My name is Molly Hall-Martin, and I  
4 serve as the Director of W-SARA for the Western  
5 Interstate Commission for Higher Education.

6 D. M. LINDSAY: Hi, I'm Michael  
7 Lindsay. I serve as the President of Taylor  
8 University in Indiana.

9 J. BLUM: Hi, I'm Jennifer Blum, I'm  
10 with, a consultant for Blum Higher Education  
11 Advising.

12 R. MAYES: I'm Robert Mayes, CEO of  
13 Columbia Southern Education Group down the  
14 Alabama Gulf Coast. It's the parent company of  
15 Columbia Southern University.

16 K. CURRY: Keith Curry, President of  
17 Compton College, located in Compton,  
18 California.

19 A. KEISER: Art Keiser, Chancellor  
20 of Keiser University.

21 C. PRESSNELL: All right, thank you.  
22 We'll now go to the members who are online.

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1 David, do you want to introduce  
2 yourself?

3 D. EUBANKS: Good morning, everyone,  
4 I'm David Eubanks, I work at Furman University.

5 C. PRESSNELL: Mary Ellen?

6 M.E. PETRISKO: Mary Ellen Petrisko,  
7 past President of the WASC Senior College and  
8 University Commission.

9 C. PRESSNELL: Roslyn?

10 R. CLARK ARTIS: Roslyn Clark Artis,  
11 President of Benedict College in Columbia,  
12 South Carolina.

13 C. PRESSNELL: Thank you. Debbie?

14 D. COCHRANE: Hi, Debbie Cochrane  
15 with California's Bureau for Private  
16 Postsecondary Education.

17 C. PRESSNELL: Thank you. Bob?

18 R. SHIREMAN: Good morning, Bob  
19 Shireman, senior Fellow at the Century  
20 Foundation.

21 C. PRESSNELL: Wally? Wally, you're  
22 muted. Still can't hear you. Great, that is

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1 Wally Boston.

2 All right, and Kathleen.

3 K. ALIOTO: I am Kathleen Sullivan  
4 Alioto, teacher, advocate for parents,  
5 grandparents, infants, toddlers, and the  
6 passage of the Child Tax Credit Act in 2024.

7 C. PRESSNELL: Thank you, Kathleen.

8 Wally, you want to try again? Still  
9 no good. I tell you what, though, it's going  
10 to be -- yeah. We have a report from Wally  
11 coming up very quickly, so Wally, we'll let you  
12 work on that.

13 So and Zakiya.

14 Z. SMITH ELLIS: Hello, I'm Zakiya  
15 Smith Ellis, and I am a person who cares about  
16 education.

17 C. PRESSNELL: That was the  
18 understatement of the day, I think. Zakiya has  
19 held so many incredible positions in higher  
20 education, so thank you very much for being  
21 with us, so.

22 Herman, would you like to introduce

1 your team?

2 H. BOUNDS: I should know that by  
3 now, but. Good morning, everyone. I'll  
4 introduce the Accreditation Group staff.

5 Beth Daggett. Okay, she's waving,  
6 okay.

7 Reha, I don't -- is Reha Mallory?  
8 Reha's online.

9 R. MALLORY SHACKELFORD: Hi,  
10 everyone, Reha Mallory Shackelford, analyst  
11 with the Accreditation Group.

12 H. BOUNDS: Okay, Nicole, would you  
13 please introduce yourself?

14 N. HARRIS: Good morning, my name is  
15 Dr. Nicole S. Harris. I'm an analyst with the  
16 Accreditation Group. Good morning.

17 H. BOUNDS: Beside Nicole is  
18 Stephanie.

19 S. MCKISSIC: Good morning, Dr.  
20 Stephanie McKissic, I'm an analyst with the  
21 Accreditation Group.

22 H. BOUNDS: Charity, Charity Helton?

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1 Is she there? We will move on.

2 Karmon?

3 K. SIMMS-COATES: Good morning,  
4 Karmon Simms-Coates. I'm an analyst with the  
5 Accreditation Group.

6 H. BOUNDS: Okay. Mike Stein.

7 M. STEIN: Good morning, Mike Stein,  
8 analyst with the Accreditation Group.

9 H. BOUNDS: L.G.

10 E. DAGGETT: Oh, really quick, just  
11 Elizabeth Daggett, analyst with the  
12 Accreditation Group. I'm way over here behind  
13 the --

14 H. BOUNDS: Thanks, Beth. L.G. I  
15 think is where I left off.

16 L.G. CORDER: L.G. Corder, good  
17 morning, analyst, Accreditation Group.

18 H. BOUNDS: And Paul Florek.

19 P. FLOREK: Good morning, Paul  
20 Florek, analyst with the Accreditation Group.

21 H. BOUNDS: And I don't know if  
22 Monica Yassa is online. She's our Records

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1 Manager.

2 M. YASSA: I am, good morning,  
3 everyone.

4 H. BOUNDS: And Adrienne Walker is  
5 our Staff Assistant. And I just want to say  
6 congratulations to Adrienne. She has taken a  
7 new job for a promotion. So we'll miss her,  
8 but we got you for another week.

9 I think that's it, unless Charity  
10 has fixed her audio.

11 K. ALIOTO: Monica, Monica.

12 C. HELTON: How is this, able to  
13 hear?

14 C. PRESSNELL: No, no.

15 C. HELTON: This is Charity Helton -  
16 - this is Charity Helton, and I am an analyst  
17 at the Accreditation Group.

18 C. PRESSNELL: Great. All right,  
19 thank you very much.

20 George, you want to introduce your  
21 team?

22 G.A. SMITH: With me today is Monica

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1 Freeman, who handles our meetings. And then we  
2 have OGC with us as well. Angela, you want to  
3 introduce yourself quickly?

4 A. SIERRA: Good morning, everyone,  
5 I'm Angela Sierra from the Department's Office  
6 of the General Counsel. And also from OGC we  
7 have Donna Mangold and Christle Sheppard  
8 Southall appearing virtually. Thank you.

9 C. PRESSNELL: All right, thank you  
10 very much. And I believe we got everyone, and  
11 hopefully we can swing back and get Wally, get  
12 your sound ready to go.

13 So it is my --

14 M. POLIAKOFF: Claude?

15 C. PRESSNELL: Wally? It's still not  
16 working.

17 M. POLIAKOFF: Claude, Michael here.  
18 I just want to say I'm on my camera for some  
19 reason is not working. I'm going to switch  
20 machines. But I'm here.

21 C. PRESSNELL: Very good. Thank  
22 you, Michael, I apologize for missing you.

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1 Like you said, I was unable to see that you  
2 were online, but welcome. Appreciate you being  
3 here. So.

4 M. POLIAKOFF: Okay, I think, let's  
5 see, I'm getting a good message here to start  
6 my video from the host. Let's see if that will  
7 actually now work.

8 And you know, I think there's  
9 something wrong with this new computer. I'm  
10 going to switch over to my iPad. I'll be right  
11 back.

12 C. PRESSNELL: Okay, thank you.

13 W. BOSTON: Hi, Claude, can you hear  
14 me?

15 C. PRESSNELL: We can hear you,  
16 Wally.

17 W. BOSTON: Okay, great, thank you.

18 C. PRESSNELL: All right, so George  
19 and I earlier were making a joke how many  
20 NACIQI members does it take to -- well, anyway.  
21 So what we're finding out is it's taking a lot  
22 of us. And I really feel sorry for the

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1 transcriber. I hope that nothing's being  
2 transcribed at this point, so but anyway.

3 So welcome to everybody. Did I miss  
4 anyone before I continue with my comments? I  
5 hope I did not. Okay, great, great. Okay,  
6 thank you.

7 Well, once again, it's my honor and  
8 privilege to be able to introduce to everyone  
9 the Assistant Secretary of Education for  
10 Postsecondary Education, Dr. Nasser Paydar.

11 Dr. Paydar is a frequent guest of  
12 these meetings, and so we all know who he is.  
13 But for our guests who are online and joining  
14 us, Dr. Paydar is all things Indiana before  
15 joining the Department of Education. He was  
16 chancellor of Indiana University, Purdue  
17 University, Indianapolis. Served also -- ended  
18 as the chancellor emeritus.

19 He was a faculty member for 36 years  
20 in mechanical engineering. And has done just a  
21 remarkable job in the Assistant Secretary  
22 position. And so we wanted to give him an

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1 opportunity to update us on some key issues  
2 related to the Department.

3 So again, welcome, we're so grateful  
4 to have you.

5 N. PAYDAR: Thank you, Claude, and  
6 good morning, everyone. I want to welcome all  
7 of you, the committee members, accrediting  
8 agencies, as well as public to the NACIQI  
9 meeting this morning.

10 I want to commend the hard work of  
11 the Department staff as well, led by Herman,  
12 George, Donna, Angela, Christle, and  
13 Accrediting Group's Marisol, and our Deputy  
14 Assistant Secretary Antoinette Flores. So  
15 thank you very much for all you've done to make  
16 this meeting possible.

17 Could you join me in thanking them?

18 (Applause.)

19 As Claude said, I'd like to give you  
20 a few updates since we met a few months ago.  
21 On top of our list is FAFSA.

22 C. PRESSNELL: Me too.

1           N. PAYDAR: We should be. It's very  
2           important. We would like to support as many  
3           people as we can. We want to increase the  
4           number of people that qualify for Pell Grant.  
5           We want to increase the number of people who  
6           qualify for maximum Pell Grant.

7           So the Federal Student Aid Office  
8           has been working on better FAFSA. It's been a  
9           long time they've been working on. It's not a  
10          simple thing to do. The software was put  
11          together in Cobell over 50 years ago. I'm an  
12          engineer, I never studied Cobell. This is even  
13          pre-me, some of you know this.

14          So they've been working very hard on  
15          trying to update that. And actually, it's not  
16          update, it's a new formula, new technology, new  
17          process. And it's also connected to IRS, that  
18          requires some other work there.

19          So they released that for students  
20          to file FAFSA the end of the year, and millions  
21          have done that. And the feedback is that it  
22          takes about 10-15 minutes for them to do as

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1       opposed to hours that it took.       Again,  
2       connection with IRS is very, very helpful in  
3       that area.

4               So where we are right now, we are  
5       working on preparing what's called ISIRs to  
6       give it to institutions for the financial aid  
7       officers to do that. We did submit some test  
8       ISIRs just about a couple of weeks ago for  
9       campuses to see if they could -- their software  
10      needs to be adjusted.

11             The feedback, some are fine, some  
12      need to make some adjustments. So that's what  
13      we are working on. But we also recognize that  
14      some institutions, especially those that don't  
15      have the resources, they need extra help. So  
16      we are doing several things in that particular  
17      area.

18             We're deploying teams of federal  
19      employees to approach institutions that do need  
20      support from us. We are allocating \$50 million  
21      for technical assistance. And we are also  
22      releasing some tools to support institutions.

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1           The plan is that in March, earlier  
2 part of March, that the ISIRs will begin to  
3 releasing the ISIRs to institutions so that  
4 they could then start packaging. We are also  
5 communicating with the executive, higher  
6 education executive officers and to hope to ask  
7 that maybe they could be flexible, considering  
8 the timing that the data for -- is coming  
9 available.

10           So there are all sorts of things  
11 that we are doing. We are increasing the  
12 number of staff in call centers. We are also  
13 including Spanish speakers.

14           And so once we are done with all of  
15 the changes, it would a terrific opportunity  
16 for more people to qualify. Over 600,000 more  
17 individuals will qualify for FAFSA. And about  
18 a million and a half will qualify for the  
19 maximum FAFSA.

20           So that's what we are working and  
21 working very hard at the Department. That's  
22 the update that I was going to provide you on

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1       that one.

2                   And then in January and February, we  
3       convened two sessions of the program integrity  
4       and       institutional       quality       negotiated  
5       rulemaking.       We       are       looking       at       state  
6       authorization, distance education, as well as  
7       accreditation.       That's also on the list of the  
8       negotiated rulemaking team.

9                   And of course we thank NACIQI for  
10      providing your recommendations in that related  
11      to accreditation part of that.       And given that  
12      we are meeting next week, I encourage you not  
13      to go through that discussion here.       And then  
14      provide that through appropriate channels.  
15      Again, I want to thank you for your  
16      recommendations there.

17                   Finally, last week we convened a  
18      fourth and final session on providing debt  
19      relief for student loan borrowers facing  
20      hardship.       And that is, that work is beginning  
21      to support that.       That is related to the Biden-  
22      Harris Administration supporting individuals

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1       who are taking loans.

2                   And you're available -- I can think  
3       of three words and they're in different  
4       languages. But you're all aware of SAVE Plan,  
5       which is an income-driven repayment plan that  
6       over seven million have subscribed to that.  
7       And that really saves students a lot of money  
8       going forward.

9                   So those are some of the things that  
10      we are working on. And again, I want to end by  
11      thanking you for all you're doing, your  
12      commitment to quality of higher education and  
13      accountability. And I wish you an outstanding  
14      discussion here now that the microphone is  
15      working and everything seems to be in order.

16                  So thank you very much for all  
17      you're doing. If it's okay, Claude, I'm going  
18      to crash in your meetings from time to time to  
19      check on you and say hello.

20                  C. PRESSNELL:     You're welcome to  
21      come any time.

22                  N. PAYDAR:   Thank you.

1 C. PRESSNELL: Yeah, thank you very  
2 much for your comments, appreciate it.

3 N. PAYDAR: Thank you, Claude.  
4 (Applause.)

5 C. PRESSNELL: All right. So we're  
6 going to move forward on the agenda, and the  
7 next item on the agenda is the Accreditation  
8 Dashboard Subcommittee. And Wally Boston  
9 chairs that subcommittee.

10 Wally, you want to give us an  
11 update?

12 W. BOSTON: Yeah, hopefully my  
13 microphone's working, so.

14 C. PRESSNELL: It is working well,  
15 thank you.

16 W. BOSTON: Great. You all should  
17 have received our report in the package in  
18 advance. And I think that was published as  
19 well for the benefit of the public.

20 So I want to thank the members of my  
21 subcommittee. We whittled down a bit from when  
22 we were first initiated. David Eubanks, Molly

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1 Hall-Martin, and Kathleen Sullivan Alioto.  
2 Thank you for sticking with me.

3 And we continued the focus of our  
4 original pilot project on data. We looked at  
5 the general performance and outcomes of the  
6 institutions the agency accredits. Decision  
7 activities on the data gathered by the agency.  
8 Standards and practices with regard to student  
9 achievement.

10 And agency activities in improving  
11 program and institutional quality. Those have  
12 not changed in years, but our subcommittee has  
13 reaffirmed them. And also NACIQI has through  
14 our various reports.

15 In October and November after our  
16 last meeting, the subcommittee looked at these  
17 items from the perspective of accrediting  
18 agencies by interviewing leadership teams from  
19 four former regional accreditors, a national  
20 accreditor, and a specialized accreditor. And  
21 our focus in these interviews was on job  
22 placement outcomes, student intent -- retention

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1 and completion rates.

2 We asked questions about the data  
3 dashboard that exists now, other sources of  
4 student achievement data, and the application  
5 of these statistics in assessing student  
6 achievement. The interviews were also  
7 listening sessions to understand the  
8 perspectives of accrediting agencies.

9 I thought each of these sessions was  
10 very good, and in many cases the accreditors  
11 pleasantly surprised us with their activities  
12 in attempting to gather and track more data on  
13 their own.

14 The general impressions, the  
15 accreditor dashboard was -- is seen as useful.  
16 Some agencies depend on it for information.  
17 But its usefulness for our advisory role is  
18 limited by several factors.

19 The most important ones are that  
20 important data elements are not found in the  
21 report. For example, we don't have graduation  
22 rates for graduate programs or transfer-in

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1 students. The dashboards for specialty  
2 accreditors are still in progress and just not  
3 useful for comparing student loan debt and  
4 earnings of graduates from programs that they  
5 accredit.

6 Other data summaries may not  
7 representative due to sampling that admits  
8 small programs. Even when data summaries are  
9 appropriate to an institution, there's not a  
10 direct way to assess how good is good enough  
11 relative to an institution's mission. And  
12 accrediting agencies do not have clear  
13 direction from NACIQI that would help them  
14 prepare for questions about the dashboard.

15 There does seem to be agreement on a  
16 general goal that students should benefit from  
17 educational experiences and that institutions  
18 should be able to account for this benefit.

19 Our findings were summarized in more  
20 detail in the findings sections of the report.  
21 But just skimming over them, we organized them  
22 by category. So, data collection.

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1           There are data gaps in our existing  
2 dashboard, including difficulty in obtaining  
3 reliable job placement rates, difficulty in  
4 estimating retention and graduation rates for  
5 students who are not first-time, full-time  
6 freshman. Difficulty in estimating retention  
7 and graduation rates for graduate-level  
8 programs. Concerns about the accuracy and  
9 relevance of current financial indicators on  
10 the dashboard. Difficulty in assigning debt  
11 and earnings to specialty accreditors.

12           As far as the category of  
13 interpretation of metrics, there is a need for  
14 more rigorous analysis. For example, so that  
15 contributory causes can be associated with  
16 effects, the higher graduation rates where they  
17 are.

18           It is important to consider student  
19 intent when assessing outcomes. Intent may  
20 often include economic outcomes, but personal  
21 growth is a valid outcome as well.

22           There's a diversity of institutional

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1 types that should be accommodated by evaluating  
2 student achievement with respect to  
3 institutional mission. In particular,  
4 providing access to education should be  
5 considered and cost and benefits to student  
6 vary by institutional type and should be  
7 considered together when analyzing student  
8 achievement.

9 In some cases, absolute judgments,  
10 for example, licensing, testament, and pass  
11 rates, are appropriate. But in other cases,  
12 relative measures are typical. For example,  
13 institutions may benchmark themselves versus  
14 similar institutions, even though they all have  
15 low student achievement rates in absolute  
16 terms.

17 There should be additional  
18 justification besides just pure benchmarking,  
19 for example, a comparison of cost and risk to  
20 average outcomes.

21 And lastly in this category, the  
22 importance of peer review and variation by

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1 sector or agency type was noted.

2 Taken together, these considerations  
3 suggest a model of student achievement. And we  
4 have a schematic attached that includes student  
5 intent, net prices, and academic qualifications  
6 as inputs, and outcomes that include  
7 intermediate success, for example, first-year  
8 retention, completion, and post-graduation  
9 outcomes.

10 The outcomes are relative to the  
11 inputs. For example, well-intended advertised  
12 outcomes match student expectations and needs.  
13 Lower graduate rates are more reasonable if  
14 students don't intend to graduate and if the  
15 program is low cost.

16 Only the outcomes box in Figure 1 in  
17 our report is accessible in part from the  
18 NACIQI dashboard, and primarily from  
19 institutional accreditors, a problem that we  
20 have previously noted. This observation  
21 suggests that it's unrealistic to assess  
22 agencies' oversight of institutions or programs

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1 solely from the summary metrics.

2 Because of the importance of  
3 institutional mission and diversity of student  
4 types, it seems the data about student  
5 characteristics, including intentions and  
6 institutional data, are necessary to make  
7 informed judgments about an agency's status as  
8 an authority on institutional quality.

9 It's now common practice, for  
10 example, to review return on investment, ROI,  
11 for the cost of a degree. Most of these  
12 calculations do not consider the student's time  
13 investment. But this may more generally be  
14 seen as educational benefits in comparison to  
15 risk taken on by students, for example, time  
16 spent and debt incurred.

17 Since the risks were jointly decided  
18 by students in institutions, better summaries  
19 of these via accrediting requirements could  
20 make the dashboard outcome measures more  
21 meaningful. This type of analysis could lead  
22 to granular institutional improvements, for

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1 example, in modifying admissions or financial  
2 aid policies to improve success rates for  
3 students who are assuming the most risk.

4 That approach seems to align with  
5 the continuous improvement philosophy endorsed  
6 by most agencies, specifically the ones that we  
7 interviewed.

8 So we have a few recommendations.  
9 Our first recommendation is that NACIQI should  
10 consider including guidelines in the register  
11 notice for agencies to use the dashboard in  
12 appendix. We included an example of how this  
13 was done in the past.

14 Our second recommendation is that  
15 the Department should see if some of the gaps  
16 in success measures can be filled in, most  
17 importantly the retention and graduation rates  
18 for non-first-time full-time students.

19 For example, could some of that  
20 information come from the national student  
21 clearinghouse, or states like Texas or Virginia  
22 that have been notable in the data collection

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1       that they assign, not only to colleges and  
2       universities, but also to high schools? Or  
3       even sources like Burningglass, whose recent  
4       report with strata indicated the stratification  
5       of earnings by degree.

6               Next, the Department should work  
7       with its outside vendor to build the dashboard  
8       for specialty creditors so that the information  
9       that the subcommittee has requested finally  
10      becomes available. It may be useful for NACIQI  
11      to provide advice on H.R. 2957, the College  
12      Transparency Act, since it overlaps with these  
13      recommendations.

14             Lastly, we believe that we should  
15      continue to meet with accrediting agencies  
16      outside of Department meetings for further  
17      development in the usefulness of the NACIQI  
18      dashboard by, one, seeking agreement on uses of  
19      the current dashboard. Two, prioritizing  
20      improvements to the dashboard. And three,  
21      develop the idea of integrating institutional  
22      data to assess student risk as context or

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1 rewards.

2 That concludes my report, Mr.  
3 Chairman. I'm glad to answer questions along  
4 with the other members of my subcommittee.

5 C. PRESSNELL: All right, thank you  
6 very much, Wally.

7 And other party commenters for this  
8 session. So if you're not speaking, if you  
9 could definitely mute yourself, because we're  
10 getting a lot of kind of feedback on it.

11 Also, just from a technical  
12 standpoint, if you are online, if you could use  
13 the raised hand feature so that we know that  
14 you have a question. It kind of throws you up  
15 to the top. And then we'll start with Q&A  
16 here.

17 I've got one question, Wally. I was  
18 wondering is the subcommittee was able to take  
19 into consideration the new regulatory package  
20 that's coming down and will be effective July 1  
21 around FVT and GE, you know, gainful employment  
22 and the Financial Value Transparency Act and

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1 the new data requirements there, and how that  
2 may intersect with some of the work you've  
3 done.

4 And I know that was relatively  
5 recent, but I didn't know if you had an  
6 opportunity to kind of consider that.

7 W. BOSTON: Well, we were planning  
8 on meeting again. We view this subcommittee  
9 work as continuous, Claude. So we were  
10 planning to meet again after getting feedback  
11 from today's meeting. We have not taken that  
12 into account.

13 We do have a great liaison with the  
14 Department, Brian Fu, who has, you know, helped  
15 prepare us for changes in the data that's  
16 available to us for our dashboard.

17 So I expect that when we have our  
18 follow-up after this meeting, we'll have a  
19 meeting that will include Brian and find out  
20 specifically what's -- what -- how those acts  
21 will change the data that we receive.

22 But as you recall, our dashboard

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1       isn't published 'til early July, and it's based  
2       upon the data that's submitted from each of the  
3       institutions that roll up into the agencies  
4       prior to that.

5               C. PRESSNELL:     All right, yeah,  
6       thank you very much.   And thank you, too, for  
7       being the perpetual subcommittee chair, really  
8       appreciate that.

9               Jennifer, then, Art.

10              J. BLUM:   Yeah, I am -- so, again,  
11       just to echo Claude, thanks for continuing to  
12       do this work.   I -- and I was going to ask, one  
13       of my questions was going to be what Claude  
14       asked.   Because I feel like with gainful and  
15       the FVT data, it feels to me like that ought to  
16       be a fundamental part of the dashboard if we're  
17       going to have a dashboard.

18              Because otherwise I feel like we're  
19       -- might be reinventing the wheel on a -- at  
20       least on a couple of the data points.

21              And then while I understand, and I  
22       think it might be coming from the accreditors,

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1 the request for guidance on how to use the  
2 dashboard, I'm actually a little reluctant to  
3 provide that guidance because you prefaced,  
4 Wally, so many issues with the data.

5 So I'm going to, even though I think  
6 this is a good exercise and I think we should  
7 continue the exercise of trying to figure out  
8 what the gaps are and how to solve for the  
9 gaps, I'm a little reluctant to encourage the  
10 accreditors to be relying on or looking at the  
11 dashboard too closely if we're admittedly  
12 acknowledging that there are, you know, a fair  
13 number of gaps in the data, particularly as it  
14 relates to the specialized accreditors. I  
15 don't think it's useful data for the -- for us  
16 or them in their evaluations on the  
17 specialized.

18 But even with the institutional, if  
19 we're talking about, you know, an agency that  
20 accredits a lot of universities, and those  
21 universities have a lot of grad programs, and  
22 there's no grad data, you know, I have a hard

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1 time relying on the undergrad data only.

2 I have a hard time having the  
3 accreditor rely on that data, and then as a  
4 NACIQI member, I would have a hard time relying  
5 on that data to make a judgment call about the  
6 accreditor.

7 So I would be -- I feel like it's  
8 cart before horse. So I feel like we need to  
9 continue to work to resolve data issues and  
10 then we'll be able to provide the guidance on  
11 how to advise the agencies.

12 W. BOSTON: Yeah, I believe,  
13 Jennifer, our general guidance has been that,  
14 you know, they should consider them because we  
15 reinstituted them, we're working to improve  
16 them. And I think, and I see David's hand  
17 raised, so he may be ready to comment too, I  
18 think they generally reiterated that they are  
19 looking at them.

20 But at the same time, you know, if  
21 there's specific points that we want to  
22 emphasize, we're not providing more particular

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1 guidance.

2 And David, do you want to comment to  
3 that?

4 D. EUBANKS: Yes, thank you. One of  
5 the things that came through loud and clear  
6 from the agencies was, first, they find the  
7 information useful, or at least some of them  
8 do. And second, they would love to be better  
9 prepared to answer NACIQI questions.

10 So it's more about, partly about the  
11 committee deciding how it's going to use the  
12 dashboard. For example, if a committee member  
13 uses it as a definitive index and challenges an  
14 agency with that, how are they supposed to  
15 respond to that now that we know that it has  
16 certain kinds of flaws? That kind of general  
17 guidance I think might be helpful.

18 C. PRESSNELL: All right, great.  
19 Art.

20 A. KEISER: Wally, good work,  
21 committee, good work.

22 I've always had a concern and I

1 still have a concern, and we did a study in  
2 Florida which kind of demonstrates that we have  
3 this -- and you mentioned it in your report at  
4 one spot -- that there would be a common set of  
5 definitions to what the data means.

6 And unless we have a common set of  
7 definitions, that data is not in many cases  
8 useful, at least in my mind. And until we have  
9 the definitions, that would be something I  
10 would like to see in rule as to what a  
11 graduation is, what a placement is, what a  
12 retention is.

13 You know, we only use first-time,  
14 full-time students in iPads. So I mean, we  
15 need to have a common set of definitions in  
16 which we can rely upon, otherwise, you know, a  
17 lot of this is -- it makes -- it's difficult to  
18 draw conclusions.

19 W. BOSTON: I agree, Arthur. There  
20 is sort of a data dictionary attached to the  
21 dashboard where Brian has outlined where some  
22 of the sources of the data are as well as some

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1 of the definitions for how the data was  
2 extracted and displayed.

3 This sort of brings up a topic that  
4 we tangentially discussed as a subcommittee,  
5 which perhaps there's a basis for a broader  
6 forum. I don't know that it has to be  
7 organized by us; perhaps the Department  
8 organizes it and we participate, where we can  
9 bring in outsiders, whether it's the state of  
10 Florida, the state of Texas, the state of  
11 Virginia, which are three states that I know  
12 are doing a good job of comparing data from  
13 their workforce commissions or whatever their  
14 labor commissions are called in those states,  
15 on earnings with graduation outcomes from their  
16 institutions, and at a much more extensive  
17 level than we're getting through the college  
18 score cards.

19 So perhaps it's just time to sit  
20 down, assuming that the Committee has committed  
21 this, and talk to the Department about finding  
22 a way to actually having a better dashboard.

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1 And remember, this dashboard is not just for  
2 our benefit, but once it's published it's  
3 displayed for the public to access under  
4 transparency.

5 So your point's a good one. We're  
6 working hard to -- with the Department as we  
7 can. I think it would be nice perhaps to see  
8 that there was a budget for some of the outside  
9 contractors to pull together more data,  
10 specifically some of the mergers between the  
11 data set and the college score card data set.

12 C. PRESSNELL: All right. Thank  
13 you.

14 So we have Zakiya and then Debbie.  
15 And I might mention to the members who are  
16 online, if your camera is not on, I cannot see  
17 that your hand is up.

18 So thanks, Debbie, for doing that.

19 And then I see -- Mary Ellen, did  
20 you have your hand up? Nod. No? Okay. Thank  
21 you.

22 So, Zakiya?

1                   Z. SMITH ELLIS: Thanks. I'll just  
2 note on the comments that we have about -- the  
3 data is not as accurate as we want it to be is  
4 totally spot on, and I want to kind of lift up  
5 something I heard Wally say that it felt like  
6 it was in passing. And so you mentioned the  
7 College Transparency Act and that that might  
8 help with some of the data challenges.

9                   I do think that there might be a  
10 role in -- and actually this data challenges  
11 that aren't raised, right? My understanding is  
12 that would help with a variety of those.

13                  I do think just stepping back and  
14 thinking about first principles and why we're  
15 even doing this, the idea I think is to help  
16 agencies know some of these key data points  
17 about the group of students that they are  
18 serving and to understand it, if this is about  
19 kind of continuous improvement, et cetera.

20                  So I would actually say that even  
21 those agencies for whom the data isn't there  
22 it's helpful for them to see what's there for

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1 other places so that they can be helpful and  
2 think, oh, I wish this data were here for ours.  
3 How can we be good partners and stewards of  
4 ensuring that this kind of data is available?  
5 And I don't actually know the answer to that,  
6 but just something for us to be in this spirit  
7 of we want to have this data to better  
8 understand what the outcomes of students are in  
9 the best, most robust way possible. And if all  
10 of us are looking at it and probing it and  
11 figuring out what isn't good, that's furthering  
12 that end.

13 C. PRESSNELL: Thanks. I think the  
14 challenge always is that, is it used for  
15 continuous improvement or is it used as an  
16 accountability tool to serve as a gotcha? And  
17 so running that balance is always a very  
18 challenging that one.

19 So, Debbie then Jennifer?

20 D. COCHRANE: Yes, thank you.

21 So my question was around the  
22 schematic, which I thought was very, very

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1 helpful to look at. Student characteristics,  
2 institutions, and outcomes.

3 The one that stood out to me as sort  
4 of different from the rest in student  
5 characteristics was intended outcome, which I  
6 think is just some sort of measure of student  
7 intent. And I know in the report there's  
8 reference to personal growth being an outcome,  
9 we would -- I'm sure we would all agree with.

10 But there's also a very -- there are  
11 different ways of trying to assess intent. You  
12 have stated intent or versus what someone says  
13 on their admissions application about what  
14 they're looking for from enrollment versus  
15 behavioral intent, looking at students who took  
16 12 credits plus a math or English as intent of  
17 seeking a degree or certificate.

18 And I think those distinctions are  
19 very important in terms of understanding what  
20 we get out, because even where we're looking at  
21 the numbers and we might say a job placement  
22 means different things for different agencies,

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1 a graduation means different things for  
2 different credential types.

3 This one regarding intent is very  
4 personal to the students. And I think at times  
5 institutions can use that question of intent as  
6 an explanation for purported poor outcomes to  
7 an extent that's probably not realistic.

8 So again, all that to say I think  
9 there's some truth there, but there's also some  
10 risk in terms of how we measure student intent  
11 and how we apply student intent or understand  
12 it.

13 So did you all have more of a  
14 thought about how to measure that? Is there  
15 some -- is there a data definition or a data  
16 set that you are looking to latch onto or is  
17 this something different that you would want to  
18 see added?

19 W. BOSTON: Yes, I'm going to answer  
20 first and then I'm going to let David follow  
21 up.

22 So Alexander Astin has been a

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1 scholar in student retention for years and I  
2 think he was the one who said that student  
3 intent should really be measured by what the  
4 student wants to do, whether it's the  
5 completion of a single course, a certificate,  
6 or a degree. And there are some cloudy things  
7 for that.

8 For example, if you want to use  
9 federal aid for a single course, you're not  
10 going to be able to do it, so maybe you sign up  
11 and cross your fingers and hope you complete a  
12 couple other courses in order to get federal  
13 aid to pay for the single course. But that's  
14 where I'm going to hand it over to David.

15 D. EUBANKS: Yes, thanks for the  
16 question, Debbie. It's a good question. We  
17 heard enough that I thought in the draft when I  
18 was helping draft this that it should be  
19 included without being able to answer all the  
20 excellent questions you're asking. But it for  
21 sure does come up in the situation Wally  
22 mentioned that a student may declare a major or

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1 otherwise say that they want to commit to some  
2 program of study just to get the financial aid  
3 for it. So their actual intent is not what  
4 they're saying. And then the dropout rate is  
5 very high because they never really intended to  
6 finish.

7 How you measure that, how you  
8 determine, I don't know, but it is a real  
9 phenomenon that affects the outcome measures.  
10 You can decrease them in that context.

11 C. PRESSNELL: All right. Jennifer?

12 J. BLUM: I just wanted to go back  
13 to clarify something that I had said and just  
14 to be -- because I know sometimes it may have  
15 come across as critical. I actually really  
16 support the transparency of the dashboard even  
17 in its current state. It's just it's what you  
18 said, Claude, it's really about how it gets  
19 utilized in this moment in time. And I think  
20 that -- I think there's discomfort among --  
21 well, for me, even I think for others of us, to  
22 rely on it in a meaningful way in the

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1 accreditation process in its current state.

2 But the exercise of having the  
3 dashboard and working on improving it -- and  
4 one thing that I -- as I've been listening that  
5 I would really -- I think maybe we should hone  
6 in on a little bit is which data points to  
7 prove what point? And so in this last  
8 conversation that Debbie just raised to me  
9 student intent and student retention are -- I  
10 think you can correlate the two. And so  
11 looking at student retention I think has a  
12 value, a qualitative in addition to a  
13 quantitative value attached to it. It's hard  
14 to correlate the two, but I think that that's a  
15 real data point. I think student retention is  
16 really, really informative.

17 And then likewise what I would say  
18 is -- and I'm just going to repeat myself for  
19 one second. I wouldn't go too far with what  
20 the states -- I think it's great what some of  
21 the states are doing, but now that the Federal  
22 Government is -- has decided to move forward

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1 with the FVT, I would focus on what the Federal  
2 Government is going to have, and I assume over  
3 time will probably improve that as well, and  
4 utilize what we already have rather than going  
5 to the various different states, which are  
6 unfortunately inconsistent in their endeavors.  
7 Some are quite good, but they're inconsistent.

8 So I'm not sure what that would help  
9 us with and rather I would -- I think we should  
10 focus on the data that's being worked on by the  
11 Department right now in the gainful realm and  
12 incorporate that into the dashboard while also  
13 looking at student retention, which I totally  
14 agree is huge. And then also where appropriate  
15 the licensure rates.

16 C. PRESSNELL: All right. Good.

17 Kathleen?

18 K. ALIOTO: Yes, piggybacking on  
19 what Claude said about the gotcha -- and it  
20 reminds me of the debate that's been on since  
21 I've been NACIQI with Ann Neal saying are we  
22 here to help? It's that there's a tension for

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1       us.       We're here to help colleges and  
2       universities and accreditors provide a better  
3       education for students and to be as supportive  
4       as possible at the same time that we're making  
5       judgment calls, gotcha judgment calls. So how  
6       does the Department and NACIQI -- because the  
7       points that were already made about the  
8       Department -- we need the Department's help in  
9       making the various dashboards more helpful.

10               And I was very pleased that Brian Fu  
11       now has community colleges as one of the  
12       indices. And community colleges are educating  
13       almost half of Americans. We are in that  
14       category of students choosing and having the  
15       intent to start off, learn English, or learn a  
16       particular trade, or whatever. And that then  
17       we're dinged because of our graduation rates.  
18       So it's such a balance.               But it was a  
19       honor for me to work with this Committee. I  
20       felt like I was a toddler in terms of the  
21       capacity for understanding the -- all of the  
22       data, but Wally and David were so respectful of

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1 me and of the various accreditors that we dealt  
2 with. So I think that we really need to take  
3 what they said seriously. And they are  
4 supportive of our coming up with a more robust  
5 data product.

6 C. PRESSNELL: Thank you, Kathleen.  
7 I've got Michael then Bob.

8 Michael?

9 M. POLIAKOFF: Kathleen, thank you  
10 for taking us back a few years to my  
11 predecessor Ann Neal. And that made me want to  
12 go even further back, all the way back to the  
13 storm when Margaret Spellings was the Secretary  
14 of Education.

15 Namely, there are instruments that  
16 will track cognitive gain in a nationally-  
17 normed way. There's two of them. There used  
18 to be three. I haven't tracked to see what  
19 might be in the pipeline. I would love us to  
20 keep thinking about ways that we can initiate  
21 or spur the use of instruments that really  
22 track an institution's ability to add value in

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1       core collegiate skills.               And we talk  
2       about it from time to time, but we were talking  
3       about student outcomes. Graduation retention,  
4       yes, but what are you graduating with? That's  
5       a core question that really ought to be part of  
6       the mix. And I just want to make sure that we  
7       keep that in front of us.

8               And I don't know why my camera is  
9       suddenly blocked, but I will try to -- I've  
10      been having video problems today, but I'll see  
11      if I can get that back to where it should be.

12             C. PRESSNELL: Thanks, Michael.

13             M. POLIAKOFF: How's that?

14             C. PRESSNELL: Yes, that's good.  
15      That's good.

16             All right. Bob?

17             R. SHIREMAN: Thanks. I just wanted  
18      to thank the Subcommittee for carrying forward  
19      this work and continuing to kind of tee up very  
20      useful discussions about the way that we can  
21      improve the data and tasks that the Department  
22      might be able to take on or Congress. So

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1 really just a thank for you for the work.

2 C. PRESSNELL: Very good. Yes,  
3 Wally, I think we all are grateful for the work  
4 you're doing and continue to do. And I think  
5 that the SDO is going to be keenly aware of the  
6 report and also the recommendations you have in  
7 there as understood as a work in progress for  
8 sure.

9 But, Wally, did you have a comment  
10 there?

11 W. BOSTON: I was just going to  
12 thank Bob, but I do think -- it's not in the  
13 report, but I -- at some point in time with  
14 multiple dashboards, as Kathleen mentioned, not  
15 just the Federal Government's, but the state  
16 dashboards, whether it's common definitions as  
17 Art said, whether it's conforming to the  
18 federal standards as recommended by Jennifer.

19 I'm not sure I totally agree with  
20 that since right now the federal standards are  
21 a little restricted in that we get data for  
22 people applying for financial aid. In the

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1 state of Texas at its public institutions the  
2 in-state percentage of students who do not  
3 borrow is 60 percent. So you're leaving out a  
4 huge part of the population when you're looking  
5 at student achievement at those institutions.

6 So I'm glad that people are willing  
7 to debate this and discuss it. We're always  
8 willing to have other people join our  
9 Subcommittee if they want to volunteer for  
10 that. And I hope that we can get some  
11 responses particularly from a budgetary thing  
12 to assist Brian in improving their dashboard as  
13 we continue to move forward.

14 C. PRESSNELL: Yes, thank you,  
15 Wally. I really do appreciate it. I tell you  
16 though if you look back just even 10 years ago,  
17 this conversation is incredibly advanced  
18 compared to where we were just recently. So  
19 it's going to be an interesting project to  
20 watch over time.

21 I don't see any other questions.  
22 Again, Wally, Subcommittee members, we're very,

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1 very grateful for your time and your effort and  
2 look forward to ongoing progress as time  
3 proceeds. So thank you all very much.

4 I think now we are ready to begin  
5 our work. I at this point would like to just  
6 remind everyone of the standard review  
7 procedures. So with each agency the primary  
8 readers from NACIQI will introduce the agency  
9 application. The Department staff will then  
10 provide a briefing. The agencies'  
11 representatives then will be given an  
12 opportunity to provide comment. Questions will  
13 then be offered by NACIQI, followed by a  
14 response and comment from the agency. And then  
15 if there any third-party commenters, they will  
16 be given an opportunity to voice their  
17 thoughts, followed up then by the agencies'  
18 ability to respond to those comments. And then  
19 finally the Department staff will respond to  
20 the agency and to the third-party comments.  
21 And then finally the NACIQI members will have a  
22 discussion, provide a motion, and then we will

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1 vote.

2 Our first agency up today is -- yes,  
3 I'm sorry? Yes, Art?

4 A. KEISER: Just out of curiosity,  
5 have we done away with the consent agenda, or  
6 do we not have anyone on? Because I read a lot  
7 of these. They're not -- there's not a whole  
8 lot of controversy, some of these.

9 G.A. SMITH: Okay. No, in  
10 consultation with Herman, there were -- none  
11 were -- there were no agencies applicable or  
12 met the criteria, the threshold for the consent  
13 agenda.

14 C. PRESSNELL: Thank you, Art.

15 All right. So again, the first  
16 agency is going to be the **Kansas State Board of**  
17 **Nursing**, and the primary readers are Wally  
18 Boston and Kathleen Alioto. And who's going to  
19 lead this one?

20 W. BOSTON: I'll start off. So the  
21 Kansas State Board of Nursing, KSBN, is a state  
22 agency for the approval of nurse education.

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1 Recognition by the agency enables the nurse  
2 education programs that it approves to seek  
3 eligibility for federal assistance pursuant to  
4 the Nurse Training Act of 1964, as amended.

5 The board currently approves 43  
6 schools that offer pre-licensure programs  
7 including baccalaureate degree nursing  
8 programs, associate degree practical nursing  
9 programs, practical nursing. And there are  
10 nine schools that offer graduate programs  
11 including clinical nurse specialist, nurse  
12 anesthetist, nurse midwife, nurse practitioner,  
13 master of science in nursing, and doctor of  
14 nursing practice for a total of 52 schools  
15 approved by the board.

16 KSBN was granted initial recognition  
17 in 2007 for a period of two years and was  
18 required to provide an interim report. Since  
19 that initial review it's been periodically  
20 reviewed and continued recognition has been  
21 granted after each review. The agency was last  
22 reviewed for renewal recognition at the winter

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1 2020 meeting of NACIQI.

2 And I will I guess -- I believe,  
3 Claude, I hand this over to our reviewer from  
4 the Department.

5 C. PRESSNELL: Yes, absolutely.

6 And so we invite Elizabeth Daggett,  
7 Department staff, to give us a briefing. Thank  
8 you.

9 E. DAGGETT: Hi. Good morning, Mr.  
10 Chair and members of the Committee. My name is  
11 Elizabeth Daggett and I am providing a summary  
12 of the review of the petition for renewal of  
13 recognition for the agency, the Kansas State  
14 Board of Nursing, or KSBN. As Wally noted,  
15 KSBN last came before NACIQI in the winter of  
16 2020 meeting and was granted a recognition  
17 period for four years.

18 The current scope of the agency is  
19 state agency for the approval of nurse  
20 education. The requested scope of recognition  
21 for the agency is state agency for the approval  
22 of nurse education to include pre-licensure

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1 nursing programs and advanced nursing education  
2 programs, but to exclude licensed mental health  
3 technician programs.

4 The staff recommendation to the  
5 Senior Department Official for KSBN is to  
6 continue the agency's recognition as a  
7 nationally-recognized state agency at this time  
8 and require the state agency to come into  
9 compliance within 12 months with the criteria  
10 listed in the final staff report and submit a  
11 compliance report due 30 days thereafter that  
12 demonstrates their compliance.

13 Department staff also recommends the  
14 approval of the language change to the agency's  
15 scope of recognition to reflect its past and  
16 current approval practice. This recommendation  
17 is based on our review of the agency's petition  
18 and its supporting documentation as well as a  
19 file review in January of 2023, an observation  
20 of a site visit in November of 2022, and a  
21 board meeting in March of 2022.

22 Our review of the agency's petition

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1 found that the agency is substantially in  
2 compliance with the Secretary's criteria for  
3 recognition of state agencies for approval of  
4 nurse education as published in the January 16,  
5 1969 Federal Register, except for four areas of  
6 non-compliance.

7 The agency needs to provide  
8 documentation that has written regulations to  
9 require each school of nursing with an advanced  
10 nursing education program to have clearly  
11 defined refund policies, clearly defined  
12 recruitment and advertising policies, to  
13 require the submission of an annual report that  
14 includes all required elements, and to require  
15 the submission of an audited fiscal report and  
16 current catalog.

17 Department staff note that the  
18 agency currently requires all of these items in  
19 practice, but does not have written regulations  
20 to reflect those requirements.

21 The Department has received no  
22 complaints since the last review by NACIQI, but

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1 did receive two third-party comments in  
2 conjunction with the review of this petition.  
3 The review of the third-party comments are  
4 incorporated into the recognition review.

5 Therefore, as I stated earlier,  
6 Department staff is recommending to the Senior  
7 Department Official to continue the agency's  
8 recognition as a nationally-recognized state  
9 agency at this time and require the state  
10 agency to come into compliance within 12 months  
11 with the criteria listed in the final staff  
12 report and submit a compliance report due 30  
13 days thereafter that demonstrates the agency's  
14 compliance.

15 Department staff also recommends the  
16 approval of the language change to the agency's  
17 scope of recognition to reflect its past and  
18 current approval practice.

19 There is an agency representative  
20 here to answer any questions you might have and  
21 I'm happy to try to answer them as well. Thank  
22 you.

1 C. PRESSNELL: Thank you, Elizabeth.

2 Are there any clarification or  
3 technical questions for Elizabeth before we  
4 hear from the agency?

5 All right. Seeing none, I want to  
6 invite Carol Moreland to represent the agency.

7 C. MORELAND: Good morning. Thank  
8 you. Can everybody hear me okay?

9 C. PRESSNELL: We can. Thank you  
10 very much.

11 C. MORELAND: Thank you. Okay. I  
12 just want to thank you for the opportunity to  
13 provide some comments about our re-approval  
14 application. I'm Carol Moreland. I'm the  
15 executive administrator for the Kansas State  
16 Board of Nursing and I just first want to say a  
17 big thank you to all of your staff who worked  
18 with us on this re-approval application. I  
19 know they put a lot of time in, and that is  
20 greatly appreciated from our end. We did try  
21 to get them all the information in a timely  
22 manner when they requested it.

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1                   You heard some of this from  
2 Elizabeth. There are four criteria that we do  
3 not meet, and a lot of it is, like she said,  
4 practice that we're already doing, but  
5 unfortunately we do not have the policies in  
6 place. And for us policies would be  
7 regulations in our Nurse Practice Act.

8                   So I can just briefly kind of tell you  
9 what we're doing about this and what our plan  
10 is to get back into compliance with these. As  
11 far as 3C, the refund policies, the revision of  
12 KAR60-17-108 would contain that information.  
13 So that would qualify as the policy. Again, we  
14 are checking for this as we go out and do the  
15 site visits, but we truly just do not have the  
16 policy in place.

17                   And I'll just kind of maybe say all  
18 these universities that have our advanced  
19 practice programs also have undergraduate  
20 programs. So they report all of this  
21 information and they know that we look for all  
22 of this information when we do site visits

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1       because of the undergrad.       So they just  
2       automatically kind of give us this information,  
3       but it's very true we don't have the policies.

4               3D       talks       about       the       policies  
5       regarding   ethical   practices.       Again,   the  
6       revision   at   KAR60-17-108   would   include   the  
7       requirement for that, so that should take care  
8       of the policy requirement.

9               And then 3E that talks about the  
10      annual report and everything that needs to be  
11      included, we do get an annual report from the  
12      advanced practice programs. Again, they do one  
13      for undergrads, so they just kind of  
14      automatically do one for advanced practice for  
15      it. And it does have most of these in place  
16      already, that we have that information. But we  
17      would be doing a revision to 60- -- KAR60-17-  
18      109 that deals with annual reports that would  
19      have that information included.

20              And then 3F, the last one, getting a  
21      copy of their audited fiscal report that  
22      includes a statement of income and expenditures

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1 and a current catalog. Again, we get this now  
2 because of their annual report and the fact  
3 that we get it for undergrad, but once we  
4 revise KAR60-17-109 it will include that  
5 requirement that they have to submit it as part  
6 of their annual report.

7 I just kind of wanted to briefly tell you  
8 some factors that have influenced the revision  
9 of the regulations that are talked about, but  
10 please understand I'm not saying this as an  
11 excuse. We should have had it in place, but  
12 there's been several factors kind of playing in  
13 place here.

14 We started drafting these changes in  
15 2019 and we actually started them through part  
16 of the state approval process that we have.  
17 And there's a lot of steps in the state  
18 approval process to make changes to regulations  
19 in our Nurse Practice Act.

20 We started them, the undergrad and  
21 the licensed mental health technician, at the  
22 same time and immediately kind of met some

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1 resistance from the first agency that reviews  
2 them because they really felt like there were  
3 too many that we were sending through at one  
4 time. So they recommended to the board that  
5 they decide which set was most important that  
6 they needed to send. So our board decided  
7 the undergraduate because there are a couple of  
8 changes that we've been able to make with the  
9 undergrad that have made it a little bit -- I  
10 don't want to say easier for the school, but  
11 there's a little bit -- some of the regulations  
12 have been kind of made a little bit easier, I  
13 guess would be the best word. And the reason  
14 they did that is we're trying to make it that  
15 they can get more students into the nursing  
16 programs. And part of the issue that we have  
17 in Kansas, as across the nation, is nursing  
18 faculty. So we made some changes as far as the  
19 fact that preceptors can now be used in our PM  
20 Programs where before it had to be a faculty  
21 member.

22 So anyway, because of this our board

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1 decided to send the undergraduate regulations  
2 through first. And so the decision was made to  
3 hold the advanced practice and the licensed  
4 mental health technician until the undergrad  
5 got through. And as I've said, it's kind of a  
6 long process unfortunately.

7 And I know you're tired of hearing  
8 this, but it did play into this, and that would  
9 be the COVID pandemic. It basically almost  
10 shut down the regulation review process for a  
11 little while. That process was very paper  
12 before the pandemic hit. And as we all know,  
13 the pandemic really forced a lot of changes to  
14 be made to be a lot more electronic. So our  
15 state has been working through that and they  
16 have revised that process. So we were finally  
17 able to get the undergrad through once COVID  
18 kind of settled down a little bit and we could  
19 get that process moving again.

20 So we were ready for the advanced  
21 practice, however, our legislature made a very,  
22 very wonderful move, and that is they gave full

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1 practice authority to three rules of our APRNs.  
2 So that meant that we had to make a lot of  
3 revisions to our Nurse Practice Act. And we  
4 were given like two months to make that happen,  
5 which is very, very hard to do. But we did  
6 make it happen with some temporary and  
7 everything like that.

8 So now we're back to the APRN regulation  
9 changes. We took those and then the  
10 subcommittee talked about -- they wanted to  
11 increase the number of clinical hours from 500  
12 to 750. And they wanted to have just a little  
13 bit more discussion about the possibility of  
14 physician assistants being somewhat involved as  
15 a preceptor for the APRN students. And again,  
16 they would not be the primary preceptor at all.

17 But you probably know that Kansas is  
18 a very rural state, and so out in western  
19 Kansas we have APRN education programs.  
20 However, as far as clinical sites there's not  
21 always an APRN or a physician who can be a  
22 preceptor, but there are physician assistants.

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1 And we're trying to do a lot more with  
2 interdisciplinary practice to health care.

3 So the discussion was held -- the  
4 discussion was had and asked for me to put  
5 together a draft of those two revisions and  
6 bring them back next month, in March. The  
7 change in the clinical hours and the change to  
8 allow a physician assistant to do a very small  
9 part of being a preceptor. Again, the primary  
10 would be APRNs definitely.

11 So all of this is on the agenda for  
12 March to look at all of these APRN regulation  
13 draft changes. I have had a conversation with  
14 our board president where this has to be moved  
15 at as a priority. So what my plan is that  
16 they will give me the approval after the March  
17 meeting. Then I can start all of these through  
18 the state regulation approval process. Again,  
19 it's -- there's several steps in it.

20 There are some steps that require  
21 some time such as one step, we have to do a 60-  
22 day comment period for the public. So that

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1 right there is two months. And then we do a  
2 public hearing after and stuff like that.

3 So I am really hoping to have these  
4 through in like nine months. I think six  
5 months might be pushing it a little bit because  
6 it's dependent upon some other agencies that we  
7 really have no control over, like the Attorney  
8 General's Office, Department of Administration.  
9 And then we have to present in front of a  
10 legislative committee. So that of course has  
11 to be scheduled through them.

12 But the final decision about the  
13 changes in the regulations does rest with the  
14 Kansas State Board of Nursing, not the  
15 legislature. And they are I'm pretty sure 100  
16 percent behind these regulations. So I'm  
17 hoping we can get those done in nine months.  
18 Twelve at the most, would be my hope.

19 So I think that's probably the end  
20 of my comments and I'll do questions whenever  
21 it's appropriate.

22 C. PRESSNELL: All right. Thank you

1 very much, Carol.

2 And so let me open it up to NACIQI  
3 members for questions. Wally or Kathleen, do  
4 you have questions?

5 K. ALIOTO: Yes.

6 W. BOSTON: Go ahead, Kathleen.

7 K. ALIOTO: First of all, I want to  
8 thank Ms. Daggett for her usual excellent  
9 analysis. And Ms. Moreland, you're leading --  
10 I always think of nurses as angels. So you're  
11 leading the angels, and thank you for your  
12 work.

13 I was a bit concerned of this whole  
14 thing about the timing, which I think you  
15 explained quite well that the last meeting was  
16 in 2019 when the meeting wasn't until December  
17 to deal with this challenge.

18 But now that you've told us about  
19 what kind of machinations that you've had to  
20 deal with, I have great sympathy for you.

21 But I do have a few other questions.  
22 One, what are the reasons for the three

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1 institutions that you have on conditional  
2 approval? What's the story? Rasmussen is one  
3 of them. Let's see, the Kansas City Community  
4 College is another one. What is the third and  
5 what is the reason for that? Is that because  
6 of the ethical practices and recruitment,  
7 administration and advertising -- admission and  
8 advertising, or is it something else?

9 C. MORELAND: Thank you for that  
10 question. The reason all three of them are on  
11 conditional approval is because of their NCLEX  
12 pass rates.

13 I think in 2022, we changed the  
14 requirement to be 80 percent. It was 70  
15 percent prior to that. And that really, as you  
16 are probably aware, is lower than what you see  
17 across the nation for the most part.

18 And so our Board felt very strongly  
19 that that should be increased to 80 percent.  
20 And so those nursing programs that are on  
21 conditional approval are the undergrad. None  
22 of them are the advanced practice. And it's

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1 all due to their NCLEX pass rates.

2 But I will tell you, we haven't  
3 published the 2023 pass rates yet. They go to  
4 the Board next month. But we have seen a  
5 substantial increase in the NCLEX pass rates  
6 since the New Generation NCLEX has been used.  
7 So we're very excited about that. So I would  
8 anticipate that there would be some changes  
9 about getting some of those schools off from  
10 conditional approval.

11 But they were truly not tied to  
12 complaints or anything like that. It was just  
13 the NCLEX pass rates.

14 K. ALIOTO: I see. And the nine  
15 schools which offer graduate programs, the  
16 advanced education programs which require  
17 revisions in ethical practices, recruitment,  
18 admission and advertising and the other areas  
19 that Ms. Daggett defined, is it all nine  
20 schools that are in trouble or is it just two?

21 C. MORELAND: Again, as far as the  
22 advanced practice, I wouldn't say that any of

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1       them are in trouble because we have been  
2       getting most of this information. So they have  
3       a refund policy in place. They have the  
4       ethical in place. Again, all of them have  
5       undergrad. So they've got it for their  
6       undergrad, so they have it for their advanced  
7       practice.

8               It's not that they haven't been  
9       doing it. It's that the Board of Nursing  
10      hasn't considered a policy, which would be a  
11      regulation that actually mentions that. But,  
12      again, we checked all of that when we got out  
13      and do the site visits.

14             They've been doing the annual  
15      reports to us and giving us the information.  
16      However, we just did not have the policy in  
17      place. And that's on the Board of Nursing, not  
18      the nursing programs.

19             K. ALIOTO: And my final question  
20      is, in terms of the breakdown on colleges and  
21      universities, how many of the people that you  
22      have working, the schools that you are working

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1 with, are private and how many of them are  
2 public?

3 C. MORELAND: I can't say that right  
4 off the top of my head. The majority of them  
5 are public. We have a lot of community  
6 colleges in Kansas, really scattered throughout  
7 Kansas.

8 As far as -- and they usually have  
9 both the practical nursing and the associate  
10 degree nursing. And then we have probably, I  
11 would say, maybe 10, 11 universities that have  
12 the BSN. Those also are scattered somewhat  
13 throughout the state. There is not as much  
14 Western as there is community colleges. And  
15 the majority of them probably would be in like  
16 the Kansas City area, more that kind of area.

17 But the majority would be community  
18 colleges throughout the state. But it's, of  
19 course, the universities that have the advanced  
20 practice.

21 K. ALIOTO: Okay. So I thought of  
22 one other question. Sorry.

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1 C. MORELAND: No problem.

2 K. ALIOTO: How many of your schools  
3 have only you as accreditors and is there a  
4 problem when the transference weight of those  
5 students into other programs?

6 C. MORELAND: Thank you for that  
7 question. We do have -- but they have to have  
8 an articulation program. Almost all of our  
9 practical nursing are approved by us only.  
10 Okay?

11 All of the --

12 K. ALIOTO: Is that 12 or 16? I  
13 can't find it in my notes here.

14 C. MORELAND: Let me see here. I  
15 don't know if it's in your notes. About nine  
16 that are just truly standalone practical  
17 nursing.

18 K. ALIOTO: Mm-hmm.

19 C. MORELAND: That would mean, you  
20 know, the program is just practical nursing  
21 only.

22 And then as far as associate degree,

1 we have one, two, three -- maybe about 22 that  
2 do the associate degree.

3 (Simultaneous speaking.)

4 K. ALIOTO: Okay. So the question  
5 is, will these angels be able to transfer their  
6 credits if they would only get a -- whatever  
7 it's called, a Bachelor of Nursing, will they  
8 be able to transfer -- what are you saying  
9 about articulation agreements? Do they have  
10 them across the state and across the nation,  
11 those schools?

12 C. MORELAND: Thank you. Yes, they  
13 do have accreditation contracts. All of our  
14 graduates from practical nursing programs in  
15 Kansas will not have any problem getting into  
16 like an associate degree or Bachelor of  
17 Science.

18 We have kind of a core curriculum  
19 for our practical nursing programs. So they  
20 each teach, you know, the same content. It may  
21 be in a little bit different order. However,  
22 it has been looked at by like the associate

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1 degree, the Bachelor of Science nursing  
2 programs in the state, and they accept those  
3 students with no problems.

4 All of our associate degree and our  
5 BSN programs are nationally accredited through  
6 either ASN or CCNE. And, of course, our  
7 advanced practice is CCNE except for, like the  
8 nurse anesthesia, and it's COA.

9 So really articulation, we have not  
10 ran into any problems outside of Kansas in  
11 which our students have not been accepted into  
12 those programs with all of their credits that  
13 they've gotten. We haven't ran into any  
14 problems.

15 K. ALIOTO: Okay. Thank you, again,  
16 Ms. Moreland for your hard work on the benefit  
17 of your students and our nation.

18 C. MORELAND: Well, thank you.

19 C. PRESSNELL: All right. Wally?

20 W. BOSTON: Thanks, Claude. One of  
21 my questions -- I have two questions for you.  
22 Specifically the first one is about the change

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1 in your pass rate from 70, which I agree was  
2 low compared to most states that I am familiar  
3 with, to 80 and whether or not that pass rate  
4 is a simple pass rate, meaning that the  
5 institution reports the pass rate regardless of  
6 whether it's a first time rate or not. Because  
7 ACN and CCNE, my familiarity is that they are  
8 measuring the first time pass rate at the same  
9 time for licensure purposes. You know, given  
10 the shortage of nurses, I don't know of any  
11 state that, you know, doesn't allow people to  
12 take it as long as they're graduates.

13 So my question is when you're  
14 monitoring this rate, is it simply an annual  
15 rate without examination or concern about how  
16 many times the graduate takes the test? Just  
17 did they, you know, pass and did they meet the  
18 80 percent requirement during that calendar  
19 year or fiscal year that you're measuring?  
20 That's question number one.

21 C. MORELAND: Sure. Thank you for  
22 that. What we report, we get the data directly

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1 from National Council. So what we report is we  
2 report first time pass rates, and we also  
3 report those who take it more than once and the  
4 pass rate for both of those.

5 Our regulations talk about first  
6 time pass rate. And there was some discussion  
7 from the Board at the time that they revised  
8 that to 80 percent is should they do it like  
9 ASN does where, you know, they can take like  
10 three years and kind of the average. I don't  
11 know it off the top of my head. But anyway,  
12 our Board decided that as far as the  
13 regulations, they wanted to keep it first time  
14 pass rates in the year.

15 However, we do report out to the  
16 schools, information like that, when there is  
17 like second -- you know, first time pass rates  
18 and then any pass rates after that. And then  
19 we do allow them to take it as many times as  
20 possible. We don't have, you know, anything  
21 that says like five times and that's it. We do  
22 not have that.

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1                   W. BOSTON:    Okay.    Thank you.    And  
2                   then I have another question.    You mentioned  
3                   that -- I think you said you have a proposal to  
4                   increase the clinical hours from 500 to 750 but  
5                   that has not yet passed.    Is that correct?

6                   C.    MORELAND:           That's    correct.  
7                   That's    one    of    the    revisions    that    they're  
8                   looking    at    next    month.           Our    Board    and  
9                   subcommittees meet quarterly.    So that's why we  
10                  kind of have to wait from one meeting to the  
11                  next.

12                  But, yes, they will be looking at  
13                  that.    And there seemed to be a lot of support  
14                  for that when there was discussion.    So I  
15                  anticipate probably that they will.

16                  And the reason we were thinking  
17                  about that, since we have full practice  
18                  authority in Kansas now, we do not have the  
19                  requirement for a certain amount of hours after  
20                  they graduate before they get full practice  
21                  authority.    That was not put into the law that  
22                  was passed by our legislature.

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1                   So for that, our Board felt like,  
2                   you know, if they're going to graduate and have  
3                   the ability to do full practice authority right  
4                   after graduation, they need more clinical time  
5                   in their nursing program in the specialty that  
6                   they're going to be in. So that was the reason  
7                   that decision was made.

8                   W. BOSTON: Okay. So my follow-up  
9                   question related to that is do you allow  
10                  simulations to count for clinical? And if so,  
11                  how many hours or what percentage or are they  
12                  not allowed at all?

13                 C. MORELAND: Simulation cannot take  
14                  the place of clinical. They certainly can use  
15                  it in assistance for clinical. But no,  
16                  clinical needs to be direct patient contact.

17                 W. BOSTON: Okay. Thank you. I'm  
18                  finished for now. Thank you.

19                 C. PRESSNELL: All right. Thank  
20                  you, Wally. Jennifer?

21                 J. BLUM: Thank you. So a couple of  
22                  my questions got answered, but I still have a

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1 couple more. So you talked a lot about the  
2 advanced nursing piece of it. But I'm not sure  
3 I've seen before in a scope of recognition an  
4 exclusion. And maybe it exists, but that  
5 seemed new and eye-catching for me.

6 And so I have a couple questions  
7 around the now exclusion of the mental health,  
8 the licensed mental health program.

9 So I guess my first basic question  
10 is am I correct that to date you were -- you  
11 did have them in your scope so there are  
12 programs that are approved by the Board?

13 C. MORELAND: Sorry. I am trying to  
14 my microphone on. Yes. We actually have two  
15 programs right now that are approved by the  
16 Board, licensed mental health technician.

17 In our Nurse Practice Act, we have a  
18 separate section for licensed mental health  
19 technicians. So they are not really considered  
20 nurse education because they have their own  
21 education requirements and all of that.

22 Kansas, like any state I think in

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1 the nation right now, is seeing a big need for  
2 mental healthcare workers. And so Kansas is  
3 trying to revise the licensed mental health  
4 technicians.

5 Just to kind of tell you, we used to  
6 have like almost 60 licensed in the state. And  
7 the last renewal period, that went down to 27.  
8 And part of that was because of retirements. A  
9 lot of them are at the age where they just want  
10 to retire. They're tired of doing it.

11 A lot of them are employed in our  
12 state hospitals in Kansas.

13 So we are trying to make some kind  
14 of changes with licensed mental health  
15 technician so that hopefully we can get more  
16 people interested. We can get possibly more  
17 programs going in the State of Kansas.

18 Because right now the biggest  
19 program is through a state hospital. And so  
20 they can only do a program when they have  
21 enough staffing which is a real issue because  
22 usually they're short staffed.

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1                   We did approve another licensed  
2                   mental health technician program that is not in  
3                   a state hospital. And they presently have a  
4                   class going on. I think it's a class of 20.  
5                   And they're doing fine of it.

6                   And the legislature is also looking  
7                   at what kind of funding can they give to try to  
8                   support more of that education. So there's  
9                   just a lot of work being done right now to try  
10                  to get more mental healthcare workers in  
11                  Kansas.

12                 J. BLUM: Okay. But now I think I  
13                 might be more confused. So because it's being  
14                 excluded from your scope because I think you  
15                 didn't have policies in place -- okay,  
16                 Elizabeth is -- so is it okay if --

17                 E. DAGGETT: Do you mind if I jump  
18                 in?

19                 J. BLUM: No, yeah, please.

20                 E. DAGGETT: No, the reason for the  
21                 exclusion is that we, in the review, really the  
22                 licensed mental health technician is not a

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1 nurse education program. It's not a nursing  
2 program. It just so happens that it's just as  
3 what Carol had said is that the Kansas State  
4 Board of Nursing does approve this particular  
5 program. But it is not a nursing education  
6 program.

7 It just is that the law itself  
8 requires the Nursing Board to approve it. So  
9 when we went through our review, we realized  
10 that it really didn't apply to the Nursing Act,  
11 you know, that is covered under HHS nor under  
12 our current approval regulations at the time.

13 So we actually, in discussions with  
14 them, decided -- helped them to decide that we  
15 should exclude it because it didn't make sense  
16 to include it because it was confusing and for  
17 exactly the point that Carol made in that it is  
18 not a program that is running regularly or --  
19 and it usually has been limited to state  
20 facilities.

21 You know, it's not an every quarter,  
22 every month that they have starts of these

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1 types of programs. It's very rare. And it's  
2 really only used for the state of trying to  
3 increase their mental health technicians.

4 J. BLUM: Okay. This is very  
5 helpful because this goes to -- it was  
6 something I was going to say at the very start  
7 and didn't, which is I always have a lot of  
8 sympathy for the Nursing Boards who come before  
9 us because it is very quirky that you come  
10 before us under the Nursing Act or the federal  
11 statute.

12 And so now I understand the -- and  
13 I'm just going to digest out loud for public  
14 benefit or whatever, that I'm digesting that  
15 we're excluding it from the scope as it relates  
16 to the Department and NACIQI's approval.

17 You are going to continue and do  
18 your good work in mental health approvals  
19 because that was actually my alarm bell was  
20 wait a second. We need more mental health  
21 folks. So this has nothing to do with what  
22 your own mission is. It really just relates to

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1       our quirky situation of only approving you for  
2       purposes of the nursing.

3               C. PRESSNELL: Yeah. And, Jennifer,  
4       Herman has a comment on our quiriness.

5               H. BOUNDS: Just to add on to what  
6       Beth said, too, the 1969 Federal Register  
7       notice, it was only for, you know, the nursing  
8       program so.

9               J. BLUM: Right.

10              H. BOUNDS: Yeah.

11              J. BLUM: No, now I get it. So now  
12       I'll just ask my last question. So thank you  
13       for that -- both of you for that clarification.

14              My last question, I think it was  
15       raised in one of the third-party comments. And  
16       I think Kathleen touched on the -- and you  
17       touched on the NCLEX situation and your change  
18       of policy and the couple schools that are sort  
19       of on monitoring, if you will, by you.

20              But I was curious about something  
21       else. Can you speak a little bit about your  
22       relationship with the specialized accreditors

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1 in nursing? So, you know, in terms of if they  
2 take an action with regard to whether it's  
3 NCLEX related or something else related, if  
4 they were to take an action do you -- what's  
5 your process for being informed?

6 Do you follow suit? What is your  
7 practice and process in the relationship. And  
8 back and forth by the way, if you were to take  
9 an action, I'm interested to hear what your  
10 relationship is like with the accreditor in  
11 that realm too. Thanks.

12 C. MORELAND: Okay. Thank you for  
13 the question. I think we have a pretty good  
14 relationship with both ASN and CCNE.

15 We get notified of actions that they  
16 take on nursing programs. And it's not just  
17 Kansas, you know. It's something that they  
18 send out about all of them in the nation. But,  
19 of course, we pick up on the ones from Kansas.

20 Typically, we're also notified by  
21 the nursing program. They're very up front,  
22 you know, about what's going on with the

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1 national accreditors.

2 We also let them know, you know, if  
3 we put somebody on conditional approval, the  
4 reason why and kind of the process that happens  
5 then.

6 We do -- when the national  
7 accreditors come out and do site visits, we  
8 leave it up to the nursing programs if they  
9 want us there at the same time. But I will  
10 tell you probably 95 percent of the time they  
11 do because they're already putting together  
12 everything for a site visit. So they don't  
13 want to do it for the national accreditors and  
14 then have to do it separately for KSBN. So  
15 they'd rather that we're all there at the same  
16 time, knowing that, you know, how we look at  
17 things is just a little bit different.

18 But I will say before I moved into  
19 my present position, I was the staff member who  
20 worked with the nursing programs. And doing  
21 the site visits with them is very educational  
22 for both because we can explain the role of the

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1 Board of Nursing and some of our regulations  
2 when you have questions about that. But then  
3 they in turn can also explain some of their  
4 requirements. So I think it's a very good  
5 relationship and hopefully it will continue.

6 I hope that answers your question.

7 J. BLUM: Yeah, no. That was  
8 exactly what I was interested in. So I  
9 appreciate that. And that is interesting about  
10 the joint site visits. That is kind of  
11 efficient.

12 I just have one final comment, which  
13 I'm really sympathetic to the situation on your  
14 practices being in place and compliant, but not  
15 having the policies in place. And, again, my  
16 word of the day is quirkiness so that goes,  
17 again, to sort of the quirkiness of the  
18 situation and having to go through regulations.

19 Having said that, I'm just making a  
20 general comment about the next couple of days.  
21 This situation of having practices in place and  
22 not policies, I appreciate Elizabeth's

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1 recommendation because while it is a tedious  
2 thing to get the regulations in place, I'm sort  
3 of a firm believer that the public needs the  
4 policies in addition to the practices because  
5 it leaves us -- since we are reviewing you, it  
6 leaves us, I think the federal government, a  
7 bit vulnerable to rely that the practices are  
8 always going to happen. And it leaves the  
9 public vulnerable.

10 So having the policies in place as  
11 the Agency works, you know, I think is  
12 important. And you probably actually welcome  
13 that, too. So that was just a comment that I  
14 wanted to make, not just related to your Board  
15 but to the states and other Nursing Boards that  
16 we're seeing in the next two days.

17 C. PRESSNELL: Thank you very much,  
18 Jennifer. Art, then Debbie?

19 A. KEISER: I couldn't find -- are  
20 they a Title IV a gatekeeper?

21 E. DAGGETT: No. None of the  
22 Nursing Boards are Title IV gatekeepers.

1           A. KEISER: That makes it a little  
2 easier. I'm curious. Frequent policies,  
3 student protection information, these have been  
4 in place, at least since I've been on the  
5 Board, going back to 2008, '09. Why are you  
6 having a problem now going before to get these  
7 regulations passed when these have been in  
8 effect since you have been approved back in  
9 2007?

10           C. MORELAND: I appreciate that  
11 question because that was a question I asked  
12 because never has this been identified before  
13 as a problem. And, again, I take  
14 responsibility that we did not catch this.

15           But in the past, the fact that we've  
16 done the practice has been enough. But this  
17 time, you know, we were not in compliance  
18 because we didn't have the policies. But that  
19 has not been the case in the past. So we're  
20 just trying to go forward and do the right  
21 thing here.

22           A. KEISER: Great. And secondly,

1       you used the concept that COVID has made it  
2       difficult for you in getting these policies  
3       passed. Are you taking into consideration from  
4       your schools the impact of COVID on student  
5       pass rates where students had to go online who  
6       were not necessarily prepared to go online  
7       during this period of time and they're just  
8       coming out now if they were in four year  
9       programs and last year in two year programs?  
10      Are you taking that into consideration or are  
11      you holding the schools responsible for a  
12      bright line?

13               C. MORELAND: We have not changed  
14      the regulation because of COVID. There was a  
15      little bit of discussion, you know, should we  
16      give them an allowance for COVID or something  
17      like that? And the decision was made, no.

18               We did work with the nursing  
19      programs during COVID to let them take as much  
20      possible, you know, online because again it was  
21      kind of like an overnight thing that they had  
22      to make work. And some of them could not get

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1       into clinical sites, probably a majority of  
2       them for a little while. So they had to keep  
3       the clinical experiences more toward the end of  
4       the semester instead of interspersed throughout  
5       the semester, which would have been a little  
6       bit better.

7               But no, we did not actually change  
8       the regulations to give them -- because of  
9       COVID. We did not. It would have been a very  
10      tough process to change it for a short period  
11      of time and then change it back.

12             C. PRESSNELL: All right. Debbie?

13             D. COCHRANE: Thank you. So my  
14      first question is actually a very similar  
15      question to what Art just asked the Agency, but  
16      I would also ask it of the Department about  
17      what has changed. Because looking back at the  
18      last renewal petition, it looks like the Agency  
19      was found fully compliant. And it seems like  
20      nothing has changed. So what changed from the  
21      Department's standpoint?

22             C. PRESSNELL: Elizabeth?

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1                   E. DAGGETT: I don't think anything  
2                   changed. I think that the review didn't  
3                   reflect what was actually happening in the  
4                   policy.

5                   D. COCHRANE: The prior review?

6                   E. DAGGETT: Correct.

7                   D. COCHRANE: Okay, okay. Okay. My  
8                   other question is just a little bit more on the  
9                   timing, and I certainly appreciate the  
10                  challenges that you articulated regarding  
11                  changes to state regulations and the timing  
12                  associated with all of that.

13                  And I just want to just hone in  
14                  again because a year is not very much time to  
15                  get all of these changes through, and  
16                  especially for a board, I imagine you need  
17                  board approval and then you still go through  
18                  all the other layers, and there is a number of  
19                  issues that need to be touched on.

20                  Were these all combined in one  
21                  regulatory package or would the different  
22                  deficiencies that were highlighted by the

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1 Department would that by itself constitute  
2 multiple regulatory packages which again would  
3 need to be prioritized and then putting the  
4 Agency at risk of not getting them through in a  
5 year's time?

6 C. MORELAND: Thank you for that  
7 question. The APRN education regulations will  
8 go together as a package because it's easier  
9 for the reviewers to see all of the content  
10 versus us picking out just a few things because  
11 we're making other revisions than just what I'm  
12 talking about for, you know, the requirements  
13 that you have. There are other ones that we're  
14 cleaning up and stuff like that.

15 They mimic, I will say, a lot of the  
16 language for the most part in the undergrad.  
17 Now, yes, there are a few changes for advanced  
18 practice. But we did that for a reason because  
19 typically if one set goes through with that  
20 language, then we run into less resistance with  
21 the next set because they've already approved  
22 that language for a different set.

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1                   So what would be, you know, totally  
2                   different would be the set for advanced  
3                   practice. But, no, the whole -- I think there  
4                   is going to be nine regulations for advanced  
5                   practice that are going to go together at one  
6                   time, and it seems a little bit easier that way.

7                   D. COCHRANE: Thank you.

8                   C. PRESSNELL: Very good. Any other  
9                   questions? All right. Very good. There are no  
10                  third-party commenters. There were just some  
11                  written comments.

12                 So that brings us then back to  
13                  Elizabeth for closing comments, response.

14                 E. DAGGETT: Yes. Thank you, Mr.  
15                  Chair. I just have two things, maybe three. I  
16                  just want to say one is first of all thank you  
17                  to Carol and her staff, Janelle (phonetic);  
18                  working with them made it quite easy. We had a  
19                  very good working relationship so I wanted to  
20                  thank them for their hard work.

21                 I also want to reiterate that, yes,  
22                  they are doing all of these reviews of their

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1       advanced nursing -- you know, the graduate  
2       programs in practice. Unfortunately, there is  
3       just not regulation that reflects those  
4       requirements, which is what needs to be updated.

5               And then finally to Jennifer's  
6       point, asking about the relationship with  
7       specialized agencies, you know, we have seen  
8       them do joint reviews with ASN and CCNE.

9               But for the one comment and the  
10      third-party comment, the commenter said that it  
11      was a probation action by ASN, but it actually  
12      wasn't a probation action. So there wasn't an  
13      action for them, for Kansas, to take. And we  
14      had a conversation about that.

15              So Kansas does respond to any of  
16      those actions by any of the specialized  
17      agencies. But that actually wasn't the action  
18      that was taken that was stated in the third-  
19      party comment.

20              So if there are any other further  
21      questions, I'm happy to answer those.

22              C. PRESSNELL:       Thank you.       Any

1 further questions for Elizabeth? All right.  
2 Seeing none, thank you Elizabeth. Discussion,  
3 Wally, Kathleen, any further discussion  
4 questions, comments?

5 All right. Any from the members?  
6 All right. We would entertain a motion. I'm  
7 sorry. Bob?

8 R. SHIREMAN: There we go. Thank  
9 you. So I just want to confirm that on the  
10 issue of the exclusion that the ability to kind  
11 of wall off some part of accreditation or review  
12 or whatever is exclusive to these nursing --  
13 this special HHS nursing accreditor that in the  
14 context of other institutional accreditors that  
15 are Title IV gatekeepers, am I correct that that  
16 is not something where we could say, okay, well,  
17 we're approving them as an institutional  
18 accreditor except for certain things.

19 C. PRESSNELL: Yes. Herman can  
20 answer that question for you, Bob.

21 H. BOUNDS: Yeah, Bob. It's just  
22 simply that, again, the 1969 Federal Register

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1 notice only discusses nursing programs.

2 You know, we've seen this before  
3 with State Boards of Nursing, they are so large  
4 they also approve other things. So in this  
5 case, they just wanted it to be distinguished  
6 that those mental health programs are just not  
7 part of their department recognized scope.

8 Agencies recognized under 602, it's  
9 pretty easy for people to interpret that their  
10 scope, you know, lists what they do. We all  
11 know that they can accredit or do things that  
12 are outside their scope. They just aren't for a  
13 federal purpose.

14 But here for the State Boards of  
15 Nursing, we just wanted to make that clear. The  
16 SDO may decide to just not include it and then  
17 we would know it was excluded. But we just  
18 thought it would be helpful to put that  
19 exclusion in there.

20 R. SHIREMAN: I do want to flag, I  
21 think this is kind of a -- while this is a  
22 nursing specific thing, I think maybe we do have

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1 some issues with regard to regular institutional  
2 accreditation where we, the federal government,  
3 is essentially through its recognition of an  
4 accreditor giving an institution credibility  
5 through the institutional accreditor. And  
6 students and consumers are seeing, oh, this  
7 institution is approved by a federally  
8 recognized accreditor and so the accreditor must  
9 be overseeing this program I am signing up for.

10 The student is not thinking the  
11 accreditor must be overseeing this program  
12 because I understand that this program is using  
13 federal financial aid. I don't think we should  
14 be in a situation where an institution can say,  
15 well, we're not offering federal financial aid  
16 for this coding boot camp, so we don't have to  
17 comply with the rules of this accreditation.

18 So we don't need to answer that  
19 question here. But this exclusion kind of  
20 brought that up for me. And I think maybe it's  
21 -- I'm not sure that's an answered question on  
22 the institutional accreditation side of things,

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1 but I just wanted to flag it as a problem area.

2 C. PRESSNELL: Jennifer?

3 J. BLUM: I want to add, actually I  
4 think Bob is raising a really good point. And  
5 I'm not sure if he's thinking about the same  
6 thing I'm thinking about but, you know, in our  
7 work on the policy subcommittee we did sort of  
8 uncover on the part of the institutional  
9 accreditors that, you know, there is a whole  
10 growth of programs at institutions that they are  
11 allowing schools to carve out and not, you know,  
12 be within the scope so to speak. And we're  
13 trying to avoid that practice.

14 In this context, I think there is an  
15 easy fix because I totally support the exclusion  
16 here and understand it. Could we just add in  
17 the language that pursuant to the -- and then  
18 whatever the Nursing Act formal name is,  
19 excluding.

20 So it would say pursuant to,  
21 whatever the name of the Nursing Act is, exclude  
22 the licensed medical -- sorry, licensed mental

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1 health program so that it's clear why it's being  
2 excluded.

3 It's being excluded because we  
4 actually don't have the authority to include it.  
5 It's not because we're giving them a pass to not  
6 review it. It's because literally the  
7 Department doesn't have the authority to have  
8 oversight over the licensed mental health  
9 programs. There is a reason why we're excluding  
10 it, and it's legal.

11 So why don't we -- I think maybe we  
12 should say that's why we're excluding it rather  
13 than just creating an exclusion, which does seem  
14 like, as I said earlier, it's a bit of an  
15 anomaly that I haven't seen before and wouldn't  
16 want to get into the practice of allowing for  
17 exclusions and scopes.

18 H. BOUNDS: I mean, we could. Yeah,  
19 we could. I would kind of defer to maybe Angela  
20 if she wanted to chime in on that. But I would  
21 think if we wanted to put in an exclusion  
22 relative to the, you know, 1969 Federal Register

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1 notice that it's only relative to nursing  
2 programs, I don't see an issue with that.

3 E. DAGGETT: Can I just add one  
4 thing? Right now, that's what the 1969 Federal  
5 Register notice says. Right now, the negotiated  
6 rulemaking that is ongoing is actually  
7 discussing specifically adding Section 604  
8 related to nursing education in that review.

9 And I would hate to exclude this to  
10 only limit the Kansas State Board of Nursing  
11 based off of the current 1969 Federal Register  
12 notice language that, you know, there could be  
13 other programs beyond that particular act that  
14 the programs could, in the future, participate  
15 in, and I would not want to exclude that, but  
16 understanding the main reason is because the  
17 licensed mental health technician program is not  
18 a nursing education program. It just so happens  
19 to be another type of program in which the State  
20 of Kansas has determined through their laws  
21 should be approved by the Kansas State Board of  
22 Nursing.

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1 J. BLUM: So I was going to ask  
2 about the Neg Reg, but we were sort of  
3 admonished not to talk about the Neg Reg. But  
4 since there are multiple pages of new  
5 regulations pending on nursing education, I was  
6 going to ask about that. And so I am mindful of  
7 that so.

8 But I continue to think that this is  
9 a relevant point, and so it's just a matter of  
10 wording. And so we don't even have to name  
11 license -- we don't have to name the mental  
12 health program. We could say, you know,  
13 something about the scope and do this for --  
14 frankly encourage this for all of the Boards of  
15 Nursing that we review and have it be clear that  
16 it's pursuant to a statute on nursing education  
17 programs.

18 E. DAGGETT: Could I make a  
19 suggestion?

20 J. BLUM: Of course.

21 E. DAGGETT: Could we change it and  
22 just don't include the exclusion part and just

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1 say to only include the pre-licensure nursing  
2 programs and advanced nursing education  
3 programs?

4 J. BLUM: That's exactly what I was  
5 thinking.

6 H. BOUNDS: Yeah.

7 E. DAGGETT: So to only include. So  
8 can I read that out for everybody? So it would  
9 say the state agency for the approval of nurse  
10 education to only include prelicensure nursing  
11 programs and advanced nursing education  
12 programs. So it wouldn't even mention the  
13 exclusion of the licensed mental health  
14 technician programs because those are not even  
15 included in that.

16 J. BLUM: To me that makes so much  
17 more sense because if they were -- and I'm  
18 making this up because I'm not a nursing expert,  
19 but if they were to add something else in  
20 nursing that was applicable, they would have to  
21 seek an expansion of scope like any other agency  
22 would have to do. And I think that's

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1 consistent.

2 And, Bob, I don't mean to be -- so  
3 jump in. But I think it avoids the habit of --  
4 the potential habit -- I'm not suggesting we  
5 would fall down a rabbit hole, but it avoids the  
6 potential for new exclusions and scopes.

7 E. DAGGETT: I think we, as staff,  
8 were working with the Agency and wanted to try  
9 to make it as crystal clear as possible.

10 C. PRESSNELL: All right. Thank  
11 you. All right. Kathleen, did you have a  
12 question? Your hand was up. Do you not now?  
13 Okay.

14 All right. Any other questions,  
15 comments at this point? And I'm trying to get  
16 clarification on where we are here. Are you  
17 saying this would be language in the motion  
18 then? Okay. So we would need to have some  
19 proposed. And usually that comes from Wally or  
20 from Kathleen, but. Okay.

21 W. BOSTON: So, Claude, my  
22 suggestion is to -- I move that NACIQI recommend

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1       that the senior department official accept all  
2       of the recommendations of the final staff report  
3       for the Kansas State Board of Nursing with a  
4       language modification to the second paragraph  
5       stating that the Department staff also  
6       recommends approval of the language change to  
7       the Agency scope of recognition to reflect its  
8       past and current approval practice to  
9       specifically recommend prelicensure and advanced  
10      nursing programs.

11               C. PRESSNELL: All right.

12               K. CURRY: Second.

13               A. KEISER: Second.

14               C. PRESSNELL: Yeah, Art has  
15      seconded the motion. Any additional comment  
16      about that motion? And we would have to get  
17      that precise language for the staff. So are you  
18      all --

19               E. DAGGETT: Yeah, I provided that  
20      to Monica.

21               C. PRESSNELL: Okay.

22               A. SIERRA: Hi, everybody. This is

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1 Angela Sierra from the Office of the General  
2 Counsel. We put some language up. I don't think  
3 I captured it exactly the way that Wally worded  
4 it. But could you look at this and see if this  
5 works in terms of the change in language to the  
6 scope of recognition and being really specific  
7 about what it will include.

8 W. BOSTON: I'm good with that  
9 Angela. I was just trying to follow what was in  
10 the staff recommendation form. So this works,  
11 too.

12 C. PRESSNELL: Yeah.

13 A. SIERRA: Yes, I know, it's hard  
14 to -- as long as it captures the intent.

15 C. PRESSNELL: Yeah, could you read  
16 it out loud, please?

17 M. FREEMAN: I move that NACIQI  
18 recommend that the senior department official  
19 accept all of the recommendations of the final  
20 staff report for the Kansas State Board of  
21 Nursing and approve a language change to the  
22 Agency's scope of recognition to only include

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1       prelicensure   nursing   programs   and   advanced  
2       nursing programs.

3                   C.       PRESSNELL:           Thank    you.  
4       Elizabeth,    is    that   congruent    with    you  
5       recommendations?

6                   E.   DAGGETT:    Yes, I think that it  
7       would be understood that this would be the  
8       change.

9                   C.   PRESSNELL:   Okay.   And Wally, you  
10      also agree?

11                  W.   BOSTON:   Yes, yes.

12                  C.   PRESSNELL:   Okay.   Thank you.  
13      And, Art also does.   Any further questions,  
14      comments about this language or the motion? I  
15      can't see anybody.

16                  K.   ALIOTO:   Hi, Claude.

17                  C.   PRESSNELL:           Yes,   Kathleen,  
18      please.

19                  K.   ALIOTO:           Just    a    little  
20      grammatical thing.   The Agency staff reflect  
21      recognition to include only.   That's a split  
22      infinitive. To include only -- my father was -

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1 -

2 C. PRESSNELL: Thank you.

3 K. ALIOTO: -- always correcting me  
4 on that.

5 C. PRESSNELL: Thank you, Kathleen.  
6 You've earned your wages for the entire meeting  
7 right there. Okay. Any other comments,  
8 corrections? Okay. Seeing none, let's take the  
9 vote.

10 M. FREEMAN: Zakiya Smith Ellis, how  
11 do you vote?

12 Z. SMITH ELLIS: Yes.

13 M. FREEMAN: Zakiya Smith Ellis  
14 votes yes. Kathleen Alioto, how do you vote?

15 K. ALIOTO: Yes.

16 M. FREEMAN: Kathleen Alioto votes  
17 yes. Roslyn Clark Artis, how do you vote?

18 R. CLARK ARTIS: Yes.

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

21 J. BLUM: Yes.

22 M. FREEMAN: Jennifer Blum votes

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1 yes. Wallace Boston?

2 W. BOSTON: Yes.

3 M. FREEMAN: Wallace Boston votes  
4 yes. Debbie Cochrane?

5 D. COCHRANE: Yes.

6 M. FREEMAN: Debbie Cochrane votes  
7 yes. Jose Luis Cruz Rivera?

8 J.L. CRUZ RIVERA: Yes.

9 M. FREEMAN: Jose Luis Cruz Rivera  
10 votes yes. Keith Curry?

11 K. CURRY: Yes.

12 M. FREEMAN: Keith Curry votes yes.  
13 David Eubanks?

14 D. EUBANKS: Yes.

15 M. FREEMAN: David Eubanks votes  
16 yes. Art Keiser?

17 A. KEISER: Yes.

18 M. FREEMAN: Art Keiser votes yes.  
19 Michael Lindsay?

20 D.M. Lindsay: Yes.

21 M. FREEMAN: Michael Lindsay votes  
22 yes. Molly Hall-Martin?

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1 M. HALL-MARTIN: Yes.

2 M. FREEMAN: Molly Hall-Martin votes  
3 yes. Robert Mayes?

4 M. FREEMAN: Robert Mayes votes yes.  
5 Michael Poliakoff?

6 M. POLIAKOFF: Yes.

7 M. FREEMAN: Michael Poliakoff --  
8 oops, that was Mary Ellen. Sorry, Mary Ellen,  
9 how do you vote?

10 M.E. PETRISKO: Yes.

11 M. FREEMAN: Mary Ellen Petrisko  
12 votes yes. Michael Poliakoff votes yes. Bob  
13 Shireman?

14 R. SHIREMAN: Yes.

15 M. FREEMAN: And Bob Shireman votes  
16 yes.

17 C. PRESSNELL: All right. So the  
18 motion passes 16 to 0. So congratulations and  
19 thank you so much for your time and your  
20 deliberation. I would recommend we go ahead and  
21 take a break, a very brief break.

22 And so at five minutes past the

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1 hour, we will reconvene. Thank you.

2 (Whereupon, the above-entitled  
3 matter went off the record at 10:54 a.m. and  
4 resumed at 11:05 a.m.)

5 C. PRESSNELL: All right. Welcome  
6 back, everyone. The next agency that is up for  
7 review is the **Missouri State Board of Nursing**.  
8 And the primary readers for NACIQI are Jose and  
9 Michael. And Jose, are you going to take it or  
10 is Michael?

11 J.L. CRUZ RIVERA: Sure. And then,  
12 of course, Michael can weigh in.

13 C. PRESSNELL: Okay. Thank you.

14 M. POLIAKOFF: Okay.

15 J.L. CRUZ RIVERA: So we are  
16 presenting the Missouri Board of Nursing's  
17 request for continued recognition. The current  
18 scope of recognition for the Agency is state  
19 approval of nurse education programs.

20 The Missouri Board of Nursing  
21 currently approves 34 practical nursing, 28  
22 associate degree and 31 baccalaureate programs.

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1 Although the Agency is responsible for all  
2 nursing programs in the state leading to initial  
3 licensure, its scope of recognition by the U.S.  
4 Department of Education applies only to the  
5 professional nursing programs eligible for  
6 federal assistance under the Nurse Training Act  
7 of 1964, as amended, and not the programs for  
8 licensed professional nurses pursuing post-  
9 licensure, baccalaureate or advanced nursing  
10 degrees.

11 The Agency has had no complaints  
12 since the last review and one third-party  
13 comment which is discussed in the staff  
14 analysis.

15 The Missouri Board of Nursing has  
16 been a recognized state approval agency for  
17 nursing education since 1970. The last full  
18 petition for continued approval was considered  
19 at the July 2020 NACIQI meeting. At that time,  
20 the committee recommended that the Agency's  
21 recognition be continued.

22 The October 2021 decision letter

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1       acknowledged the Missouri Board of Nursing  
2       recognition by the senior department official  
3       for a period of four years, at which time a  
4       renewal petition will be submitted to a  
5       department.

6               The Board submitted its renewal  
7       petition on January 27, 2022, and it is the  
8       subject of the current review.

9               The staff recommendation to a senior  
10      department official is to renew the state's  
11      Agency's recognition for four years. There are  
12      representatives of the Agency here to answer  
13      questions. I do have a handful of them but  
14      would ask Michael if he has any other framing  
15      comments he would like to make.

16              M. POLIAKOFF: I have a couple of  
17      questions, but I would defer to you, President  
18      Rivera Cruz. And I will hold mine for a little  
19      longer.

20              C. PRESSNELL: Yeah, why don't we go  
21      ahead and have Mike do a briefing and then we'll  
22      allow the Agency up to make comments and then we

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1 can start -- but if you have technical questions  
2 for Mike, we'll do so after his comments.

3 M. POLIAKOFF: Okay.

4 M. STEIN: Thank you. Good morning,  
5 Mr. Chair and members of the committee.

6 For the record, my name is Mike  
7 Stein, and I am presenting a summary of the  
8 Petition for Continued Recognition submitted by  
9 the Missouri State Board of Nursing.

10 The state's recognition for its  
11 approval of nursing programs does not include  
12 access to Title IV programs.

13 Based on a review of the information  
14 in the Agency's petition as well as observations  
15 of a meeting of the Board's Education Committee,  
16 a site visit and a file review, Department staff  
17 finds that the Missouri State Board of Nursing  
18 is in compliance with the nurse criteria  
19 published in the 1969 Federal Register notice  
20 with no issues or concerns.

21 Therefore staff's recommendation to  
22 the senior department officials to renew the

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1 Agency's recognition as a nationally recognized  
2 state approval agency for nurse education for a  
3 period of four years.

4 Department did not receive any  
5 complaints during this review cycle. We did  
6 receive one third-party comment. That comment  
7 was mostly unrelated to a review of the Agency  
8 under the 1969 nurse criteria. Part of the  
9 comment was specific to the Department's third-  
10 party comment procedures, which was addressed in  
11 the petition by Department staff.

12 Representatives from the agencies  
13 are here, and I am happy to answer any questions  
14 that you may have.

15 One final note, I believe there was  
16 a typo that I was responsible for that Jose  
17 read. The senior department official letter was  
18 October 2020 not 2021. Thank you.

19 C. PRESSNELL: Thank you, Mike. Any  
20 clarifying questions for Mike before we allow  
21 the Agency to come before us?

22 M. POLIAKOFF: I actually have one.

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1 And I apologize if it's just too simple minded.

2 But why would a program for licensed  
3 professional nurses pursuing post-licensure  
4 baccalaureate or advanced nursing degrees not be  
5 part of this review?

6 M. STEIN: I think that question  
7 will best be answered by the Agency. As we  
8 discussed previously, you know, for our purposes  
9 the scope of recognition for the state approved  
10 nursing agencies has been as read approval for  
11 nursing education. My understanding is that at  
12 some point they had requested that to be  
13 included in sort of the analysis or about  
14 information. Why they asked those to be  
15 specifically excluded, I think the Agency is  
16 best to answer.

17 M. POLIAKOFF: Fair enough.

18 C. PRESSNELL: All right. Very  
19 good. Well, at this point then we will invite  
20 up Amy Ackerson, the Director of Education, and  
21 Lori Scheidt, the Executive Director.

22 L. SCHEIDT: I'm sorry. I'm trying

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1 to get my video to work, and I don't know that  
2 you can see me. My name is Lori Scheidt. I'm  
3 Executive Director of the Missouri State Board  
4 of Nursing. Thank you for the opportunity. And  
5 I'm going to turn it over to Amy Ackerson,  
6 Director of Education.

7 A. ACKERSON: Good morning. I just  
8 want to reiterate that we would like to thank  
9 the Department for their work. We certainly  
10 appreciate an objective review of our processes  
11 and systems, so thank you.

12 C. PRESSNELL: All right. Very  
13 good. Lori, did you have any additional  
14 comments?

15 L. SCHEIDT: No. I think the only  
16 thing -- if I understood the question correctly  
17 on why we only have prelicensure programs.

18 C. PRESSNELL: Mm-hmm.

19 L. SCHEIDT: That is our sole  
20 statutory authority. We only have statutory  
21 authority to approve prelicensure education  
22 programs, not conclusion programs (audio

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1 interference) of its advanced practice programs.

2 C. PRESSNELL: Thank you, Lori. So  
3 Michael?

4 M. POLIAKOFF: Yeah. Thank you for  
5 answering my question. My more specific  
6 question was around that your annual Board was  
7 really very impressive. But the one section  
8 that we are particularly focusing on is  
9 disciplinary procedures, including alternative  
10 disciplinary procedures.

11 Could you give us more of a sense of  
12 how this would compare to other states' nursing  
13 programs in number and specifically what is the  
14 alternative program like in comparison to the  
15 regular disciplinary programs?

16 L. SCHEIDT: You're talking about  
17 the disciplinary programs for nurses?

18 M. POLIAKOFF: Yeah, there were some  
19 figures given in your report.

20 L. SCHEIDT: Oh, okay. Yeah. Yes,  
21 so we have -- somebody has feedback so I'm going  
22 to --

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1 M. POLIAKOFF: It could be me.

2 L. SCHEIDT: I'm not sure if it's me  
3 or --

4 M. POLIAKOFF: Let me -- I think that  
5 helped.

6 L. SCHEIDT: Okay. So we have a  
7 non-disciplinary program. There are a fair  
8 number of states that have that. So it's rooted  
9 in statute. So several years ago the  
10 legislature gave us the authority to offer this  
11 program. It has some pretty strict criteria for  
12 -- we will not offer it to someone who did very  
13 egregious behavior, and part of it is like  
14 nurses that divert controlled substance and  
15 replace the drug with saline, right, because we  
16 view that as a very egregious act because the  
17 patient then -- later someone is going to get  
18 saline instead of pain medication.

19 So there is certain criteria, but  
20 it's really framed around those who have a  
21 substance use disorder, and they can agree to  
22 terms with the Board where it's a non-

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1 disciplinary agreement.

2 It's very stringent. They have to  
3 call in every single day, including weekends and  
4 holidays, to see if they are going to be drug  
5 tested. And they are random screens. They have  
6 a number of work restrictions they have to  
7 adhere to.

8 And if they violate anything, and  
9 that means even one missed check-in, then their  
10 license is suspended for an entire year. So if  
11 they complete that, then there would not be  
12 public discipline on their license.

13 Now during that time when they are  
14 being monitored by us, they have a single state  
15 license. And they can't have a compact multi-  
16 state license. And we know who their employer  
17 is. We have very strict employer monitoring  
18 guidelines for that period of time.

19 And there are a fair number of  
20 states that do that. So it really is trying to  
21 help those that have a true substance use  
22 disorder get assistance without having sort of

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1       this public mark on their license for the rest  
2       of their life if they can work a program that's  
3       five years and pretty intense.

4               M. POLIAKOFF: Thank you for that.  
5       And you are feeling very confident that it's  
6       effective, and it is kind of a screen against  
7       recidivism as well? Obviously, this is a real  
8       public safety issue.

9               L. SCHEIDT: Yeah. So we did get  
10       beat up about that because of the five year  
11       period. But we have followed the research, and  
12       there have been many research studies done that  
13       show that if a nurse is carefully monitored,  
14       again with a program -- there are a lot of  
15       restrictions they have to have to not administer  
16       controlled substance for a period of time while  
17       they work the program so they're not exposed to  
18       that temptation.

19               It's five years. And the research  
20       shows that if a nurse can make it five years,  
21       they are likely to succeed long-term. If they  
22       are going to relapse, it's within that five year

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1 window. So that's really why we hold their feet  
2 to the fire for an entire five year period.

3 M. POLIAKOFF: And just one more on  
4 that same topic. There are obviously other  
5 kinds of infractions that would incur  
6 discipline. Could you talk a little bit more  
7 about non-substance abuse cases and how they are  
8 handled?

9 L. SCHEIDT: So the impaired program  
10 that you were just talking about, the  
11 alternative to discipline programs, are only for  
12 substance use disorder. The other programs that  
13 we have are discipline then. So the other cases  
14 that we receive are practice issues, that would  
15 really be the -- and criminal issues would  
16 really be the other categories that we see a lot  
17 of activity in.

18 M. POLIAKOFF: Thank you.

19 C. PRESSNELL: Thank you, Mike.

20 Jose, questions?

21 J.L. CRUZ RIVERA: Yes, thank you.  
22 I have a couple of questions. The first one is

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1 around student success rates. Could you say a  
2 little bit more about the trends on licensure  
3 rates of graduates from nursing programs  
4 accredited by the Board? And how does the Board  
5 support programs with consistently low pass  
6 rates?

7 I noticed in the report that you  
8 highlight those that are under 80 percent pass  
9 rates on year 1, year 2, and year 3. Can you  
10 say a little bit more about that progression?

11 A. ACKERSON: Sure. So we monitor  
12 pass rates on a yearly basis based on data that  
13 comes from National Council for State Boards of  
14 Nursing, of course. Just like Kansas, we  
15 measure first-time calendar-year pass rate for  
16 all test takers. And any program that  
17 underperforms under the 80 percent threshold for  
18 Missouri is required to submit a plan of  
19 correction to improve their outcomes for the  
20 next year.

21 We will do a site survey after the  
22 plan of correction is submitted. Any program

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1       that remains under the 80 percent threshold for  
2       the second year runs the risk of being placed on  
3       conditional approval. And then we go through  
4       more intense monitoring of the nursing program,  
5       and some decisions need to be made for the third  
6       year out on the sustainability of the nursing  
7       program and what efficiencies are causing that  
8       low pass rate.

9               So year 2023 we only had eight  
10       programs underperform in the state of Missouri,  
11       and only two of them were on a two-year plan.  
12       So we've seen an improvement for the year 2023.

13              J.L. CRUZ RIVERA: Very good. Thank  
14       you so much. In terms of graduate student  
15       outcomes, do you track any specific data on the  
16       debt levels of students going through these  
17       programs versus their starting salaries once  
18       they graduate?

19              A. ACKERSON: So we leave that up to  
20       the nursing program to track graduate data as  
21       far as like job placement rates and things like  
22       that. And so it's really up to the individual

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1 nursing program if they pull first-year salary  
2 information from those graduates.

3 I think you said something about  
4 student debt. So we are not a Title IV  
5 gatekeeper, and we really don't have any say in  
6 financial aid over the nursing programs. We do  
7 ask them to submit some audited fiscal budgeting  
8 and some -- like attest to the sustainability of  
9 the nursing program on survey.

10 On annual report, they have to  
11 provide a copy of their annual budget. But as  
12 far as anything -- other fiscally related on the  
13 part of the student, that's the responsibility  
14 of the nursing program to answer to their  
15 accrediting agency for the sponsoring  
16 institution.

17 J.L. CRUZ RIVERA: Very good. Thank  
18 you. And, finally, in terms of curriculum, does  
19 the Board evaluate and ensure that nursing  
20 education programs are effectively preparing  
21 graduates to serve diverse populations,  
22 including training on cultural competency and

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1 health care disparities?

2 A. ACKERSON: Yes, sir. Good  
3 question. So, yes, we do. All curriculum --  
4 all curriculum is evaluated every five years,  
5 and that includes many aspects that are all  
6 covered in the regulations of what has to be  
7 included in the curriculum, and diversity and  
8 cultural competency as well as holistic  
9 wellbeing and mental health are all -- are all  
10 included.

11 J.L. CRUZ RIVERA: Thank you. No  
12 further questions.

13 C. PRESSNELL: Thank you, Jose.  
14 Kathleen?

15 K. ALIOTO: Sorry. I was -- I was  
16 struck, and I hadn't really picked up Michael's  
17 point about -- about substance abuse problems.  
18 And you said that was something -- that a number  
19 of states are involved in this. How big is that  
20 problem?

21 A. ACKERSON: So can I just -- I  
22 just want to mention that the annual report for

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1 the Missouri State Board of Nursing covers all  
2 departments of the Missouri State Board of  
3 Nursing. And that actual -- that sort of  
4 regulation is outside the scope of nursing  
5 education. Not that Lori can't speak to it  
6 further, but that -- that annual report that you  
7 received is -- it covers all actions and  
8 departments of the Board of Nursing, not just  
9 nursing education.

10 K. ALIOTO: Well, how much of a  
11 problem is that? I'm feeling quite naïve here.

12 L. SCHEIDT: It's a large problem.  
13 So nurses, you know, it's -- a lot of it also  
14 goes to mental health, right? Sometimes that's  
15 why people start using is a mental health issue.  
16 But it's a huge problem. That's what a lot of  
17 boards of nursing spend their time on.

18 In fact, we have a board meeting  
19 that starts tomorrow and goes through Friday,  
20 and we have 55 hearings, and the large majority  
21 of them are substance use disorder cases. So I  
22 think it's a combination of, you know, these are

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1 individuals that are addicted, and they have  
2 access, right, to controlled substances and  
3 narcotics. So it's a huge problem.

4 K. ALIOTO: Well, is this something  
5 new, or is this the Sackler influence on  
6 American life or?

7 L. SCHEIDT: No, it's not new. It's  
8 not new.

9 K. ALIOTO: It has historically been  
10 a problem? I've never --

11 L. SCHEIDT: Yes.

12 K. ALIOTO: -- actually heard of  
13 this as a problem.

14 L. SCHEIDT: Yes, it is.

15 K. ALIOTO: Wow. So what percentage  
16 of -- you say 50 hearings. What percentage of

17 L. SCHEIDT: Well --

18 K. ALIOTO: -- is this -- is this  
19 impacting?

20 L. SCHEIDT: Yeah. What we say to  
21 people is, you know, that sounds like a lot.  
22 But when you realize we have about 140,000

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1 licensees, it's usually less than two percent of  
2 the population that face some type of discipline  
3 from their Board of Nursing.

4 And we also try to promote -- it  
5 kind of goes along with your -- the question  
6 that was asked about our impaired-risk program.  
7 If employers are willing to support their  
8 employee and, you know, stage their own  
9 intervention and requiring nurses to get  
10 treatment and return to work on a return-to-work  
11 agreement, we fully support that.

12 But what occurs is if the Board gets  
13 a complaint, or if a nurse is terminated from  
14 employment, then we have to review that and do  
15 what we need to do to make sure that the public  
16 is protected if that nurse would be able to  
17 continue to practice. So that's really our  
18 role, right, is -- our sole mission is public  
19 protection. So we look at cases on a case-by-  
20 case basis and, you know, consider things like,  
21 have they received treatment? Are they working  
22 a program?

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1           And, again, our programs are quite  
2           strict, so that's probably why we have some  
3           lingerings as well. It's not uncommon to place  
4           a nurse on probation and that probation be  
5           violated and then either additional probation be  
6           added or the license be revoked. So that's  
7           really the role of the Board.

8           K. ALIOTO:     And in terms of the  
9           curriculum, why there? Courses or is the pieces  
10          of the course that deal with this, just the  
11          horror of getting addicted to a painkiller that  
12          --

13          L. SCHEIDT:    Amy, do you want to  
14          answer that?

15          A. ACKERSON:   Well, I would say that  
16          most nursing curriculums deal with some sort of  
17          professionalism course that include how to  
18          protect your nursing license and things like  
19          that.

20          K. ALIOTO:    Yeah.

21          L. SCHEIDT:    And we do -- one of the  
22          things we'd like to do is we also offer for our

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1 nursing programs to send nursing students to our  
2 board meetings, and many do that. In fact,  
3 there will be students there this week. And  
4 usually it's in their senior-level nursing  
5 leadership course, and they come and attend  
6 board hearings and listen to cases, because  
7 those are in open session.

8 So that's quite eye opening for them  
9 as well, to understand, you know, that this can  
10 happen. And I think our schools do a good job  
11 of educating nurses about -- or nursing students  
12 about that, because, you know, often, you know,  
13 you don't -- you don't start -- although we've  
14 seen some I think that start their nursing  
15 career because -- that's why. They want  
16 students to get access to drugs, and we have a  
17 couple of those.

18 But I think for the most part nobody  
19 intends to do that, right? Something -- life  
20 happens, they don't have appropriate coping  
21 mechanisms, and they have easy access or -- or,  
22 you know, sometimes they don't understand the

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1 disease of addiction, and they just start using  
2 and start that downward spiral.

3 K. ALIOTO: Thank you for being on  
4 top of it.

5 C. PRESSNELL: Thank you. Other  
6 questions? Yeah, Zakiya?

7 Z. SMITH ELLIS: Thank you for your  
8 work in general and for your response to  
9 President Cruz Rivera's comment earlier about  
10 your training on cultural competency and  
11 diversity.

12 Just wondering, given the severe  
13 disparities in health outcomes and what we know,  
14 if you -- about how differences in medical  
15 professionals and the diversity of medical  
16 professionals can impact the health of  
17 underrepresented minorities, what you do, if  
18 anything, to promote diversity within those who  
19 are in the nursing programs in Kansas, and if  
20 you track anything related to -- oh, I'm sorry.  
21 We're now in Missouri. For nursing programs in  
22 Missouri.

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1           Yes, same question for anyone that's  
2     listening, for any of the medical programs, if  
3     you do anything to track the diversity of  
4     program graduates as well.

5           A. ACKERSON: Oh. We do -- we do  
6     track program -- well, program participants.  
7     The nursing programs' own annual report will  
8     provide feedback as to the cultural background  
9     of their students.

10          As far as actually tracking  
11     curriculum, I don't -- you know, the  
12     regulations, as far as professional programs of  
13     nursing and what is required in their  
14     curriculum, is not entirely prescriptive. And  
15     so we do offer the program some latitude to form  
16     their own curriculum to meet their own program  
17     outcomes as they have designed them.

18          So to say that do -- does the state  
19     of Missouri have regulations that require  
20     professional programs of nursing to have  
21     curriculum that specifically addresses cultural  
22     competence? I'm going to say no. But like I

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1       said, most nursing programs have pieces in place  
2       that cover all of those aspects and cover  
3       therapeutic communication. They have program  
4       outcomes that respect the diversity of all  
5       patients, including LGBTQ issues and just lots  
6       of things like that.

7               But to say that does -- if you're  
8       asking if the state of Missouri specifically  
9       prescribes diversity in each nursing program,  
10      no.

11             L. SCHEIDT:     So I will add on,  
12      though, that at a state level we also have on  
13      our website a workforce report. And one of the  
14      things that we're really proud about, since you  
15      asked, is we require all nurses when they're  
16      licensed to enroll in National Council's Nursys  
17      e-Notify.

18             So Nursys is the national database  
19      of nurses. And when they enroll in e-Notify,  
20      the reason they do that is because they -- you  
21      know, in this database, you have one record no  
22      matter how many licenses you have, and that is

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1 the only place individuals can verify a Missouri  
2 or even a multi-state license. So many states  
3 are -- all boards of nursing report to the  
4 system. So all the data comes from boards of  
5 nursing.

6 So we require nurses to enroll in  
7 Nursys e-Notify, and when they do that they have  
8 to answer workforce questions. And so because  
9 of that process that we have, we have workforce  
10 data on 98 percent -- 98 percent, which is  
11 phenomenal -- of our work -- of our nurses that  
12 are licensed in our state.

13 And the other part of that is it  
14 sends a push out to the nurse. So if their  
15 license status would change or discipline would  
16 get attached, they would get a notification.

17 But, anyway, because we ask that  
18 question and we have that data on 98 percent, we  
19 have really good information about the  
20 demographics of our nurse population that then  
21 is shared and institutions use that. And we  
22 have partnered with our University of Missouri

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1 Center for Health Policy to create a dashboard,  
2 so that anyone can go and look at and overlay  
3 maps and look at different characteristics of  
4 nurses. And we think that's a great thing.

5 We're doing that with our own budget  
6 dollars, because we think it's so important.  
7 And then, again, you know, we can't dictate to  
8 schools about that, right? But this is data the  
9 schools then can take, and you can -- it has  
10 data where it compares that against the  
11 population.

12 So we can really look at, are we  
13 marrying -- are we educating, are we marrying  
14 what's in our population? Where do we see those  
15 gaps? So we think that's a very useful tool,  
16 and we've heard great input from our nursing  
17 programs about that. And I think, again, it  
18 also helps them with grant applications and has  
19 a number of other benefits for doing that.

20 Z. SMITH ELLIS: Thank you.

21 C. PRESSNELL: All right. Very  
22 good. Any other questions for the agency?

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1                   Seeing     none,     Mike,     concluding  
2     comments?

3                   M. STEIN:    I don't have any further  
4     comments.

5                   C. PRESSNELL:   All right.     Very  
6     good.   So I'll turn it back -- any discussion on  
7     behalf of the Committee, Jose, or -- all right.  
8     Jennifer?

9                   J. BLUM:       I have a technical  
10    question, sorry, on the scope.   Because they,  
11    too -- I'm just trying to be consistent.   I feel  
12    like it makes sense on -- with the nursing board  
13    to be consistent in their scopes.

14                   So it sounds like -- and correct me  
15    if I'm wrong -- that they also have programs  
16    that are not under the nurse education -- I'm  
17    getting the name of the act wrong, but the Nurse  
18    Education Act that we have authority over.   So  
19    could we align --

20                   C. PRESSNELL:   Well, hold on.

21                   H. BOUNDS:    I just think we need to  
22    consider -- I think the nursing programs that

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1       they are excluding are basically state  
2       legislative requirements. But they are nursing  
3       programs, so they still would fall under -- they  
4       would still fall under the 1969 Federal Register  
5       Notice. So I think that should probably be  
6       taken into consideration before we want to  
7       exclude them.

8               Now the state may come back and they  
9       may reinstate them at some point later, but they  
10      are nursing programs. So I just think that's  
11      the difference between the Kansas Board of  
12      Nursing and the Missouri Board of Nursing,  
13      because they aren't excluded by the Federal  
14      Register Notice, if in fact they are nursing  
15      programs.

16             J. BLUM:       Okay.       So now I'm  
17      confused. Are there -- are they reviewing and  
18      approving nurse education programs that fall  
19      under the Federal Act but somehow they're not  
20      under our -- I guess I'm not following what  
21      you're saying, Herman.

22             H. BOUNDS:    No.       I'm just saying

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1       that the -- I guess the state has restricted the  
2       Board of Nursing from approving those types of  
3       nursing programs within the state.

4               J. BLUM:   Got it.

5               H. BOUNDS:   I'm just saying for us  
6       they are nursing programs that could fall under  
7       the -- that are nursing programs, which is what  
8       the 1969 Federal Register Notice authorizes is  
9       the approval of nursing programs.

10              So I don't know if you want to  
11      exclude -- I don't know if you want to put in an  
12      exclusion in their scope for that reason or not.  
13      We didn't, but I just --

14              J. BLUM:   This really demonstrates  
15      how, in a way, messed up this structure is, but  
16      okay.

17              H. BOUNDS:   Yeah. I mean, you could  
18      ask the state if they're -- if they are in fact  
19      nursing programs, but --

20              J. BLUM:   I think the --

21              C. PRESSNELL:   Please speak into the  
22      mic.

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1 J. BLUM: I think the clarification  
2 is whether there are nurse education programs  
3 that they are approving that are not covered by  
4 our review.

5 H. BOUNDS: Okay.

6 A. ACKERSON: So we regulate all pre  
7 licensure nursing programs. Anything post-  
8 licensure is outside of our scope of regulation.

9 M. POLIAKOFF: I don't want to  
10 complicate this further, but -- and I realize  
11 this is almost an off-the-record kind of  
12 question, but is that a desirable situation? If  
13 you could build it the way you wanted it to be  
14 built, would you include those post-licensure  
15 programs?

16 C. PRESSNELL: Would it be  
17 satisfactory to maybe move this to the policy  
18 discussion time, so we can vet this more  
19 thoroughly, rather than leaving agencies kind of  
20 backlogged here on this issue? Would that --

21 M. POLIAKOFF: I'm in. Yes.  
22 Absolutely.

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1 C. PRESSNELL: All right. So I'll  
2 add that topic to tomorrow's discussion. All  
3 right. Very good.

4 We would entertain a motion. Jose?

5 J.L. CRUZ RIVERA: I move that  
6 NACIQI recommend that the senior department  
7 official approve the Missouri Board of Nursing -  
8 - State Board of Nursing for -- continue the  
9 renewed recognition for four years.

10 C. PRESSNELL: All right. And  
11 that's consistent with the staff recommendation;  
12 is that correct?

13 J.L. CRUZ RIVERA: That is correct.

14 C. PRESSNELL: Okay. All right. So  
15 a motion has been made. Do I get a second? Art  
16 seconds that.

17 Discussion about the motion? All  
18 right. Monica is working on the wording of  
19 that, then. Seeing no discussion at this time,  
20 once the language is up on the screen -- and  
21 we'll have Monica actually read it for us.  
22 We'll make sure we're in good order.

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1                   A.   SIERRA:       Does   that   motion  
2   language look like it -- oh, I'm sorry.   It's  
3   not up yet.

4                   C.   PRESSNELL:   It   should   basically  
5   be the staff recommendation.

6                   A.   SIERRA:   Yeah.   When the -- when  
7   the motion is to accept the staff recommendation  
8   --

9                   C.   PRESSNELL:   We can just --

10                  A.   SIERRA:   -- that would -- you can  
11   just say that if you want?   Because --

12                  C.   PRESSNELL:   Okay.

13                  A.   SIERRA:   -- you know, the --

14                  J.L. CRUZ RIVERA:   I will rephrase  
15   my motion to accept the staff recommendation.

16                  A.   SIERRA:   Might just make it  
17   easier.   Thank you.

18                  C.   PRESSNELL:   It   does   make   it  
19   easier.

20                  All right.   Any other questions or  
21   comments about the motion?

22                  All right.   Seeing none, we will

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1 take the vote.

2 M. FREEMAN: All right. The reading  
3 of the motion is as follows. I move that the  
4 NACIQI recommend that the senior department  
5 official accept all the recommendations of the  
6 final staff report for the Missouri State Board  
7 of Nursing.

8 C. PRESSNELL: That's correct. All  
9 right.

10 M. FREEMAN: And ready for the vote.

11 C. PRESSNELL: And here we are for  
12 the vote. Thank you.

13 M. FREEMAN: All righty. Zakiya  
14 Smith Ellis, how do you vote?

15 Z. SMITH ELLIS: Yes.

16 M. FREEMAN: Zakiya Smith Ellis  
17 votes yes.

18 Kathleen Alioto?

19 C. PRESSNELL: Kathleen?

20 M. FREEMAN: Kathleen, are you  
21 muted?

22 K. ALIOTO: Alioto, yes.

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1 M. FREEMAN: Kathleen Alioto votes  
2 yes.

3 Roslyn Clark Artis?

4 K. ALIOTO: Yes.

5 R. CLARK ARTIS: Yes.

6 M. FREEMAN: Roslyn Clark Artis  
7 votes yes.

8 Jennifer Blum?

9 J. BLUM: Yes.

10 M. FREEMAN: Jennifer Blum votes  
11 yes.

12 Wallace Boston?

13 W. BOSTON: Yes.

14 M. FREEMAN: Wallace Boston votes  
15 yes.

16 Debbie Cochrane?

17 D. COCHRANE: Yes.

18 M. FREEMAN: Debbie Cochrane votes  
19 yes.

20 Jose Luis Cruz Rivera?

21 J.L. CRUZ RIVERA: Yes.

22 M. FREEMAN: Jose Luis Cruz Rivera

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1 votes yes.

2 Keith Curry?

3 K. CURRY: Yes.

4 M. FREEMAN: Keith Curry votes yes.

5 David Eubanks?

6 D. EUBANKS: Yes.

7 M. FREEMAN: David Eubanks votes  
8 yes.

9 Art Keiser?

10 A. KEISER: Yes.

11 M. FREEMAN: Art Keiser votes yes.

12 Michael Lindsay?

13 D.M. LINDSAY: Yes.

14 M. FREEMAN: Michael Lindsay votes  
15 yes.

16 Molly Hall-Martin?

17 M. HALL-MARTIN: Yes.

18 M. FREEMAN: Molly Hall-Martin votes  
19 yes.

20 Robert Mayes is absent.

21 Mary Ellen Petrisko?

22 M.E. PETRISKO: Yes.

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1 M. FREEMAN: Yes? Mary Ellen  
2 Petrisko votes yes.

3 Michael Poliakoff?

4 M. POLIAKOFF: Yes.

5 M. FREEMAN: Thank you. Michael  
6 Poliakoff votes yes.

7 And Bob Shireman?

8 R. SHIREMAN: Yes.

9 M. FREEMAN: And Bob Shireman votes  
10 yes.

11 C. PRESSNELL: Okay. Very good.  
12 That is 15 yeses and one absent, not voting.  
13 All right. Very good. Congratulations to the  
14 agency, and we appreciate your time and your  
15 comments.

16 L. SCHEIDT: Thank you very much.

17 C. PRESSNELL: The next agency for  
18 consideration is the **National Nurse Practitioner**  
19 **Residency and Fellowship Training Consortium.**  
20 And the primary readers are Zakiya and Art.

21 Zakiya, do you want to introduce the  
22 agency?

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1                   Z. SMITH ELLIS:    Sure.    Thank you,  
2                   Claude.

3                   The    National    Nurse    Practitioner  
4                   Residency and Fellowship Training Consortium,  
5                   which has a different name that they can talk  
6                   about the consortium going by, was first  
7                   recognized as a non-Title IV gatekeeping agency  
8                   in 2022 and is seeking expansion of the scope to  
9                   accredit both nurse practitioner and joint nurse  
10                  practitioner and physician assistant associate  
11                  graduate -- post-graduate residency and training  
12                  programs within the United States.

13                  This recognition would also extend  
14                  to the agency's Appeal Panel.

15                  I had a difficult time finding how  
16                  many institutions were accredited under this, so  
17                  we can discuss that if you would like, but I'm  
18                  happy to turn it over to the staff to go through  
19                  your analysis.

20                  C. PRESSNELL:    All right.    We'll  
21                  invite Stephanie McKissic for a briefing.

22                  S. McKISSIC:     Good morning, Mr.



1 Chair, and members of the Committee. My name is  
2 Stephanie McKissic, and I am providing a summary  
3 of the review for the petition for an expansion  
4 of scope of the National Nurse Practitioner  
5 Residency and Fellowship Training Consortium, or  
6 the Consortium.

7 The Consortium received initial  
8 recognition for a period of five years in 2020  
9 and has maintained recognition as a programmatic  
10 accreditor since that time. The Consortium's  
11 new scope of recognition will read, "The  
12 accreditation of nurse practitioner and joint  
13 nurse practitioner and physician  
14 assistant/associate, post-graduate, residency,  
15 and fellowship training programs within the  
16 United States."

17 This recognition also extends to the  
18 Appeals Panel.

19 The staff recommendation to the  
20 senior department official is approval of the  
21 agency's requested expansion of scope. This  
22 staff recommendation is based on my review of

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1 the agency's petition specifically related to an  
2 expansion of scope and its supporting  
3 documentation as well as a virtual file review  
4 and observations held in March and April of  
5 2023.

6 The department did not receive any  
7 complaints. However, the department received  
8 one written comment which was unrelated to the  
9 agency's compliance with the regulations for an  
10 expansion of scope. The comment stated that the  
11 department's solicitation of written third-party  
12 comments occurred without access to the agency's  
13 petition or related materials.

14 The department sought -- the  
15 department sought comment on the agency's  
16 compliant with -- compliance with the  
17 regulations in accordance to 34 CFR Part 603 --  
18 602.32(c) and (1), not on the agency's petition  
19 for an expansion of scope or related materials.

20 The comment also stated that  
21 complaint processes used by accrediting agencies  
22 should be more accessible to complainants. The

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1 department's recognition review process assesses  
2 whether or not an accrediting agency meets the  
3 Secretary's criteria for recognition per 34 --  
4 per CFR Part 602.

5 This criteria includes a requirement  
6 that an agency must review in a timely, fair,  
7 and equitable manner any complaint it receives  
8 against an accrediting institutional program or  
9 itself per 34 CFR Part 602.23(c)(1) through (3).

10 The purpose of the call for written  
11 third-party comment is to allow anyone with  
12 knowledge of an agency undergoing a recognition  
13 review by the department and the agency's  
14 compliance or non-compliance with regulations to  
15 provide that information and/or documentation so  
16 that department staff can utilize it in the --  
17 in the comprehensive analysis of the agency.

18 The scope of this review was to  
19 assess the agency's compliance with requirements  
20 for an expansion of its scope of recognition as  
21 a programmatic agency. Therefore, only  
22 information and documentation concerning actions

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1 or examples in 34 CFR Parts 602.12(b),  
2 602.15(a), 602.16(a)(1)(i) through (ix) of the  
3 criteria were applicable to this analysis.

4 Therefore, the comment is unrelated  
5 to the agency's compliance with the recognition  
6 regulations for an expansion of scope, and the  
7 agency was not required to address the comment  
8 in its petition.

9 Agency representatives are here to  
10 answer any questions you may have at this time.

11 C. PRESSNELL: All right. Thank you  
12 very much, Stephanie.

13 Any clarifying questions for  
14 Stephanie? All right. Oh, Art?

15 A. KEISER: I think --

16 C. PRESSNELL: Could you speak into  
17 the mic and turn it on, please, for the record?

18 A. KEISER: I think Zakiya brought  
19 it up. How many institutions are accredited?  
20 Are they individually collegiate institutions or  
21 are they nursing hospitals and such? I just  
22 wasn't sure what they do.

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1                   S.     McKISSIC:           They     accredit  
2     programs.     So they accredit program -- nurse  
3     training programs that go into facilities.

4                   A.     KEISER:           Are     these programs  
5     sponsored by universities and colleges or by  
6     hospitals?

7                   S. McKISSIC:     They are sponsored by  
8     -- well, I'm going to let the agency speak more  
9     about that.     But it's my understanding and from  
10    my observations they were accredited by health  
11    care facilities, community and health -- and  
12    other health care agencies and facilities that

13                  A. KEISER:     Are these students Title  
14    IV eligible?

15                  S. McKISSIC:     This is a programmatic  
16    agency, so the --

17                  A. KEISER:     So they would be.     Oh,  
18    it's --

19                  S. McKISSIC:     No.

20                  A. KEISER:     So a programmatic --

21                  S. McKISSIC:     A programmatic agency  
22    that they do not --

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1                   A. KEISER:     Because you said they  
2     were national accredited.     I thought I read  
3     that.

4                   S. McKISSIC:   I'm sorry?

5                   A.     KEISER:             It's     strictly  
6     programmatic accredited?

7                   S.     McKISSIC:           It's     strictly  
8     programmatic.

9                   C. PRESSNELL:   Thank you for that  
10    clarification, Stephanie.

11                   All right.     At this time, we'll  
12    invite the agency representatives to come up.  
13    I'll call on Kerry Bamrick and --

14                   K. BAMRICK:   Good morning.

15                   C. PRESSNELL:   Thank you.

16                   K. BAMRICK:   Can everyone hear and  
17    see me okay?

18                   C. PRESSNELL:   We can.   Thank you.

19                   K. BAMRICK:     Good morning, Mr.  
20    Smith, Chairperson Pressnell, members of NACIQI,  
21    department staff, and others who are here today.  
22    My name is Kerry Bamrick, and I am the Executive

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1 Director of the National Nurse Practitioner  
2 Residency and Fellowship Training Consortium.

3 I have to note that it is exactly  
4 four years to the day since we first came before  
5 you in person on February 27th, 2020, just  
6 before our lives all changed with the COVID  
7 pandemic. So it is great to be with you today.

8 The National Nurse Practitioner  
9 Residency and Fellowship Training Consortium is  
10 using a new DBA trade name, Consortium for  
11 Advanced Practice Providers. For brevity,  
12 throughout today's presentation I will refer to  
13 it as the Consortium.

14 And I am joined today by several of  
15 my colleagues whom I will ask to introduce  
16 themselves in just a moment. Following the  
17 introductions, I will be providing an overview  
18 of the Consortium and the reasons for the  
19 Consortium's expansion of scope request.

20 Let me now turn it over to our  
21 representatives to introduce themselves in the  
22 order that they are listed on today's agenda.

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1 M. FLINTER: Well, good morning.  
2 Thank you for having us here today. As Kerry  
3 notes, this isn't our best occasion coming  
4 exactly on the four-year anniversary of our last  
5 appearance before you.

6 I am Dr. Margaret Flinter. I am the  
7 Senior Vice President and the Clinical Director  
8 of the Community Health Center, Inc., and also  
9 of the Moses Weitzman Health System. And I  
10 serve as the Chairperson of the Board of  
11 Directors of the Consortium.

12 I will add that I am a board-  
13 certified family nurse practitioner of some 40-  
14 plus years' duration, and it is an honor to be  
15 engaged in this work and to be here today.

16 Let me now turn it over to Dr.  
17 Huynh.

18 D. HUYNH: Good morning. I am Dr.  
19 DoQuyen Huynh. I am the Health Equity Director  
20 for the Washington State Health Care Authority.  
21 I had the honor of serving as the previous  
22 inaugural chair for the Consortium's

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1 Accreditation Commission. And now I serve as  
2 the current vice chair.

3 I am also a board-certified family  
4 nurse practitioner, and I work primarily with  
5 underserved populations in Washington State.

6 I'd like to pass it on to Mr. Skip  
7 or Lucien Capone.

8 L. CAPONE: Good morning. I am  
9 Lucien Capone. I am an attorney, and I have  
10 been retained by the Consortium to be their  
11 accreditation law consultant.

12 And I'll --

13 K. BAMRICK: Thank you.

14 L. CAPONE: -- turn it over to Shay  
15 now.

16 S. FELDER: Good morning. My name  
17 is Shay Felder, and I am a program specialist  
18 for the Consortium.

19 K. BAMRICK: Thank you, Ms. Felder,  
20 Dr. Flintner, Dr. Huynh, and Mr. Capone for  
21 joining me today.

22 I would also like to thank the

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1 Department of Education staff, NACIQI, and the  
2 primary readers for all of the effort that has  
3 been put into today. I know that you have read  
4 a lot of materials in advance, and we thank you.

5 It is my pleasure now to provide  
6 opening remarks that will give you an overview  
7 and an update of the Consortium since we last  
8 met and the basis for this expansion of scope  
9 petition. And I welcome the opportunity to  
10 expand on any areas during the discussion  
11 period.

12 The Consortium was founded as a  
13 private 501(c)(3) organization in 2015 based on  
14 the work of a small group of nurse practitioner  
15 leaders who were early innovators in designing,  
16 implementing and studying the effectiveness of  
17 formal post-graduate nurse practitioner  
18 residency programs.

19 Dr. Flinter and Dr. Huynh were two  
20 of these leaders. These key leaders recognized  
21 early on that formal accreditation was key to  
22 assuring that these programs -- a true

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1 innovation -- were high quality, reliable,  
2 accountable to trainees, to the public, to the  
3 health care community, and to the responsiveness  
4 of the changing health care landscape.

5 They applied their best effort to  
6 this pursuit. The Consortium became federally  
7 recognized by the Department of Education in  
8 January 2022 for the accreditation of post-  
9 graduate nurse practitioner residency and  
10 fellowship training programs.

11 In the year following the 2007  
12 launch of the first nurse practitioner post-  
13 graduate training program, at the Community  
14 Health Center in Connecticut, there has been  
15 significant growth and development of NP and PA  
16 post-graduate training programs, not only in  
17 primary care but also in specialty outpatient  
18 and specialty inpatient care.

19 Some of these programs, particularly  
20 those in the specialty outpatient and inpatient  
21 settings, have accepted both nurse practitioners  
22 and physician associates, physician assistants,

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1 NPs, and PAs, to their post-graduate training  
2 programs, using the term "advanced practice  
3 providers" or "advanced practice clinicians" to  
4 denote that these training programs were  
5 available to both NPs and PAs.

6 The Consortium responded by  
7 accrediting these joint NP/PA programs since  
8 2017. However, the Consortium is currently not  
9 federally recognized by the Department of  
10 Education as an accrediting agency for joint  
11 NP/PA post-graduate training programs.

12 We have remained in communication  
13 with our ED analysts throughout this process.  
14 Over the past two years, working in  
15 collaboration with our analysts, we have  
16 undertaken all steps necessary to seek and have  
17 been advised that we have met all requirements  
18 for approval of an expansion of scope. Thus, we  
19 are here today seeking your approval for an  
20 expansion of scope.

21 We fully recognize and deeply  
22 appreciate the value of recognition and the

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1 assurance it brings to the public, to trainees,  
2 and to the health care system. Recognition by  
3 the Department of Education as an accrediting  
4 agency is the gold standard of excellence and  
5 rigor of that accrediting agency. Thus, the  
6 Consortium seeks to add accreditation of joint  
7 NP/PA post-graduate training programs to its  
8 U.S. Department of Education federal  
9 recognition.

10 Let me provide you with an  
11 additional update. In 2022, the Consortium  
12 created the DBA trade name Consortium for  
13 Advanced Practice Providers to reflect that the  
14 Consortium accredits both NP and joint NP/PA  
15 programs. This is now reflected both in our  
16 name but also all of our organizational  
17 materials.

18 In 2023, the Consortium completed a  
19 full review and revision of its accreditation  
20 standards to reflect that the Consortium  
21 accredits both NP and joint NP/PA programs.

22 To summarize, the Consortium's goal

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1 is twofold. First, increase the opportunities  
2 for NPs and PAs to participate in a high-  
3 quality, structured post-graduate training  
4 program and to provide programmatic  
5 accreditation to NP and joint NP/PA post-  
6 graduate training programs, assuring adherence  
7 to rigorous standards.

8 In this way, the Consortium makes a  
9 significant contribution to the health and the  
10 health care of the public.

11 I think you may also be interested  
12 in hearing about the growth of the Consortium  
13 since we last met. Today, the Consortium has 31  
14 accredited post-graduate residency and  
15 fellowship training programs. Eight of these  
16 programs are joint NP/PA post-graduate training  
17 programs. In the 2023-2024 cohort, there are  
18 134 trainees within those 31 programs.

19 In the prior year's cohort of 2022  
20 2023, there were 125 completers of the  
21 Consortium's accredited programs. The  
22 Consortium has seen high student achievement,

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1 which is measured by the completion rates and  
2 job placement rates. For 2023, the average  
3 completion rate was 92 percent, and the job  
4 placement rate was 82 percent.

5 I want to assure you that the  
6 Consortium has the administrative and  
7 operational capacity to support its expansion of  
8 scope request. The Consortium also has adequate  
9 fiscal support to ensure effective functioning  
10 as an accrediting agency.

11 There has been another significant  
12 change since our first appearance with you in  
13 2020. On January 1st, 2023, the Moses Weitzman  
14 Health System became the parent organization of  
15 the Consortium. The Moses Weitzman Health  
16 System was created by the Community Health  
17 Center in 2023 to serve as the parent company  
18 for the Community Health Center, for the  
19 Consortium, and for two other nonprofit  
20 organizations created over the years by the  
21 Community Health Center.

22 As part of our very formal

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1 agreements, the Consortium receives shared  
2 service support of centralized functions of the  
3 Moses Weitzman Health System. Among these  
4 services are IT, HR, legal, marketing, and  
5 general administrative support. These services  
6 are provided to all of the Moses Weitzman Health  
7 System affiliates at a level required by the  
8 affiliate to support its operations.

9 The formal corporate documents  
10 detailing the relationship between the Moses  
11 Weitzman Health System as the parent company of  
12 the Consortium confirmed that the Consortium's  
13 Accreditation Commission is fully independent of  
14 the Moses Weitzman Health System, which will  
15 place no constraints on the Consortium's  
16 independence regarding accreditation activities  
17 and decisions.

18 The Consortium's Accreditation  
19 Commission is the sole accrediting policy and  
20 decision-making body for all accrediting  
21 activities conducted by the Consortium. As a  
22 programmatic accrediting agency, the nature of

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1       this relationship is not uncommon for similar  
2       programmatic accrediting agencies.

3               I also note that the corporate  
4       documents reflect that the Moses Weitzman Health  
5       System is committed to fully funding any  
6       operational shortfalls of the Consortium not  
7       otherwise covered by accreditation fees and  
8       other accreditation-related revenues.

9               To summarize, as you know, the  
10       Consortium's current federal recognition is for  
11       nurse practitioner post-graduate training  
12       programs within the United States. Today, the  
13       Consortium seeks approval from NACIQI for its  
14       expansion of scope petition to include the  
15       accreditation of joint NP/PA post-graduate  
16       training programs to its recognition.

17              Lastly, as a reminder, the  
18       Consortium is a programmatic accrediting agency,  
19       not an institutional accreditor, nor Title IV  
20       gatekeeper.

21              Members of the Committee, thank you  
22       for allowing me the opportunity to share those

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1        comments with you for your consideration. My  
2        colleagues and I deeply appreciate the work of  
3        NACIQI and the Department and the ready  
4        availability of the staff to provide guidance  
5        through our preparation for this petition.

6                Our team here today is happy to  
7        address any questions or comments you have  
8        regarding our expansion of scope petition.

9                Thank you.

10               C. PRESSNELL:        Thank you, Ms.  
11        Bamrick.

12               Questions from Zakiya or from Art?

13               Z. SMITH ELLIS: I'll start.

14               C. PRESSNELL: Zakiya?

15               Z. SMITH ELLIS: Thank you. Thank  
16        you for your presentation and explanation. I'm  
17        just curious -- I'm going to go back to the  
18        question that Art asked our colleague at the  
19        Department of Education. And if you could just  
20        clarify how many programs you accredit. I see -  
21        - on the website I was able to find the map.

22               So one is just -- just how many

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1       there are, and if you would give a general sense  
2       of kind of the types of entities that house the  
3       fellowship     and     residency     programs     for  
4       clarification.

5               K. BAMRICK:     Thank you for that  
6       question. So the -- our best count is there are  
7       currently     532     post-graduate     APP     training  
8       programs, of which 248 of them are joint NP/PA  
9       programs. And as you heard in my opening, the  
10      Consortium has accredited 31 post-graduate  
11      training programs.

12             And these programs -- the sponsoring  
13      organizations of these post-graduate training  
14      programs are in all settings, hospitals, health  
15      systems, community health centers, private  
16      practice. There is a wide range of settings  
17      where these post-graduate training programs  
18      exist.

19             Z. SMITH ELLIS:     Do you have a  
20      follow up question?

21             A. KEISER:     I'm sorry, I'm still a  
22      little confused. I'm looking at your website,

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1 and it says that Community -- CHC has kind of  
2 partnered with Open Door or Thundermist or  
3 Health Link. Now, are the students these -- at  
4 these health care institutions, are the students  
5 your students for CHC? And they're just  
6 operating in a -- kind of a clinical  
7 environment? Is the clinical environment  
8 accredited or are you accredited as one  
9 institution?

10 K. BAMRICK: So great questions. So  
11 to go back to the question that -- they are  
12 post-graduate trainees. So they have completed  
13 their PA school or master's level or DNP level  
14 of training. And, again, they are going into  
15 these clinical settings like the Open Door or  
16 the Thundermist, and they are doing -- they are  
17 completing their 12-month post-graduate training  
18 experience within those organizations. And they  
19 are the employees of those organizations, not of  
20 the Community Health Center.

21 So for the example you used with  
22 Open Door and Thundermist, they both have post-

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1 graduate training programs, and their trainees  
2 are employees of that organization while they  
3 are going through the 12-month training  
4 experience.

5 A. KEISER: So let's say Open Door -  
6 - they would submit to you, as the accrediting  
7 agency, the program, the specific faculty  
8 credentials, and the -- how would you ensure the  
9 rigor of the program in these sites? Do you do  
10 visits? Are there --

11 K. BAMRICK: Yes.

12 A. KEISER: Is it a structured  
13 process?

14 K. BAMRICK: So they would -- when  
15 they apply for accreditation, they are -- they  
16 will be in compliance with our eight  
17 accreditation standards. They submit their  
18 self-study for review, and then the two-day site  
19 visit in person is conducted by our site visitor  
20 team to determine that they comply with the  
21 accreditation standards.

22 Z. SMITH ELLIS: May I ask another -

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1 - it's related. But there -- I noticed that a  
2 number of the fellowship and training program  
3 sites say that they are pilot programs. Can you  
4 just explain a little bit about how that works  
5 and what are they piloting and whether they're  
6 fully, you know, accredited by you or not?

7 K. BAMRICK: Yeah. I think when  
8 they're using the term "piloted," we have seen  
9 incredible growth over the last couple of years  
10 of these post-graduate training programs. And  
11 when they say "pilot," I think they are  
12 referring to an inaugural year, that it's a  
13 relatively new program, and that they just  
14 implemented their post-graduate training  
15 program. And we have seen quite a bit of pilot  
16 programs given the growth of these post-graduate  
17 training programs over the last couple of years.

18 Z. SMITH ELLIS: And then one last -  
19 - oh, go ahead. If it's on the same topic, if  
20 you want to go ahead, Art. Okay.

21 One last question from me, and I  
22 think it's just me being dense and the subject

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1 matter not being something that I'm always  
2 familiar with. Can you explain again why there  
3 is a growth in the joint nature of the program?  
4 Like what has -- what has changed that is  
5 causing everybody to do the joint program?

6 K. BAMRICK: Well, I think -- we  
7 have seen it a lot in primary care. I think  
8 it's a result of the workforce shortage and NPs  
9 and PAs wanting additional support before they  
10 go into practice and organizations seeing the  
11 value of housing a post-graduate training  
12 program, so that they are able to train and  
13 retain those residents or fellows upon  
14 completion of that 12 month program.

15 I know -- I have also observed  
16 programs that have started off as a nurse  
17 practitioner residency or fellowship program,  
18 and PA candidates have wanted to apply to their  
19 program. So programs that may have started off  
20 as an NP-only program are not accepting PAs and,  
21 therefore, changing their names to NP/PA or  
22 advance practice provider post-graduate training

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1 programs.

2 Z. SMITH ELLIS: Thank you.

3 C. PRESSNELL: Art, did you have  
4 another question before we go to the other  
5 Committee members?

6 A. KEISER: Yeah. Your website  
7 talks about that you would provide the  
8 structure, the education, and training. Is  
9 there a formal let's say diploma or a formal  
10 certificate that's awarded to these students, a  
11 title? And is that through you or is that  
12 through the individual hospital or health care  
13 provider?

14 K. BAMRICK: Thank you for that  
15 question, and I think we probably should revisit  
16 our website so there is more clarity. The  
17 Consortium is not providing the training to  
18 these post-graduate training programs. The  
19 Consortium is the programmatic accreditor for  
20 those programs.

21 I will say that we do assist  
22 programs utilizing our accreditation standards.

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1 We often say accreditation is not the last step  
2 in the process but the first. If you're  
3 thinking about starting a program, visit the  
4 Consortium's website, take a look at our  
5 accreditation standards, and build your program  
6 based on those -- on those standards, so that  
7 you know you're building a high-quality rigorous  
8 program.

9 And should you decide to pursue  
10 accreditation, you've built your program on  
11 national standards. But the Consortium is not  
12 is not providing the training to these -- to  
13 these programs.

14 Did I answer your question?

15 A. KEISER: I think. It's still a  
16 little confusing.

17 C. PRESSNELL: All right. Let's --  
18 I have got Kathleen, Jennifer, and Mary Ellen.  
19 So, Kathleen?

20 K. ALIOTO: It's a little tricky.  
21 When you say you're not training, what kind of  
22 what -- let's say telling -- you know, telling

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1 applicants to look at your website and they have  
2 to put that together?

3 K. BAMRICK: We're asking applicants  
4 to look at our website if they are seeking a  
5 post-graduate training opportunity. So if they  
6 live in California and they are a recent  
7 graduate, and they want to participate in a  
8 post-graduate training opportunity in a  
9 particular state.

10 We have -- we have built over the  
11 years a repository of all of these 532 post-  
12 graduate training programs that exist across the  
13 country. Candidates can look at the map and  
14 link directly to that organization, and that's  
15 sort of where the assistance stops. It's then  
16 on that -- on that graduate or that applicant to  
17 go directly to the organization or their program  
18 -- the program that they're most interested in  
19 applying and going and working directly with  
20 that sponsoring organization's program.

21 K. ALIOTO: Okay. So the only --  
22 the only benefit that you're really providing is

1 accreditation.

2 K. BAMRICK: Yeah. I see that as a  
3 big -- a big benefit and value to the programs.  
4 But, yes, we are -- we are the accrediting body  
5 for these post-graduate training programs.

6 K. ALIOTO: Okay. What is the cost  
7 of that?

8 K. BAMRICK: For accreditation?

9 K. ALIOTO: Yes.

10 K. BAMRICK: \$10,000. So a \$1,000  
11 accreditation application fee followed up by a  
12 \$9,000 accreditation fee.

13 K. ALIOTO: And what is the -- I'm a  
14 little confused about this Morris Weitzman --  
15 Moses Weitzman. How does that work financially?  
16 What's the deal on that?

17 K. BAMRICK: I think that's a great  
18 question, and I think Dr. Flinter would probably  
19 like to answer that.

20 M. FLINTER: Thanks, Kerry.

21 Actually, I was going to give you  
22 all a long narrative overview of the history of

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1 the Consortium and the Moses Weitzman Health  
2 System, but Kerry has done such a great job I --  
3 I will spare you that and just boil it down to  
4 the Moses Weitzman Health System is the parent  
5 company of the Consortium.

6 In our first iteration and when we  
7 were here with you four years ago, we told you  
8 that the parent company of the Consortium was  
9 the Community Health Center. We described in  
10 great detail how the Community Health Center had  
11 started 52 years ago. Its innovative and  
12 groundbreaking work, including really supporting  
13 the development, the conceptual development and  
14 then the model, the true pilot of a post-  
15 graduate nurse practitioner residency and  
16 fellowship training program, and the Community  
17 Health Center had then served as the parent  
18 company for the first many years of the  
19 Consortium.

20 But we have realized, based on our  
21 work in trying to improve primary care and  
22 health care in the country, we have created

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1 other innovations in addition to the Consortium.  
2 And so over the years, as we gave rise to those  
3 other innovations, the Board of Directors of the  
4 Community Health Center, after studying the  
5 issue, felt that we had really become a health  
6 system, a primary care health system, not a  
7 hospital health system but a primary care health  
8 system.

9 And out of that commitment, they  
10 created and launched the Moses Weitzman Health  
11 System in January 2023 to really reflect all of  
12 the work that the Community Health Center was  
13 doing to think broadly about the issues that  
14 really impact health and health care and to  
15 think about new ways to educate and train the  
16 delivery of primary care teams.

17 So Moses Weitzman -- and I will take  
18 one moment to say named after two of our beloved  
19 and legendary early founders of the Community  
20 Health Center, Lillian Reba Moses and Gerry  
21 Weitzman, whose memories we honor through this  
22 naming. The Moses Weitzman Health System really

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1 exists to support and provide shared services to  
2 each of the organizations for which the Moses  
3 Weitzman Health Center is the sole corporate  
4 member as the parent company and to support  
5 their mission and their objectives.

6 And in the documents, as Kerry said,  
7 it is very clearly laid out what their  
8 responsibilities are as the parent company, what  
9 the responsibilities and obligations of the  
10 Consortium are, and also, and perhaps most  
11 importantly, explicitly clear throughout all of  
12 the documents about the independence of the  
13 Accreditation Commission, its membership, its  
14 decision-making, its control over the use of its  
15 funds to carry out its accreditation functions.

16 So I -- as my colleagues know, I can  
17 go on at great length, but I am going to stop  
18 there and see if I have answered your question,  
19 and, if not, I'm happy to expand further.

20 K. ALIOTO: Is the Moses Weitzman --

21 M. FLINTER: Health System.

22 K. ALIOTO: -- Health System, are

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1       they doing any training?

2                   M. FLINTER:       The Moses Weitzman  
3       Health System, as a system, is the parent  
4       company for the Consortium, which is an  
5       accrediting organization, remember. And that  
6       work --

7                   K. ALIOTO:    You had said originally  
8       that it was training, and training has a bit  
9       more appeal --

10                  M. FLINTER:    Part B.     Part B,  
11       another innovation that was developed originally  
12       under Community Health Center, which is now  
13       under the Moses Weitzman Health System, but its  
14       own -- its own entity is an organization called  
15       NIMA, the National Institute for Medical  
16       Assistant Advancement. It is a national school  
17       for medical assistance, which has developed  
18       quite a novel and highly effective approach to  
19       educating and training medical assistants.

20                  But that's a separate company from  
21       the Consortium, and then there is another  
22       company that focuses on creating access to

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1 specialists for the underserved populations  
2 cared for typically in Community Health Centers.  
3 But Moses Weitzman Health System is the parent  
4 company of each of those which are each  
5 independent 501(c)(3) nonprofit corporations.

6 K. ALIOTO: Okay. So the 534, they  
7 are on their own. This --

8 M. FLINTER: Yes.

9 K. ALIOTO: This idealistic,  
10 overreaching health system is not helping in the  
11 training or the development of curriculum for  
12 any of them, correct?

13 M. FLINTER: I can expand -- I can  
14 expand a little bit on the work of the group as

15 K. ALIOTO: Just answer me.

16 M. FLINTER: Sure.

17 K. ALIOTO: Yes or no?

18 S. FELDER: Kathleen, if I could  
19 answer part of your question I think. So part  
20 of our accreditation standards that we have does  
21 help these training programs, the 532 training  
22 programs, to lay a foundation to create their

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1 training programs. So in our standards we lay  
2 out they need to have didactics weekly, they  
3 need to have mentored clinic, and they really  
4 help to -- we're not telling programs exactly  
5 how they need to develop their training  
6 programs, but we're giving them a foundational  
7 basis, if that makes sense.

8 M. FLINTER: Shay, let's -- I want  
9 to back up a little bit because I think the -- I  
10 think the "we" is confusing there.

11 Moses Weitzman Health System, as an  
12 organization, also conducts research, education,  
13 and training across the United States. But it  
14 is the parent company of the organization which  
15 accredits post-graduate nurse practitioner  
16 residency and fellowship programs.

17 If we were to have the time to talk  
18 about the Moses Weitzman Health System writ  
19 large, it has a Research Division. It is deeply  
20 engaged in education of providers in the field  
21 through a program that some of you may recognize  
22 called Project Echo, which provides a high-

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1       quality didactic education for continuing  
2       education credit to providers in the field.

3               We are working in partnership with  
4       many through the Moses Weitzman Health System,  
5       through other Community Health Centers across  
6       the country, to improve their programs and share  
7       our quality improvement, expertise.       But  
8       specific to today, Moses Weitzman Health System  
9       is the parent company of the Consortium, which  
10       is the accrediting organization for post  
11       graduate nurse practitioner and residency  
12       fellowship training programs.

13              I do want to say, since Kerry gave  
14       you the big picture of the number of programs  
15       that are around the country, that 500 number,  
16       they are not all related.       The programs of  
17       concern to the Consortium are those that have  
18       organized and have sought accreditation from the  
19       Consortium, and that's the group that we work  
20       with.

21              But we educate everybody.       Kerry,  
22       DoQuyen, myself, many, many other people, are

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1 regular speakers, panelists. We publish on the  
2 subject and really try and bring to a broad  
3 audience the imperative of training the next  
4 generation, not just of primary care providers,  
5 although that is my passion and specialty, but  
6 really the next generation of the health care  
7 workforce in the United States.

8 K. ALIOTO: Thank you. Is Gerry  
9 Weitzman still alive?

10 M. FLINTER: Gerry Weitzman, sadly,  
11 passed away about 25 years ago. But he was a  
12 young community pharmacist when the little two-  
13 room Community Health Center was first getting  
14 started in 1972 and was a champion of health  
15 care for the underserved for all of his life.

16 C. PRESSNELL: All right. Kathleen,  
17 any other questions?

18 K. ALIOTO: Just one other. You  
19 said that not all of the 532, it's only a  
20 certain section that's under the Weitzman  
21 operation. What is that number?

22 M. FLINTER: I had not made myself

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1 clear, but I will -- I will try again, Kathleen,  
2 and I apologize if I've confused you. The Moses  
3 Weitzman Health System is the parent company of  
4 the Consortium. The Consortium accredits today  
5 31 post-graduate programs of those 500.

6 We hope and intend that that number  
7 will grow, but today Moses Weitzman Health  
8 System is the parent of the Consortium, which is  
9 the accrediting organization.

10 K. ALIOTO: And what is the finances  
11 on that?

12 M. FLINTER: On accreditation?

13 K. ALIOTO: No.

14 C. PRESSNELL: Yeah. Let's focus  
15 strictly on consortium, because that's the  
16 concern here. It's not the concern --  
17 obviously, the degree of independence and  
18 separation is critical. I think we have  
19 adequately explored that. But, Kathleen, I  
20 believe you're talking about strictly the  
21 accreditation budget. Is that correct?

22 K. ALIOTO: Yeah.

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1 K. BAMRICK: We strive to meet and  
2 hope to exceed a break-even point, and I think  
3 we are close to that for fiscal year '24. But  
4 as I said in my openings, with the Moses  
5 Weitzman Health System as the parent  
6 organization, they -- the Moses Weitzman Health  
7 System is fully committed to fully funding any  
8 shortfalls that the Consortium may experience.  
9 And we did experience a shortfall last year and  
10 hope to, like I said, break even or exceed in  
11 this coming year.

12 C. PRESSNELL: I think the question  
13 is, what is your annual budget?

14 K. BAMRICK: I think 400 -- 4- to  
15 500,000.

16 C. PRESSNELL: Thank you.

17 Kathleen, anything else? Okay.  
18 Thank you.

19 Jennifer?

20 J. BLUM: Yeah. I -- so I think I'm  
21 following along, which is good, and I am -- I'm  
22 sorry, I am going to continue a little bit on

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1       this, because I want to understand, do you  
2       accredit at this time any programs that aren't  
3       related to the Moses Weitzman's Health Care  
4       System?

5               K. BAMRICK:   Yes.   And I apologize  
6       that this hasn't been clear.   None of the  
7       programs, the 532 programs, are Moses Weitzman  
8       Health System programs.

9               J. BLUM:    Okay.   Good.   So, and  
10       then, so it's a consortium, right? So are they  
11       all somehow -- are the programs that you're  
12       accrediting all -- like the Consortium body,  
13       because you're called a consortium, so who are  
14       your consortium members, if you will? Are they  
15       the programs that you're accrediting? Is it  
16       just a loose name that when you become one of  
17       the -- if you become the 32nd, you're -- like  
18       why the name "consortium"? Because I think it  
19       actually is confusing.

20              K. BAMRICK:    I agree.   And,  
21       honestly, this is a name that we developed back  
22       in 2010. I have been in this role for about 15

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1 years. And, in 2010, I looked up the word on  
2 dictionary.com "consortium," because the  
3 Consortium, in 2010, was four or five post-  
4 graduate residency programs that would come  
5 together with a shared interest and talk about  
6 their post-graduate training programs, share  
7 best practices, challenges.

8 And one issue that came up over and  
9 over again back in 2010 was we need an  
10 accrediting body for these post-graduate  
11 training programs.

12 So, if you remember, in 2007, the  
13 nation's first formal post-graduate program was  
14 established. Over the years, we saw programs  
15 continuing to -- continue to develop. In 2010,  
16 there were five of these programs coming  
17 together. We called them a consortium.

18 That consortium grew, and it was  
19 evidence that we moved -- that we needed to move  
20 from an informal consortium to a 501(c)(3)  
21 corporation which is what happened in 2015. And  
22 we wanted to maintain the word "consortium," so

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1       it was the National Nurse Practitioner Residency  
2       and Fellowship Training Consortium. I'm sure  
3       you're all glad that we changed the DBA to  
4       Consortium for Advanced Practice Providers.

5               But we are not a consortia, and I  
6       can see -- with other formal organizations, and  
7       I can see where the term "consortium" in our  
8       name could be a little confusing.

9               J. BLUM: Yeah. So I would just say  
10       I wasn't here four -- I wasn't sitting on NACIQI  
11       four years ago. I wish I had been now, because  
12       I -- and I know you're -- I'm going to get to an  
13       expansion of scope question, but I do feel like  
14       in order to provide to approve an expansion of  
15       scope we need to understand what's going on  
16       today in order to allow you to expand. And so

17              K. BAMRICK: Agreed.

18              J. BLUM: -- in that regard, there  
19       are separate and independent requirements for  
20       specialized agencies, and I'm really struggling  
21       with this concept of -- so accreditation is of  
22       course peer review, and so you are -- you know,

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1       one could argue that to some degree consortia  
2       fits into that concept.

3               But I would really urge that you  
4       create some more independent structures in terms  
5       of what you look like. Just I think we're all  
6       sort of struggling about what this is.

7               I appreciate the innovation, and,  
8       frankly, I also will add that I appreciate it in  
9       this context of primary care, because I think --  
10      and to get to the expansion of scope question, I  
11      -- I -- and maybe it's -- it's two questions I  
12      guess in one.

13              The federal link question, because  
14      the other thing that needs to be demonstrated is  
15      that there is a federal link, and I did go and  
16      read the sort of a little bit torturous  
17      experience that you had four years ago to  
18      actually get approval.

19              And I know we're not going to talk  
20      about future regulations except for that the  
21      Department is actually currently looking at  
22      federal link issues to make it even more robust

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1       that you demonstrate a federal link.

2               And so I do want to ask, do you have  
3       current -- in that 31 programs, are there some  
4       programs for which they are relying on your  
5       approval right now for -- you know, for those --  
6       the existing scope that you're under? Is there  
7       an established -- at this point, it has been  
8       four years -- federal link?

9               And then I have a second question.

10              K. BAMRICK: Yes.

11              C. PRESSNELL: Okay. Let me --

12              K. BAMRICK: Yes.

13              C. PRESSNELL: Let me -- Kerry, if  
14       you could wait just a moment. So Herman --

15              K. BAMRICK: Sure.

16              C. PRESSNELL: -- has some comments  
17       on both of those issues, the federal link and  
18       also on the independent piece. So I thought he  
19       might be able to bring some clarification.

20              H. BOUNDS: Yeah. I just wanted to  
21       remind everyone that for a programmatic agency  
22       they don't have to address the separate and

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1 independent requirements.

2 J. BLUM: Oh, separate and  
3 independent.

4 H. BOUNDS: They don't have to  
5 address separate -- separate and independent. I  
6 just wanted to make that -- just wanted to make  
7 that clear.

8 C. PRESSNELL: In other words,  
9 Stephanie, do you want to talk about the federal  
10 link at all? Can you bring some insight to  
11 that?

12 S. McKISSIC: Only that that was not  
13 reviewed under this expansion of scope. It's  
14 only 602.15, it's 602.16, and 602.15 -- 12, 15  
15 and 16. So when I did -- when I did the review,  
16 I only did the sections that were required for  
17 expansion of scope and relied on the initial  
18 accreditation to stand.

19 H. BOUNDS: Yeah. I was going to say  
20 about that --

21 K. BAMRICK: And I'm happy to  
22 comment, if I may, that 11 of our accredited

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1 programs are utilizing the federal link.

2 J. BLUM: Thanks. I do -- I  
3 understand, Stephanie, from -- you're only  
4 looking at the expansion of scope. But I also  
5 think that when we're making a decision on  
6 whether an agency should expand scope, it is  
7 good -- kind of good to know whether they  
8 actually already have established a link.

9 And so I was going to ask the next  
10 question on the expansion of scope. You have  
11 established a link -- or, you know, at least a  
12 prospective federal link for the purposes of an  
13 expansion to the joint --

14 S. McKISSIC: The current -- yes,  
15 the current link that is -- was established  
16 under the initial is still relevant for the  
17 expansion.

18 C. PRESSNELL: All right. Mary  
19 Ellen?

20 M.E. PETRISKO: Thank you. And I  
21 want to just note that if instead of the word  
22 "consortium" you used "commission," people would

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1 not have as many questions as they do today  
2 about the structure and how this is operating.  
3 And I would remind everyone that other  
4 accrediting bodies are also membership  
5 organizations, just as the Consortium is a  
6 membership organization of your members.

7 So my question is about the  
8 expansion, the potential expansion from 31  
9 accredited programs to up to 532 programs. You  
10 spoke with great confidence about the ability to  
11 expand and to welcome more members into your  
12 accrediting -- accredited community.

13 So my questions are about that, and  
14 you sort of addressed the financial part of that  
15 with support that has already kept you going.  
16 How about evaluators? What's the pool there  
17 that would be able to handle expansion? And  
18 what would you anticipate as to rate of  
19 increased members coming under your  
20 accreditation?

21 K. BAMRICK: Thank you for that  
22 question, and we are very mindful of the growth

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1 and the pipeline of programs that we have. So  
2 we provide an intense two-day accreditation site  
3 visitor training course. We accept  
4 applications, interview candidates, and then  
5 they participate in that two-day training.

6 Currently, we have 46 accreditation  
7 site visitors. We send our teams of two or  
8 three, so we have a decent sized roster of  
9 accreditation site visitors currently, but we  
10 have another training coming up this April and  
11 May and already have 16 site visitors interested  
12 -- or applicants interested in the site visitor  
13 training.

14 And as it relates to our expansion  
15 of scope, we are very mindful that we have -- we  
16 have PAs, physician associates, on our site  
17 visitor rosters which we -- we do currently and  
18 incoming for this upcoming training course.

19 So we continue to grow our site  
20 visitor pool.

21 M.E. PETRISKO: Thank you. And we  
22 have to say, okay, we can only handle this many

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1       this year and this many this year, as far as the  
2       actual consortium is --

3               K. BAMRICK: That's right.

4               M.E. PETRISKO:    -- as far as the  
5       Commission is concerned, and actually review all  
6       of these things because that's quite a lot of  
7       workload.

8               K. BAMRICK: Yes. Thank you for the  
9       question.

10              C. PRESSNELL: All right. Very  
11       good.

12              Other questions? Primary readers,  
13       any additional questions? There were no third-  
14       party comment -- commenters for this agency.  
15       Okay.

16              So then, Stephanie, do you have some  
17       closing remarks?

18              S. McKISSIC: No, I don't have any  
19       additional comments at this time. Thank you.

20              C. PRESSNELL: Thank you very much.

21              All right. So up to the Committee  
22       for discussion. We would entertain a motion.

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1                   Z. SMITH ELLIS:    I move that we  
2                   accept the staff recommendation.

3                   A. KEISER:    I second.

4                   C. PRESSNELL:   All right.    So the  
5                   motion is to accept the staff recommendation.  
6                   Open it up for discussion, comments.

7                   All right.    Seeing none, let's take  
8                   the vote.

9                   Jennifer?

10                  J. BLUM:    Sorry.    Can I ask one  
11                  question?  When are they up again?

12                  C. PRESSNELL:   Stephanie, do you  
13                  know?

14                  S. McKISSIC:   Next year.  2025.

15                  J. BLUM:    Okay.    Thanks.    That's  
16                  helpful.

17                  C. PRESSNELL:   They will be back.  
18                  All right.

19                  M. FREEMAN:   Okay.    The motion is as  
20                  follows.    I move that NACIQI recommend that the  
21                  senior department official accept all the  
22                  recommendations of the final staff report for

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1       the National Nurse Practitioner Residency and  
2       Fellowship Training Consortium.

3                   C. PRESSNELL:     Very good.     Thank  
4       you.

5                   All right.     Very good.     Let's take  
6       the vote, then.

7                   M. FREEMAN:     Zakiya Smith Ellis?

8                   Z. SMITH ELLIS:    Yes.

9                   M. FREEMAN:     Zakiya     Smith     Ellis  
10       votes yes.

11                   Kathleen Alioto?

12                   K. ALIOTO:     Alioto --

13                   M. FREEMAN:     Alioto.

14                   K. ALIOTO:     -- yes.

15                   M. FREEMAN:     Kathleen votes yes.

16                   Roslyn Artis?

17                   R. CLARK ARTIS:   Yes.

18                   M. FREEMAN:     Roslyn Artis votes yes.

19                   Jennifer Blum?

20                   J. BLUM:     Yes.

21                   M. FREEMAN:     Jennifer     Blum     votes  
22       yes.

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1 Wallace Boston?

2 W. BOSTON: Yes.

3 M. FREEMAN: Wallace Boston votes  
4 yes.

5 Debbie Cochrane?

6 D. COCHRANE: Yes.

7 M. FREEMAN: Debbie Cochrane votes  
8 yes.

9 Jose Luis Cruz Rivera?

10 J.L. CRUZ RIVERA: Yes.

11 M. FREEMAN: Jose Luis Cruz Rivera  
12 votes yes.

13 Keith Curry?

14 K. CURRY: Yes.

15 M. FREEMAN: Keith Curry votes yes.

16 David Eubanks?

17 D. EUBANKS: Yes.

18 M. FREEMAN: David Eubanks votes  
19 yes.

20 Art Keiser?

21 A. KEISER: Yes.

22 M. FREEMAN: Art Keiser votes yes.

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1 Michael Lindsay? Michael Lindsay is  
2 absent.

3 Molly Hall-Martin?

4 M. HALL-MARTIN: Yes.

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

7 Robert Mayes?

8 R. MAYES: Yes.

9 M. FREEMAN: Robert Mayes votes yes.

10 Mary Ellen Petrisko?

11 M.E. PETRISKO: Yes.

12 M. FREEMAN: Mary Ellen Petrisko  
13 votes yes.

14 Michael Poliakoff?

15 M. POLIAKOFF: Yes.

16 M. FREEMAN: Thank you. Michael  
17 Poliakoff votes yes.

18 And Bob Shireman?

19 R. SHIREMAN: Yes.

20 M. FREEMAN: And Bob Shireman votes  
21 yes.

22 C. PRESSNELL: All right. Very

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1 good. So the motion passes unanimously.  
2 Congratulations to the agency. Appreciate your  
3 time and your effort.

4 Thank you, too, Stephanie.

5 All right. I have got 30 minutes  
6 past the hour, and so it's time to break for  
7 lunch. And would 45 minutes be adequate? All  
8 right. So we will reconvene at 15 minutes past  
9 the next hour.

10 Thank you.

11 (Whereupon, the above-entitled  
12 matter went off the record at 12:30 p.m. and  
13 resumed at 1:15 p.m.)

14 C. PRESSNELL: All right. Good  
15 afternoon and welcome back to NACIQI's February  
16 meeting. We're going to jump right in. The  
17 next agency up for review is the **Oklahoma**  
18 **Department of Career and Technical Education.**  
19 And the NACIQI primary readers are Robert Mayes  
20 and Keith Curry. Gentlemen?

21 R. MAYES: Can we introduce the  
22 agency?

1 C. PRESSNELL: Yes, please do.

2 R. MAYES: The Oklahoma Board of  
3 Career and Technology Education is recognized  
4 for the approval of public postsecondary  
5 vocational education programs offered at  
6 institutions in the state of Oklahoma that are  
7 not under the jurisdiction of the Oklahoma State  
8 Regents for Higher Education. ODCTE is vested  
9 with the power to govern and establish criteria  
10 and procedures for 29 technology-centered  
11 districts operating on 60 campuses across the  
12 state. Approval by OBCTE enables the technology  
13 centers to receive funding under Title IV as  
14 well as under other federal programs related to  
15 vocational education.

16 They were first recognized in 1976  
17 and have held continued recognition since that  
18 time. In 2020, the SDO granted the agency  
19 renewed recognition for four years. And the  
20 agency has submitted a full petition for renewal  
21 of recognition which is what's before us today.

22 C. PRESSNELL: Thank you very much,

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1 Robert. And the department staff for the  
2 briefing, Karmon Simms-Coates. Karmon?

3 K. SIMMS-COATES: Good afternoon,  
4 Mr. Chair and members of the committee. My name  
5 is Karmon Simms-Coates, and I am providing a  
6 summary of a review of the petition for renewal  
7 of recognition for the Oklahoma Board of Career  
8 and Technology Education. The agency's  
9 recognition includes access to Title IV  
10 programs.

11 The agency was first recognized in  
12 1976, and its last full review was conducted in  
13 2020. The staff recommendation to the senior  
14 department official is to renew the state  
15 agency's recognition for four years. This  
16 recommendation is based on a review of the  
17 agency's petition and supporting documentation  
18 as well as three observations, a board meeting,  
19 file review, and site visit.

20 The Department received one-third  
21 party comment for this agency that was not  
22 related to the agency's compliance with

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1 recognition regulations. And there were no  
2 complaints received during the recognition  
3 period. This concludes our presentation. The  
4 agency representatives are here today to answer  
5 any questions you may have.

6 C. PRESSNELL: All right. Thank  
7 you, Karmon. Any clarifying questions for  
8 Karmon?

9 All right. Seeing none, then we  
10 invite the agency up. And I'll introduce Brent  
11 Haken. Brent, if you could introduce your team  
12 and we're anxious to hear your comments.

13 B. HAKEN: Great. Thank you so  
14 much, and good afternoon, members of the  
15 committee. We are glad to be here with you  
16 today. I hope that the audio is working great.  
17 It seems to be good on my side, but I will  
18 introduce my team.

19 But first, I will say that I'm the  
20 State Director of Oklahoma Career Technology  
21 Education and have been acting in that capacity  
22 for the last year. Before that, I got to be in

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1 the schools. So I'm really excited for what we  
2 do and how we provide support along with the  
3 accreditation to these schools.

4 We oversee, like what you heard, 29  
5 schools, over 60 campuses. And with me today,  
6 Chief of Staff Justin Lockwood who used to  
7 actually be direct supervisor of the  
8 accreditation program and the accreditation  
9 manager that was so good, we promoted her to  
10 Director of Academic Affairs, Jessica Ventris.  
11 So we are happy to answer any questions or  
12 inquiries about what we do. Thank you so much  
13 for allowing us to be here.

14 C. PRESSNELL: You bet. Thank you  
15 very much. So questions from the primary  
16 readers?

17 R. MAYES: I actually don't have any  
18 questions. There were initially 18 does not  
19 meet standards due to documentation issues.  
20 Those were all provided and changed to meets,  
21 and they all looked good. So no questions from  
22 me. It's a good report.

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1 K. CURRY: No questions from me as  
2 well.

3 C. PRESSNELL: All right. Questions  
4 from other committee members?

5 All right. Seeing none, this is  
6 really smooth. This is really good. All right,  
7 great. So any closing statements, comments,  
8 Karmon? There were no third party commenters,  
9 by the way, so --

10 K. SIMMS-COATES: No, I don't have  
11 any closing statements. Thank you.

12 C. PRESSNELL: Thank you very much.  
13 Okay. So any further discussion, comments?  
14 Entertain a motion, Robert?

15 R. MAYES: Yes, I'll make a motion  
16 that NACIQI recommend that the senior department  
17 official accept all the recommendations of the  
18 final staff report.

19 K. CURRY: Second.

20 C. PRESSNELL: All right. So  
21 there's been a motion and a second to accept the  
22 staff report. Discussion? Seeing none, we

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1 shall take the vote.

2 M. FREEMAN: Okay. The motion reads  
3 as follows: **I move that NACIQI recommend that**  
4 **the senior department official accept all the**  
5 **recommendations of the final staff report for**  
6 **Oklahoma Department of Career and Technology**  
7 **Education.** Zakiya Smith Ellis?

8 Z. SMITH ELLIS: Yes.

9 M. FREEMAN: Kathleen Alioto?  
10 Kathleen?

11 K. ALIOTO: Yes.

12 M. FREEMAN: Kathleen votes yes.  
13 Roslyn Artis?

14 R. CLARK ARTIS: Yes.

15 M. FREEMAN: I'm sorry. Roslyn?

16 R. CLARK ARTIS: Yes.

17 M. FREEMAN: Thank you. Roslyn  
18 Artis votes yes. Jennifer Blum?

19 J. BLUM: Yes, hesitantly.

20 M. FREEMAN: Wallace Boston?

21 W. BOSTON: Yes.

22 M. FREEMAN: Wallace Boston votes

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1       yes.   Debbie Cochrane?

2                   D. COCHRANE:   Yes.

3                   M. FREEMAN:    Debbie Cochrane votes  
4       yes.   Jose Luis Cruz Rivera?

5                   J.L. CRUZ RIVERA:   Yes.

6                   M. FREEMAN:    Jose Luis Cruz Rivera  
7       votes yes.   Keith Curry?

8                   K. CURRY:    Yes.

9                   M. FREEMAN:    Keith Curry votes yes.  
10       David Eubanks?

11                   D. EUBANKS:   Yes.

12                   M. FREEMAN:    David Eubanks votes  
13       yes.   Art Keiser?

14                   A. KEISER:    Yes.

15                   M. FREEMAN:    Art Keiser votes yes.  
16       Michael Lindsay?

17                   D.M. LINDSAY:   Yes.

18                   M. FREEMAN:    Michael Lindsay votes  
19       yes.   Molly Hall-Martin?

20                   M. HALL-MARTIN:   Yes.

21                   M. FREEMAN:    Molly Hall-Martin votes  
22       yes.   Robert Mayes?

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1 R. MAYES: Yes.

2 M. FREEMAN: Robert Mayes votes yes.  
3 Mary Ellen Petrisko? Mary Ellen? Mary Ellen,  
4 are you on mute?

5 C. PRESSNELL: Let's go ahead.

6 M. FREEMAN: Go ahead.

7 C. PRESSNELL: And we can come back  
8 and try one more time.

9 M. FREEMAN: Okay. Michael  
10 Poliakoff? Michael?

11 M. POLIAKOFF: Sorry, I was muted.  
12 Yes, yes.

13 M. FREEMAN: Thank you. Michael  
14 votes yes. Bob Shireman?

15 R. SHIREMAN: Yes.

16 M. FREEMAN: And Bob Shireman votes  
17 yes. I'll try Mary Ellen again. Mary Ellen  
18 Petrisko? We have an absent? Okay.

19 C. PRESSNELL: Let's go ahead and  
20 count her absent then. That'd be fine. So the  
21 motion carries with 15 positive votes.  
22 Congratulations to the agency. I think we spent

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1 more time taking the vote than deliberation. So  
2 congratulations. All right. The next agency is  
3 the Accrediting Commission for Acupuncture and  
4 Herbal Medicine. The primary readers for NACIQI  
5 are Roslyn and Michael Lindsay.

6 I'm sorry. Thank you all very much.  
7 My apologies. So again, congratulations to the  
8 agency. We appreciate your time and your effort  
9 in the review. Thank you very much.

10 B. HAKEN: Thank you so much.

11 C. PRESSNELL: All right. The next  
12 agency is Accrediting Commission for Acupuncture  
13 and Herbal Medicine. The NACIQI primary readers  
14 are Roslyn Clark Artis and Michael Lindsay.  
15 Which of the two of you will introduce the  
16 agency?

17 R. CLARK ARTIS: I will, Roslyn  
18 Artis. Good afternoon, colleagues. The  
19 Accreditation Commission for Acupuncture and  
20 Herbal Medicine, ACAHM, is a national  
21 programmatic and institutional accreditor. The  
22 current scope of recognition is for the

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1 accreditation and pre-accreditation or candidacy  
2 throughout the United States professional non-  
3 degree and graduate degree programs, including  
4 professional doctoral programs that deal with  
5 acupuncture and/or Oriental medicine as well as  
6 the freestanding institutions and colleges of  
7 acupuncture and/or Oriental medicine that offers  
8 such programs, including those offered via  
9 distance education.

10 The secretary first recognized the  
11 agency in 1988 for its accreditation at the  
12 professional master's degree level in  
13 acupuncture. Most recently in 2021, a full  
14 petition was reviewed. In response to that  
15 petition, a compliance report was requested  
16 around a single issue. The agency has since  
17 provided additional reporter -- excuse me, an  
18 additional report correcting the single  
19 deficiency. And there are no further issues  
20 outstanding.

21 C. PRESSNELL: All right. Thank  
22 you, Roslyn. And so the department staff

1 briefing will be by Charity Helton. Charity?

2 C. HELTON: Good morning, Chairman  
3 and members of the committee. My name is  
4 Charity Helton, and I am providing a summary of  
5 the compliance report for the Accreditation  
6 Commission for Acupuncture and Herbal Medicine.  
7 The agency serves as both the programmatic  
8 accreditor and an institutional title for  
9 gatekeeper for freestanding institutions of  
10 acupuncture or herbal medicine.

11 The agency last appeared before  
12 NACIQI with a renewal petition in the summer of  
13 2021. The subject of the current compliance  
14 report is there's one outstanding issue  
15 remaining from that meeting which I will  
16 discuss in a moment as well as 602.33 inquiry  
17 conducted by department staff since that  
18 meeting. The staff recommendation to the senior  
19 department official is to renew the agency's  
20 current recognition for two years and five  
21 months.

22 The one outstanding issue from the

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1 2021 renewal petition related to the agency's  
2 requirements for the composition of an appeals  
3 panel as defined in the agency's policies. The  
4 agency has since revised its policy for the  
5 composition of an appeals panel to meet the  
6 requirements of this criterion. The senior  
7 department official requested that the results  
8 of the 602.33 inquiry be presented to NACIQI and  
9 said the results --

10 C. PRESSNELL: Charity?

11 C. HELTON: -- of that investigation  
12 are included with the petition.

13 C. PRESSNELL: Excuse me, Charity.  
14 Yeah, we've just been notified the agency is not  
15 present. And so I apologize. But I'll tell you  
16 what. I think we're going to go ahead and skip  
17 and go to Pennsylvania, the Pennsylvania agency.

18 And so we'll come back to your  
19 agency once they become present and accounted  
20 for. So I apologize for the inconvenience. So  
21 we are going to move to the first agency on  
22 tomorrow's calendar which is the **Pennsylvania**

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1       **State Board of Career and Technical Education.**

2                   And we do know that the agency is  
3       available, correct? Okay, great. They're being  
4       admitted in. And the primary readers to  
5       introduce the agency are Jennifer Blum and  
6       Zakiya Smith Ellis.

7                   J. BLUM: Great, thank you. The  
8       Pennsylvania State Board of Vocational  
9       Education, Bureau of Career and Technical  
10      Education is a state agency recognized for the  
11      approval of public postsecondary vocational  
12      education. Currently, there are approximately  
13      69 occupational or comprehensive institutions  
14      which include 12 high schools and 57 vocational  
15      technical schools offering public postsecondary  
16      vocational education to approximately 9,764  
17      participating adults enrolled in 552 non-degree  
18      programs across the state. The agency was last  
19      reviewed for renewal of recognition at the  
20      spring 2020 meeting of NACIQI at which time it  
21      received recognition for four years.

22                  C. PRESSNELL: Thank you, Jennifer.

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1 And the department staff to give us a briefing  
2 on the visit is Reha Mallory Shackelford.

3 R. MALLORY SHACKELFORD: Yes, hello.  
4 Good morning, Mr. Chair and members of the  
5 committee. My name is Reha Mallory Shackelford,  
6 and I'm providing a summary of the review of the  
7 renewal petition for the Pennsylvania State  
8 Board of Career and Technical Education herein  
9 referred to as PABCTE or the agency.

10 The staff recommendation to the  
11 senior department official for this agency is to  
12 renew the agency's recognition for a period of  
13 four years. This recommendation is based on our  
14 review of the agency's compliance report, its  
15 supporting documentation, and an observed  
16 commission meeting. The department received one  
17 third party comment.

18 However, it was mostly unrelated to  
19 the agency's compliance with the recognition  
20 regulations. Additionally, there are no third  
21 party comments on today's agenda. I'm happy to  
22 answer any questions you may have.

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1       Additionally, representatives are also here to  
2       answer questions. Thank you.

3               C. PRESSNELL: Thank you, Reha. Any  
4       clarifying questions? Yeah, Jennifer?

5               J. BLUM: Thank you, Reha. I do  
6       have a question. So there were -- and this is  
7       not just about this agency but in general.  
8       There are a number of times where you found that  
9       the standard wasn't met.

10              In part, it looked like in some  
11       circumstances that the practice was compliant.  
12       But they had no policies in place. And then  
13       they rectified the issue by writing a new policy  
14       during the recognition -- during your process.

15              And to me, you know, I'm a little  
16       bit hesitant. I mean, so I think there were a  
17       couple of examples on this. There was -- I  
18       think there was an example of there was no  
19       guidance to institutions about how they should  
20       conduct their self-evaluation assessments.

21              To me, they weren't like small  
22       issues. And so now I know that they've written

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1       their policies and that's great. But from a  
2       public standing and public facing standpoint, I  
3       have some hesitations about the fact that we're  
4       giving a full four years but when we know that  
5       they didn't actually have policies in place  
6       during the preceding four years.

7               So I just wanted to know if you  
8       would comment on that. And let me -- sorry, let  
9       me preface by saying that I know 603 is, like, a  
10      totally different universe. And part of this is  
11      because I feel like the 603 regs are a little  
12      bit vague on what the criterion are supposed to  
13      be. But I still do have that concern that there  
14      seemed like there were a few circumstances on  
15      meaningful criteria where there were not  
16      policies in place. And then they quickly seemed  
17      to write them and come into compliance.

18             R. MALLORY SHACKELFORD: Yeah, thank  
19      you for that question. What I found in the file  
20      review and conversation with the agency is that  
21      although they didn't have the policy enumerated  
22      on paper, they did have a policy or shall I say

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1 a practice in the preceding four years of  
2 insuring all of the policies that you may have  
3 seen where that was -- where was that line.  
4 They did have a practice of doing so.

5 They just had not wrote it or  
6 surmised it to paper. And so the good thing  
7 about the review process and analysis is to find  
8 the actual policy and practice. And so where we  
9 were able to find that they didn't have it wrote  
10 down, the agency did take the steps in that time  
11 as you indicated to write those policies out.  
12 But they did have the practice which is why they  
13 were able to demonstrate their ability to adhere  
14 to the criteria in that way.

15 C. PRESSNELL: Okay. All right.  
16 Thank you for that explanation. We invite --

17 R. SHIREMAN: Can I -- sorry,  
18 Claude. I think you didn't see my --

19 (Simultaneous speaking.)

20 C. PRESSNELL: No, I did not. I  
21 apologize, Bob. Go ahead.

22 R. SHIREMAN: Okay. I just wanted

1 to follow up on that. Did the agency have to  
2 adopt or did they adopt the new policies as  
3 regulations? Or were they able to do something  
4 that required less hassle, I guess, is what I'm  
5 thinking. Is it kind of a subregulatory  
6 guidance within the agency that's written up?  
7 Or was it regulations?

8 B. MALLORY SHACKELFORD: Yeah, so  
9 the agency went through their guidance  
10 procedures. And Beth is on the call. She can  
11 kind of talk to exactly the exact steps they  
12 took. But they did go ahead and write them out  
13 as full on regulations. But I'll let Beth speak  
14 to exactly what that looked like.

15 B. MARSHALL: Yes, thank you, Reha.  
16 We did follow the policies and procedures. They  
17 might not have been worded as such with our  
18 guidelines.

19 So we did reword them as policies  
20 and procedures. I think that's where the  
21 clarity was missed. But we were doing what we  
22 needed to be doing as far as following the

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1 regulations. It just needed to be clear to --  
2 as to the regulations that we were following.

3 R. SHIREMAN: Thank you.

4 B. MARSHALL: Mm-hmm.

5 C. PRESSNELL: All right. Well,  
6 we're already into the agency comments. So  
7 that's great. And so why don't we just go ahead  
8 and continue then with questions. Jennifer, do  
9 you have some questions?

10 J. BLUM: Well, I mean, I guess I  
11 just want to give the opportunity -- did the  
12 agency have any form of a -- like, intro --

13 C. PRESSNELL: Yeah.

14 J. BLUM: -- or presentation before  
15 we start? I didn't know.

16 C. PRESSNELL: Yes, please. Invite  
17 the agency --

18 (Simultaneous speaking.)

19 B. MARSHALL: Well, thank you for  
20 that. Yes, my name is Beth Marshall and I work  
21 for the Bureau -- the State Board of Career and  
22 Technical Education here in Pennsylvania. I

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1 have with me my director, Judd Pittman, and  
2 manager, Tamalee Brassington.

3 And we wanted to say thank you. We  
4 were -- we brought onto this accreditation  
5 authority back in 2006 when one of the  
6 Pennsylvania accrediting agencies decided to  
7 pull out of accrediting adult career and  
8 technical education center -- or career and  
9 technical education centers that offered adult  
10 programming. The centers then came to us and  
11 asked what we could do to help them.

12 And we then decided to petition  
13 NACIQI and ask if we could get that authority to  
14 be able to help them. And we have maintained  
15 that authority since then and are able to help  
16 career and technical centers and adults  
17 throughout Pennsylvania go through training to  
18 get better jobs or better themselves with  
19 different jobs for themselves and for their  
20 families. And we hopefully are looking to  
21 continue that for years down the road.

22 C. PRESSNELL: All right. Very

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1 good. Thank you. Jennifer?

2 J. BLUM: Sure. Well, thank you and  
3 welcome. And I do have some questions. So the  
4 first one is really basic. And I probably -- I  
5 just could not find the answer. But I'm sure  
6 it's really basic.

7 But do any of the students of the  
8 programs take Title IV? Are they not eligible  
9 because it's short programs? Or are you a Title  
10 IV gatekeeper?

11 B. MARSHALL: We are Title IV. We  
12 are a Title IV gatekeeper. They are 900 or  
13 more, yes.

14 J. BLUM: Okay. That's what I  
15 thought. I just wanted to make sure. So then I  
16 also have a question because in the -- and  
17 again, the regs are -- the federal regs, I mean,  
18 are probably a little -- well, they're  
19 definitely more vague than the 602 regs.

20 But on the -- in one of the criteria  
21 and in one of the -- in the staff analysis, I  
22 noticed that there was a reference to state

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1 defined threshold levels of education completion  
2 and employment. But then I didn't see any  
3 reference -- and that was your term, that there  
4 are state defined threshold levels. And I  
5 couldn't find any reference in the reports or  
6 online on what those state defined threshold  
7 levels are. So are there state defined  
8 threshold levels that are used to meet -- I'm  
9 going to call it student achievement, although I  
10 know that that word is not used in the regs.  
11 But in terms of assessing performance of the  
12 programs?

13 B. MARSHALL: The levels are  
14 determined by the institution themselves on  
15 whether an adult has accomplished the graded --  
16 the grades need -- or what is needed to be  
17 considered a completer in that program. There  
18 isn't technically a state standard. However,  
19 there is criteria that we put forth to those  
20 institutions that they follow.

21 And then they implement that as far  
22 as what is needed to be considered a completer.

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1       How many hours to complete, the grades to  
2       complete, attendance to complete. So that's the  
3       criteria that we set forth to them.

4               J. BLUM: So you set those criteria,  
5       but you don't set a number or an expectation?

6               B. MARSHALL: Correct.

7               J. BLUM: You just tell them that  
8       those are the areas that you would like them to  
9       meet?

10              B. MARSHALL: Correct.

11              J. BLUM: And then --

12              B. MARSHALL: Correct.

13              J. BLUM: -- how -- so then I guess  
14       I'm going to probe this a little bit more. How  
15       do you know what good looks like? I mean, do  
16       you collect data from your institutions on all  
17       of those items that you just said and sort of  
18       understand, like, what -- how they perform --  
19       look performance-wise compared to the other  
20       institutions or programs that you accredit?

21              B. MARSHALL: Yes, we do, we do,  
22       through their annual reports. They do give us

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1       their completion rates, their grades, things  
2       like that.    So we do see a termination.   We  
3       don't say a set -- you must have 70, you must  
4       have 80.

5               But we do see that the norm is  
6       usually around 80.   So that's kind of where we  
7       set our threshold.   But we do it based on what  
8       the evidence is shown through our annual reports  
9       that they submit to us.

10              J. BLUM:    Okay.   And again, this  
11       isn't necessarily -- and we can talk about this  
12       tomorrow maybe.    But this isn't necessarily  
13       about this agency.   It's about -- to me, there's  
14       just a lack of clarity about what they're  
15       supposed to look at and return what we're  
16       supposed to look at in determining whether the  
17       criteria are actually met because, to me, it's  
18       not feeling very concrete.

19              And when I try -- and I'll just take  
20       it a step further.   In one place, I saw that you  
21       used surveys regarding some of the outcomes  
22       analysis.    I think it's with regard to job

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1 placement.

2 And I looked at the exhibit. It's  
3 Exhibit 5B3. And it lists out -- it's quite  
4 robust on sort of documenting the various  
5 institutions and programs job placement rates.  
6 But then I was really floored by the quite low  
7 response rate to those surveys.

8 So the response rates were literally  
9 in some cases like -- I think there was, like, a  
10 3 percent response rate. And the end -- excuse  
11 me, the end sizes were also quite small. So I'm  
12 really curious to know how job placement fits in  
13 to your analysis, especially if you're using  
14 surveys that have really, really low -- or  
15 inconsistent because some of them were 100  
16 percent response rates. But then there were  
17 others that were, like, 3 percent response  
18 rates. So again, sort of understanding from a  
19 peer review and looking at different programs,  
20 how can you assess using surveys if the response  
21 rates are that inconsistent?

22 B. MARSHALL: That is an issue. It

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1 is an issue across the board with these surveys.  
2 We do have -- we have had meetings with our  
3 agencies on what we could do to find a different  
4 route or better that -- better get answers to  
5 that.

6 One of the other things that  
7 happens, though, is they have a good checks and  
8 balance in that students complete the program.  
9 They do get hired into companies. Those  
10 companies themselves also get surveyed.

11 They also serve as members on  
12 advisory boards for those programs. So the  
13 school institutions do get feedback from  
14 employers based off of being part of their  
15 committees or surveys that they themselves  
16 submit to the institution, maybe not by the  
17 student but from the employer. So they are  
18 getting some feedback. It might not necessarily  
19 be from the student which needs to be worked on.  
20 But they do get feedback from the employers  
21 themselves.

22 J. BLUM: So you heard the questions

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1       that we asked staff, and you sort of answered  
2       it. But I want to probe a little bit further on  
3       the new written policies that you have. I think  
4       I wrote down -- so you didn't have a written  
5       policy on your advisory group processes.

6                You didn't have one -- although  
7       maybe you had one, but it was not named  
8       correctly. So in fairness, it sounds like you  
9       may have had one on the self-analysis  
10      qualitative assessment. Can you -- so just to -  
11      - on Bob's question, are they actual regulations  
12      now or are they -- I am a little unclear about -  
13      - and part of the reason we're asking this is  
14      because we had an agency this morning that had a  
15      similar situation. So part of it's just wanting  
16      to understand are your policies just written  
17      policies or are they regulation?

18               B. MARSHALL:       They're written  
19      policies.

20               J. BLUM:    Okay.    So they're not --  
21      right, they're not state regulation?

22               B. MARSHALL:   Correct.

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1 J. BLUM: Okay. So I guess actually  
2 -- and then I'm a little bit more confused about  
3 why you didn't have them in place even though  
4 you were complying with the criteria.

5 B. MARSHALL: Which one?

6 J. BLUM: Well, there were a few.  
7 But the one particularly, I think, attracted my  
8 attention was the fact that your institutions  
9 have to do self -- as most accrediting agencies  
10 have, your institution --

11 B. MARSHALL: Right.

12 J. BLUM: -- to do self-analysis,  
13 qualitative assessments. But there didn't seem  
14 to be guidance on how -- instructing the  
15 institutions on what those processes should be.

16 B. MARSHALL: Those processes were  
17 stated in the handbook in the guidelines. But  
18 they were not stated as policies and procedures.  
19 So they were in guidelines but not policies and  
20 procedures. And that's what we needed to  
21 correct.

22 J. BLUM: Got it. That's helpful.

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1 Thank you. I did have a question about your --  
2 and I know this is -- I'm finding this really --  
3 so it's a little bit of a commentary.

4 But I was fascinated under 603 the  
5 department's regs require that state agencies  
6 have advisory boards that include educators and  
7 institutions. This is something that's being  
8 discussed in a different context in negotiated  
9 rulemaking. But it's here.

10 It's required that these state  
11 agencies actually have educators on an advisory  
12 board. And I'm just curious how you find -- I  
13 think it's called the IAAG. Can you just speak  
14 about the importance of the IAAG and whether  
15 it's helpful, not helpful to have the  
16 requirement of an advisory board and having that  
17 diverse makeup of educators and others on it?

18 B. MARSHALL: So there are two  
19 advisory boards. We have an occupational  
20 advisory committee which is what the school has.  
21 And those members are made up of educators,  
22 employers, students. And they help guide the

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1 programs at the institution.

2 Then we have our IAAG committee  
3 which is the committee that when we go and  
4 review an institution, we review all the  
5 policies and procedures, make sure they follow  
6 our guidelines. We put together a report and  
7 then we go to our committee which is made up of  
8 postsecondary educators, public. The criteria  
9 is set forth in the 604.

10 It is criteria of who should be on  
11 that committee. So when we put that together,  
12 we have -- like you said, we have the  
13 postsecondary institutions, employers,  
14 stakeholders. We go through the report with  
15 them, kind of like what you're doing with us.

16 Go through the report with them.  
17 Let them know if there was any issues, if  
18 there's any recommendations. They now make  
19 their recommendation to our state board of CTE  
20 which is who has the authority. So that's how  
21 it kind of is, two different groups. One is at  
22 the local level and then one is at the state

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1 level.

2 J. BLUM: Okay. That's helpful.  
3 It's actually also very interesting. I have two  
4 other questions. One has two subparts. I noted  
5 that there were no complaints filed with the  
6 agency about any of the programs, institutions  
7 that you accredit during the four-year period  
8 and that you also didn't take a single adverse  
9 action in the entire four-year period. So I  
10 mean, is everything perfect in the world of  
11 Pennsylvania vocational -- I'm just curious  
12 because it just seems like a lot of -- I mean,  
13 if I'm being honest -- inactivity.

14 B. MARSHALL: I know. Understood.  
15 We do -- just so you know, we do have only nine  
16 schools that are accredited by us in the state  
17 of Pennsylvania. So we're not looking at a huge  
18 number. However, we do have a very good  
19 relationship with our institutions in that there  
20 has been a lot of back and forth communication.

21 So if there's any issues that arise,  
22 they usually contact us and are able to talk

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1 with us and walk through things before it would  
2 get to a point of submitting a formal complaint.  
3 So we try to work with them, them as in the  
4 institution or them as in the student or person  
5 who might have the issue will contact us. And  
6 we'll work with them, work with the institution  
7 on solving the issue so that it normally doesn't  
8 get to the point of a formal complaint.

9 J. BLUM: Let's hope not.

10 B. MARSHALL: We have had formal  
11 complaints in the past, just not in the last  
12 four years.

13 J. BLUM: Okay, that's helpful. So  
14 you mentioned nine institutions. I just want to  
15 make sure I'm understanding. What's the  
16 reference that was in the summary of the report,  
17 I think, of 552 non-degree programs? Do those  
18 nine institutions have 552 -- sorry again. I  
19 probably have a really basic question that I  
20 should understand.

21 B. MARSHALL: No, I think the number  
22 that was given, it was an overall number of all

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1 the programs in -- all the adult programs in  
2 Pennsylvania, not just the ones for accredited  
3 institutions.

4 J. BLUM: Oh, okay. Well, that's an  
5 interesting comment just for us to know in the  
6 summaries that staff is providing because they  
7 said 57. They also said 57 vocational technical  
8 schools. But you don't accredit 57 vocational  
9 technical schools.

10 B. MARSHALL: We don't accredit, no.  
11 That's just the amount of schools -- the  
12 technical schools in Pennsylvania.

13 J. BLUM: Okay. So we just put that  
14 as an aside to the staff that when we're reading  
15 the staff reports, it would be helpful to know  
16 how many. I mean, it's nice to know how many  
17 are in the state. But the ones that are  
18 actually accredited would be a good  
19 clarification for our purposes when we're -- and  
20 then my very last question.

21 There's interesting -- and again,  
22 it's interesting. 603 has a standard that state

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1 agencies need to have standards on ethical  
2 practices, including one that reads, promotes a  
3 well-defined set of ethical standards governing  
4 institutional and programmatic practices,  
5 including recruitment, advertising, transcripts,  
6 fair and equitable student tuition refunds and  
7 student placement services. I think that Reha,  
8 I think the department staff found that you --  
9 initially that you didn't meet that requirement.

10 And then I just want to give you an  
11 opportunity here. When I saw how you ended up  
12 meeting it, it seemed like you were citing a  
13 general state law on ethics but that it wasn't  
14 specific from what I could tell on addressing  
15 the pretty specific criteria on advertising,  
16 recruitment, transcripts. So I just -- I would  
17 love to hear how it is that you believe you meet  
18 that standard based on what you provided the  
19 staff.

20 B. MARSHALL: Part of our self-study  
21 that the institution completes and the criteria  
22 that we review when we're on site is those

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1 things. We look at their programming. We look  
2 at their advertising.

3 We look at their hiring practices.  
4 Those things that are listed are a part of the  
5 review process. In the self-study, they'll  
6 answer that question as we do and provides  
7 evidence. So when we're on site, we review not  
8 only that evidence but the last several years of  
9 those evidence to ensure that not only they're  
10 doing it but they have continually done it in  
11 the past years.

12 We also interview students,  
13 administration, teachers, employers to ensure  
14 that those things are being done, not just said  
15 they're -- they're saying they're being done but  
16 they are being done. So again, with that checks  
17 and balance, we put the criteria forth. We go  
18 and review the institution to make sure they're  
19 doing it. And then we talk with the local  
20 employers, teachers, students to ensure that, in  
21 fact, it's being done.

22 J. BLUM: So do you have a written

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1 policy that says that you do that? Or is it  
2 just that you do that and you have an  
3 expectation that each of your schools have those  
4 standards. But you don't have a written policy  
5 to meet that because it was really unclear.

6 I mean, I will say it was really  
7 unclear on the record how you met that standard  
8 because there was a reference to a state law or  
9 something. And I wasn't sure what it was  
10 referring to. So forgive me for pressing a  
11 little bit on this. But I just didn't know if  
12 you had a written policy on this one.

13 B. MARSHALL: We do have written  
14 policies. As I said, it is part of our self-  
15 study. That's part of our guidelines and also  
16 in our annual report. I didn't know if one of  
17 my colleagues wanted to help me out here and if  
18 I'm missing anything.

19 J. PITTMAN: I think you're spot on,  
20 Beth, in the sense that it's folded under the  
21 guidelines. But I think there's a distinction  
22 that the committee is getting at between

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1 guidelines and policy.

2 J. BLUM: Okay. Thank you.

3 C. PRESSNELL: Zakiya?

4 Z. SMITH ELLIS: Yes, just a couple  
5 of follow-up questions and maybe one just to  
6 piggyback on what Jennifer mentioned from the  
7 difference between guidelines and policies. And  
8 I'm trying to think in my head if this is being  
9 unfair to you all because you're a state and  
10 what would be -- if you were not a state agency  
11 with the ability to create regulations would be  
12 requiring something of a higher standard and I  
13 can't figure it out. But I will just note that  
14 obviously if different people were in your  
15 positions, you all decide you hit the lottery,  
16 you're going to leave, you're going to do  
17 something else and someone throws away all your  
18 policies.

19 I think we're just trying to figure  
20 out how do we know that those things would still  
21 be in place. But maybe we wouldn't know that if  
22 there was any other agency. So you don't need

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1 to answer that. I'm just putting it on the  
2 record. The actual question I do have is on how  
3 you track outcomes for students beyond the  
4 surveys. And if you do track any labor market  
5 outcomes for the students who are graduates or  
6 not graduates of the programs and the  
7 institutions you accredit.

8 B. MARSHALL: We do track. We do  
9 have a system that we do track on the students  
10 after graduation. It is difficult as I'm sure  
11 with anybody to capture once they leave. It's  
12 difficult to capture them again. But we do have  
13 a system in place that does survey six months, a  
14 year, and I believe two or three years after  
15 that, after they complete the program.

16 Z. SMITH ELLIS: Gotcha. Have you  
17 ever -- you're within the Pennsylvania  
18 Department of Education. Is that correct? I  
19 was look at the --

20 (Simultaneous speaking.)

21 B. MARSHALL: Correct.

22 Z. SMITH ELLIS: Have you ever tried

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1 to connect with the Pennsylvania Department of  
2 Labor to get labor market data from individuals  
3 --

4 B. MARSHALL: Yes.

5 Z. SMITH ELLIS: -- in the state?  
6 Okay.

7 B. MARSHALL: Yes. We work closely  
8 with our Department of Labor and Industry, yes.

9 Z. SMITH ELLIS: Okay, yeah.  
10 Because doing it that way versus trying to  
11 survey students is, you know.

12 B. MARSHALL: Yes, yes. When I  
13 first started surveying students was in -- it  
14 was a good resource. But as time has gone on,  
15 even with technology the way it is, you would  
16 think instead of mailing out surveys. A quick  
17 email would be a simple thing.

18 But it's not turning out as simple  
19 as it used to be. So we are going to our fellow  
20 state agencies to help us. And they come to us  
21 to help them connect with what we need to be  
22 compliant. But also, what we need to better

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1       ourselves for the future.

2               Z. SMITH ELLIS:   Thank you.

3               C. PRESSNELL:   All right.   I've got  
4       Kathleen, Debbie, and then Art.   So Kathleen?

5               K. ALIOTO:       Hi,   now we're in  
6       technical schools.   Are they junior colleges or  
7       community colleges?

8               B. MARSHALL:   No,   our institutions  
9       are non-degree granting.   So basically, it's the  
10      secondary career and technical education centers  
11      are   filled   vo-techs   that   offer   adult  
12      programming.

13              K. ALIOTO:   But they have to -- to  
14      me, part of the group, they have to have 300  
15      hours and to have a certificate or whatever at  
16      the end of the year.

17              B. MARSHALL:   It's 600 or 900 for  
18      financial aid.   And they get a certificate of  
19      completion at the end of the year.

20              K. ALIOTO:   They get financial aid.  
21      Is that -- that's not Title IV is it or is it?

22              B. MARSHALL:   Yes.

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1 K. ALIOTO: So they can get that for  
2 a one year program?

3 B. MARSHALL: Yes.

4 K. ALIOTO: Okay. And do you also  
5 have community colleges in Pennsylvania?

6 B. MARSHALL: We do.

7 K. ALIOTO: And do the community  
8 colleges deal with adult learners?

9 B. MARSHALL: They do.

10 K. ALIOTO: As well as you?

11 B. MARSHALL: Correct, yes.

12 K. ALIOTO: How did that all happen?

13 B. MARSHALL: So we are -- the  
14 institutions that we accredit are non-degree  
15 granting. So these are adults who are not  
16 looking for a college degree but they have  
17 either maybe after high school went right into  
18 work or they -- and are looking for a different  
19 career. Most of them, quite honestly, are  
20 individuals who have lost their jobs.

21 Either their employer folded or they  
22 just didn't have the opportunity to continue in

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1       that career. So they're adults who are looking  
2       to start a new career, not necessarily get a  
3       degree. They're looking for a quick turnaround,  
4       not quick, quick but not a two-year, four-year  
5       turnaround. Somewhere they can get their  
6       education, get training, and be back out in the  
7       workforce. And to support themselves and to  
8       support their family if they have one.

9               K. ALIOTO: And how many -- what  
10       percentage of them are older people?

11              B. MARSHALL: Most of our adult  
12       students I want to say are in their 20s and 30s.  
13       We might have a few that are older than their  
14       30s, but primarily, their 20 and 30s.

15              K. ALIOTO: So the older people are  
16       going to the community colleges?

17              B. MARSHALL: I would assume, yes.

18              K. ALIOTO: Okay. And I'm also  
19       curious what everyone is talking about. I  
20       wanted to make sure that everything happens.  
21       Forty years ago when I was involved with K-12,  
22       Pennsylvania was the leader for people with

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1 learning distinctions and disabilities.

2 And there seemed to be a culture of  
3 excellence in Pennsylvania. And I'm just  
4 curious when I listen to you, you're an  
5 impressive person. And if you think that  
6 Pennsylvania has a particular culture of concern  
7 for education that we might be able to copy in  
8 other places.

9 B. MARSHALL: I do think --

10 K. ALIOTO: You think that's even  
11 true?

12 (Simultaneous speaking.)

13 K. ALIOTO: -- Pennsylvania, at  
14 least in the early childhood area and in the  
15 disabilities area that really should be copied  
16 by other states. And it looks like this program  
17 is the same.

18 B. MARSHALL: We do. In  
19 Pennsylvania, career and technical education is  
20 held to a high standard. And we hold it to a  
21 high standard with the regulations, policies,  
22 procedures, both on the secondary and

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1 postsecondary side.

2 We were forefront in going from the  
3 old adage of vocational school to career and  
4 technical school, making sure that we follow --  
5 that we know the needs of the students but more  
6 importantly know the needs of the employers so  
7 that the students are being trained properly so  
8 that they can fill the jobs that are needed in  
9 today's world. It's not the old vo-techs  
10 anymore. It's a career that they can get right  
11 out of high school. Or it is good basic  
12 foundation that they can use to go right into  
13 college. So we do hold it to a very high  
14 standard here in Pennsylvania.

15 K. ALIOTO: Well, thank you.

16 C. PRESSNELL: All right. Debbie?

17 D. COCHRANE: Yes, thank you. So my  
18 question is I think for the department and maybe  
19 Herman, just throughout the morning, we have  
20 heard a lot of words. Often we talk with NACIQI  
21 about policies. And we're looking at  
22 institutional policies and agency policies.

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1                   But this morning, we've also talked  
2                   about guidelines.           We've talked about  
3                   procedures.           The current agency mentioned  
4                   putting practices to paper.   So then there's  
5                   practices and then, of course, there's  
6                   regulations.   So I'm wondering if we can hear a  
7                   little bit about how the department interprets  
8                   those words and specifically how this agency  
9                   differs from Kansas.

10                  C. PRESSNELL:   Herman, do you want  
11                  to?   Okay.

12                  H. BOUNDS:   That was a lot.   So I  
13                  might have Reha come in and talk more specific  
14                  about the analysis and the review of the policy.  
15                  I'd just like to make two distinguishing things.  
16                  One, Kansas being a state board of nursing which  
17                  is totally different from the state vocational  
18                  agencies.

19                  State boards of nursing really rely  
20                  on state legislature, state requirements, you  
21                  know, and the development of their standards and  
22                  policies.   What we're talking about here is the

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1 state agency for vocational education, why there  
2 are some rules that the states may develop  
3 usually the state vocational agencies. They  
4 have the ability to develop their own standards  
5 and procedures that they use to accredit their  
6 programs.

7 So they're not as -- I don't use the  
8 word, restrictive -- as the state boards of  
9 nursing and having to get approval for some of  
10 those things. I'll let Reha talk more about  
11 some of the documents that she reviewed to make  
12 her decision there. But in a normal sense, we  
13 look to see does the agency have a policy  
14 related to a specific regulation.

15 So our interpretation may include  
16 something that might be in state law and then  
17 actual written requirements in one of their  
18 policy documents. If you could consider a self-  
19 study or a site visit, approval document as a  
20 written policy or procedure. But I'll let Reha  
21 talk a little bit more about that.

22 But I hope that answered your

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1 question. We're looking for some sort of  
2 written policy that requires the agency to do a  
3 specific thing when we're reviewing our  
4 regulations. And again, agencies have different  
5 -- they have policy and procedure manuals.

6 They have accreditation manuals.  
7 They have all those things. But we're looking  
8 to see that there's some written requirement  
9 that an accredited institution perform a  
10 specific task.

11 R. MALLORY SHACKELFORD: Yeah, and  
12 I'll just jump in really quick. And Jennifer, I  
13 know you brought this up earlier. Forgive me.  
14 I'm battling the flu and some respiratory  
15 issues. So I'm sorry if I was short in my  
16 answer.

17 But yes, Herman did illustrate kind  
18 of essentially what I was looking for in their,  
19 in Pennsylvania's guidance documents and the  
20 documents that they give the institution to  
21 ensure that they're following the regulations.  
22 What I saw was that they did have, again, a

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1 practice for doing the things that 603 require.  
2 But there's just various instances.

3 They didn't have the actual policy  
4 wrote out. And so that's what you saw in the  
5 second kind of stab where the agency did come  
6 back and did put those policies on paper that  
7 they already had articulated to the institutions  
8 in different governing documents. And I also  
9 want to add one more other thing as it relates  
10 to the four years.

11 And so the question was -- I think,  
12 Jennifer, you brought up a concern that they may  
13 not have had those policies in place in four  
14 years. And although I did recognize that they  
15 needed to have wrote out and they did make those  
16 changes on numerous review periods to ensure  
17 that they were a policy, they did have the  
18 practice in place in that four-year time. So  
19 you can rest assured that they didn't -- I  
20 didn't see anything where they were outside of  
21 603 in any kind of way as it relates to making  
22 sure that the institutions had the necessary

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1 oversight that they needed.

2 D. COCHRANE: So just a couple  
3 clarifying questions. So just in terms of --  
4 like, it sounded like most of what you just  
5 said, Reha, and I know we're going back. And  
6 I'm just trying to understand -- and apologies  
7 to the agency that's up right now for being kind  
8 of a guinea pig in the learning here.

9 So, it sounds like a lot of that was  
10 also true for Kansas, because they were found  
11 fully compliant four years ago, they had had  
12 practices in place, they just weren't regulatory  
13 in nature. So could -- I mean, could Kansas  
14 have, again, put practice to paper and then been  
15 fine? Or is there something inherent about the  
16 state board versus this vocational education  
17 that requires regulations in one and not in the  
18 other?

19 R. MALLORY SHACKELFORD: Well, I  
20 won't speak to Kansas because, of course, I  
21 reviewed Pennsylvania. But I will say just as  
22 Beth mentioned earlier, they also had state

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1 governing documents as well. So it's not as if  
2 it weren't -- they weren't following some type  
3 of policy. They also had the state governing  
4 documents that require some of the elements of  
5 603.

6 C. PRESSNELL: All right. Herman,  
7 did you have a comment on this?

8 H. BOUNDS: I think Reha explained  
9 it. I'm just trying to make sure she answered  
10 the question fully. For the Kansas Board of  
11 Nursing, I think that report clearly said that  
12 while they're -- during the portion -- the  
13 course of her review, she found that the state  
14 board in practice was in compliance with the  
15 1969 Federal Register notice. However, they  
16 hadn't developed their policies yet or state  
17 requirements yet.

18 And they still have not done so at  
19 the time of the review for Pennsylvania. And  
20 Reha, you just jump in if I'm not communicating  
21 this correctly. At the time of the review now,  
22 Reha pointed out those areas that they didn't'

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1 have policy for.

2 But now as Reha is saying, they have  
3 those requirements in place that are written now  
4 at this time. So we have come full circle with  
5 not having policy and practice in place to now  
6 that we have those in place for Pennsylvania.  
7 So Reha, if I said anything that's not correct,  
8 please let me know.

9 R. MALLORY SHACKELFORD: No, that's  
10 exactly correct. Thank you.

11 C. PRESSNELL: Debbie, are you okay?

12 D. COCHRANE: I'm still a little  
13 confused, but I'm going to leave it.

14 C. PRESSNELL: Okay. And feel free  
15 as well to bring it up again during the policy  
16 discussion if you'd like additional  
17 clarification. We can talk about it in more  
18 depth then for sure.

19 D. COCHRANE: Thank you.

20 C. PRESSNELL: All right. Right  
21 now, I've got Art, Jennifer, and Bob. So Art?

22 A. KEISER: Real quick. And again,

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1       it's more curiosity. Why does Pennsylvania only  
2       spend all this money to accredit nine vo-techs  
3       when they can go to other agencies?

4               B. MARSHALL: When we entered into  
5       this, as I said, we entered into this because  
6       there was an accrediting agency in Pennsylvania  
7       that pulled out. And it left some of our  
8       current technical center adult programs without  
9       an accrediting agency. They then came to us and  
10      asked if we could help.

11             So we did help, and we've been doing  
12      it ever since. We don't force anybody to do it.  
13      It's totally up to them if they want to join our  
14      accrediting agency.

15             It's kind of our due diligence. So  
16      the career and technical centers and the adult  
17      population in Pennsylvania to offer training to  
18      them to better themselves education or  
19      employment-wise. So that is why we continue to  
20      do it here in Pennsylvania.

21             C. PRESSNELL: All right. Any  
22      follow-up, Art?

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1 A. KEISER: No.

2 C. PRESSNELL: Okay. Jennifer and  
3 then Bob. Okay. Bob, you're up.

4 R. SHIREMAN: Thanks, yeah. And  
5 I'll mostly leave this to the policy  
6 conversation. I too am confused or wondering  
7 whether we are putting some state agencies  
8 through a lot of work to adopt regulations or  
9 other things that might not be necessary or  
10 might be excessive, especially as regulations  
11 change at the federal level. I know it can be  
12 easier as Zakiya said for a private agency to  
13 just write a policy and post it on a website,  
14 especially if it's not something that has to go  
15 into their formal commission approved standards.  
16 But I'm fine with waiting and discussing that at  
17 policy.

18 C. PRESSNELL: Thank you, Bob.  
19 Jennifer?

20 J. BLUM: So yeah, I hear Bob. But  
21 at the same time, I -- and this partially a  
22 policy conversation. But this is partially

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1 about this agency's compliance.

2 And I was looking while everybody  
3 else was talking at what the criteria under  
4 federal regulations say. And I'm struggling to  
5 see how they're meeting the policies. And  
6 again, I'm really sympathetic because here's the  
7 things that I think is the real twist and it  
8 makes it very different from the Kansas  
9 situation because Kansas situation is under a  
10 federal nursing act.

11 This is under the Department of Ed's  
12 state regs applying to state recognition. And  
13 they're a Title IV gatekeeper. And so when I'm  
14 thinking about Title IV gatekeeping, to me,  
15 there is an analog to how we look at the  
16 accrediting agencies in terms of what we're  
17 looking for, in terms of performance and clarity  
18 around what their standards say, what their  
19 policies or standards say.

20 And so when I look at something and  
21 I see the state agency maintains clear  
22 definitions of approval status and including and

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1 shall -- the self-analysis shall include the  
2 achievement of institutional program objectives.  
3 But then they don't -- and then they use words  
4 like state defined threshold levels but then  
5 don't define in the public realm. They are  
6 telling their schools which is great.

7 But in the public realm, you can't  
8 find that. That's why I'm having concerns. And  
9 I'm not saying that necessarily this is specific  
10 to Pennsylvania.

11 But this is something that I think  
12 does need some attention because if they're a  
13 Title IV gatekeeper and this is the -- sort of  
14 the -- no pun intended, but the standard of  
15 review and approval for this agency. But we  
16 definitely hold the accrediting agencies to a  
17 different standard. I have a problem because  
18 there are students who are taking Title IV going  
19 to these short-term programs.

20 And in other situations if they were  
21 accredited by -- those programs were accredited  
22 by a different -- by an accrediting agency under

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1       602, we would be sitting here going whoa, time  
2       out. But we're not doing that here because --  
3       partly because the regs are more vague under 603  
4       and I don't know why else. So I'm really  
5       struggling.

6               I'm very sympathetic to the agency.  
7       But I'm also really struggling with the not  
8       having policies in place. But oh, our practices  
9       are good.

10              I do have a question for Reha on  
11       that regard. How many -- to determine that  
12       their practices were in place, how many examples  
13       of programs did you look at? How many self-  
14       assessment examples did the department review to  
15       determine that their practices were consistent  
16       since they didn't have a policy?

17              R. MALLORY SHACKELFORD: I have to  
18       look at the report. I don't remember the exact  
19       number off the top of my head. But suffice it  
20       to say, it was enough that I recognize it was a  
21       policy.

22              It wasn't necessarily the number.

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1 But when there's also governing documents that  
2 had proof of such from the governing documents,  
3 that's what more so gave me assurance that they  
4 were adhering to those practices. But I can  
5 look in the report and see the exact number.

6 J. BLUM: It's fine. I just wanted  
7 to make sure it was multiple.

8 R. MALLORY SHACKELFORD: Yeah.

9 J. BLUM: Okay.

10 C. PRESSNELL: All right. Zakiya?

11 Z. SMITH ELLIS: Yes, thank you.  
12 Just a clarifying question about there's a  
13 number of institutions on your website. You  
14 list the seven that you accredit, but then  
15 there's some that resigned from, I guess,  
16 accreditation. And I'm wondering who --

17 B. MARSHALL: Correct.

18 Z. SMITH ELLIS: -- accredits them  
19 now.

20 B. MARSHALL: The ones that I know  
21 that resigned didn't go back into accreditation.

22 Z. SMITH ELLIS: Okay. Somebody at

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1 the -- I don't know who this is most appropriate  
2 for. But I just picked one randomly. And they  
3 show up on the college scorecard. So that  
4 leaves -- I didn't check FSA to see, like, when  
5 the last time students got student aid, for  
6 instance, right?

7 But if they're not accredited now  
8 and people are still getting federal student  
9 aid, then I just wonder how that's happening.  
10 And again, I just look to see if I can find the  
11 college scorecard there. But --

12 (Simultaneous speaking.)

13 B. MARSHALL: I'm sorry. It could  
14 be that they're accredited under the national --  
15 one of the nursing.

16 Z. SMITH ELLIS: Okay.

17 B. MARSHALL: Because a lot of our  
18 CTCs do, do an LPN program. So it could be that  
19 they -- we -- our standards require that the  
20 school have three or more adult programs for us  
21 to come out to accredit them. So if they only  
22 have a nursing program, then they most likely

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1       went under one of the nursing accrediting  
2       agencies.

3               Z. SMITH ELLIS: For what it's worth  
4       and for the record, it's Career Technology  
5       Center of Lackawanna County?

6               B. MARSHALL: Lackawanna, the Career  
7       Technology Center of Lackawanna, yeah, yeah.

8               Z. SMITH ELLIS: Okay.

9               B. MARSHALL: So yeah, they're not  
10      accredited by us. However, I'm not sure if  
11      they're just nursing or if they have other adult  
12      ed programs.

13              Z. SMITH ELLIS: Okay.

14              B. MARSHALL: The other two  
15      accrediting agencies in Pennsylvania are COE and  
16      Middle States. So they could be under one of  
17      those too.

18              Z. SMITH ELLIS: Okay. Maybe --  
19              (Simultaneous speaking.)

20              R. MALLORY SHACKELFORD: And really  
21      quick.

22              Z. SMITH ELLIS: Go ahead.

1 R. MALLORY SHACKELFORD: Hi, Zakiya.

2 Z. SMITH ELLIS: Go ahead.

3 R. MALLORY SHACKELFORD: No, it's  
4 something unrelated. My apologies.

5 Z. SMITH ELLIS: Oh, I was just  
6 going to -- maybe for the policy conversation, I  
7 just realized as I was doing this maybe there's  
8 an easier way to do this. But it's hard to see  
9 -- it doesn't have anything to do with the  
10 agency. The agencies obviously know who they  
11 accredit. But if you were going to an  
12 institution and trying to find who their  
13 accreditors are, it's harder to, like, see in  
14 that way, like, any one institution who  
15 accredits them.

16 C. PRESSNELL: All right. Any other  
17 questions or comments for the agency?

18 R. MALLORY SHACKELFORD: I do have  
19 one comment.

20 C. PRESSNELL: And then --

21 H. BOUNDS: Just to --

22 C. PRESSNELL: And in your



1 concluding comments or is it for the agency,  
2 Reha?

3 R. MALLORY SHACKELFORD: No, I can  
4 put it my concluding.

5 C. PRESSNELL: Okay. Just saying if  
6 we're -- any other questions for the agency at  
7 all?

8 All right, good. So Reha, do you  
9 have concluding remarks?

10 R. MALLORY SHACKELFORD: Yes, so  
11 just want to say just to Jennifer's comment as  
12 far as the number of institutions that we look  
13 at, typically we look at two. So I just went  
14 back and kind of verified that. But then also  
15 in the file, we review several. So just so you  
16 kind of have an idea of the number and the  
17 scope.

18 C. PRESSNELL: Good. Any other  
19 comments, Reha, before we --

20 R. MALLORY SHACKELFORD: No, we  
21 discussed the review process. And I think that  
22 was it.

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1 C. PRESSNELL: All right. Very  
2 good. Very good. Thank you very much.

3 R. SHIREMAN: Claude, can I --

4 C. PRESSNELL: Yes, Bob.

5 R. SHIREMAN: Can I just answer  
6 Zakiya's question? So I looked on DAPIP. It  
7 can be very useful sometimes. And the Career  
8 Technology Center of Lackawanna County is now  
9 accredited by Middle States -- the Middle States  
10 Secondary School Commission which is not the  
11 Senior Commission that does adult ed programs.  
12 So they are accredited.

13 Z. SMITH ELLIS: But how -- they  
14 aren't -- are they a Title IV gatekeeper. The  
15 secondary? Okay, okay.

16 C. PRESSNELL: Could you -- yeah,  
17 always make your comments into the mic for the  
18 record. Thank you. So thank you, Bob.  
19 Appreciate he also earned his wages for the day.  
20 All right. All right. So any discussion among  
21 the members? And if not, we'll entertain a  
22 motion.

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1 J. BLUM: I mean, I kind of -- I'll,  
2 I guess, go with the flow of the rest of the  
3 body. But I do have some hesitancy about a full  
4 renewal process. It's partly process.

5 It's partly I don't love the  
6 precedent of -- and it's not an expression.  
7 There are other examples of this. I don't love  
8 the precedent of having practices in place.

9 And so they're in compliance but  
10 they don't have the policies in place until they  
11 have to have the policies in place. I just  
12 don't that's a great practice for approving  
13 giving full approval to an agency. So that's  
14 the first thing.

15 And then the second thing is more  
16 specific to this agency. Well, they're both  
17 specific to the same agency. But I am having a  
18 little bit of a hard time in terms of how their  
19 demonstrating compliance with the quality of  
20 their institutions when they're relying on  
21 survey that they even agreed that had very  
22 erratic response rates on job placement.

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1                   And they actually don't really have  
2                   -- I'm not even sure how much they're relying on  
3                   job placement versus completion versus -- so  
4                   versus any other requirement on student  
5                   achievement.           Well, it's not student  
6                   achievement, on outcome expectations. So I'm  
7                   struggling because I'm still not seeing how they  
8                   met that criteria.

9                   Having said that, I don't want to --  
10                  I think part of this issue relates to the  
11                  regulation and not to the agency because it's  
12                  not clear how much they're supposed to actually  
13                  do. So I'm admittedly struggling, but I'm a  
14                  little reluctant, I will say, to be the one who  
15                  puts forward a motion for a full four years. So  
16                  if somebody else -- I don't know what the  
17                  process is for that. But I don't really -- I'm  
18                  not sure I really support putting forward a  
19                  motion for a full four years.

20                  C. PRESSNELL:       Okay.       I'm not  
21                  hearing a motion at this point. Zakiya, would  
22                  you like to make a motion? Debbie? You're

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1 muted, Debbie.

2 D. COCHRANE: Thank you. Just  
3 wanted to make a comment on this and obviously  
4 lots more to be continued in the policy  
5 discussion, I think. But I do want to name  
6 something that's been in my mind to something  
7 that Jennifer just said which is for both Kansas  
8 and this agency, four years ago, they were  
9 granted a full four years.

10 And it sounds like some of the  
11 issues that were really at the heart of the  
12 discussion, both today for both agencies is that  
13 the department is now kind of documenting some  
14 of the issues that where practices aren't  
15 codified into policies. I think those are good  
16 steps. I think a lot of these questions are  
17 helpful, and I look forward to continue  
18 discussion on that.

19 But if I'm understanding what we're  
20 hearing from the department including some of  
21 the responses we've gotten on both agencies, it  
22 does sound like what we're seeing and some of

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1 the questions that are being raised up are the  
2 result of more robust analyses in this round  
3 than in the prior round. So if that is the  
4 case, then just I want to out that and say kudos  
5 to the staff.

6 C. PRESSNELL: Thank you, Debbie.  
7 Zakiya?

8 Z. SMITH ELLIS: Just to Jennifer's  
9 point, I'm trying to remember what happens if we  
10 were -- what is the -- not criteria for. But  
11 what is -- what happens subsequent to  
12 substantial compliance? What does that trigger?

13 C. PRESSNELL: Herman?

14 H. BOUNDS: Yeah, so normally with  
15 substantial compliance, you would have to then  
16 attach some sort of monitoring report. What do  
17 you want them -- what do you want them to  
18 provide. And then since -- I just want to bring  
19 up one other issue.

20 Since the state agencies, their  
21 recognition period is four years, having them  
22 come back at a time less than three years is

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1 going to be pretty much prohibitive based on our  
2 review cycle, right? So I mean, you could --  
3 I'm not saying what you can't do. I'm just  
4 saying don't go two years because that would be  
5 pretty hard for us to process. So if you went  
6 anything below if you wanted to come back a year  
7 early, I mean, that's -- they would basically  
8 start preparing now to come back in that third  
9 year. The monitoring report usually is  
10 accompanied with a substantial compliance  
11 recommendation.

12 C. PRESSNELL: Thanks, Herman. I  
13 guess my question is if we did that, we took  
14 that action, what exactly are we asking them to  
15 prove that they haven't just proven already?  
16 And I mean, if they have put policies in place  
17 that address a practice, then that means now  
18 they have the practice and the policy together.  
19 So if we say, no, you've got to come back, what  
20 are they needing to come back with is my  
21 question.

22 J. BLUM: And Claude, I'll be

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1 honest. I've struggled with this. I've been  
2 thinking about this for a few days now. And I  
3 think if we were to go down this route, it would  
4 relate to the fact that, yes, they have the  
5 policy in place. But I still don't see how  
6 they're meeting the -- including the achievement  
7 of institutional and program objectives if  
8 they're relying, for example, on job placement  
9 rates where the response rate on the surveys is,  
10 like, 3 percent for some of the programs and the  
11 inside is, like, 8.

12 So I'm a little unclear on how  
13 they're relying on job placement rates when the  
14 data is not some data that you could really rely  
15 on to meet the objective. So that's -- I'm  
16 really -- I mean, I'm honestly really struggling  
17 with how they're meeting -- it's not just that -  
18 - that's what I was trying to say before. It's  
19 not just that they didn't have the policy in  
20 place, although that's part of it. It's that  
21 even with the policy and practices in place, I  
22 just don't see how they're demonstrating that

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1       they're looking at the achievement of  
2       institutional objectives if they're relying in  
3       part on data that doesn't really fly.

4               C. PRESSNELL:     So was there not  
5       discussion about using labor data? There was  
6       discussion about using labor data as well. So  
7       I'm kind of --

8               J. BLUM:     They say they talk to  
9       them, but they don't -- there's no stand --  
10      like, as far as I can tell, there's not a clear  
11      -- this is what I'm getting at. To me, there's  
12      not a clear standard on what it is. Is it job  
13      placement rate? Is it completion rate?

14              And that was compounded by the fact  
15      that they didn't have a policy in place. They  
16      had a practice in place. And so going from one  
17      school to another school and granted there are  
18      only nine which I do think factors in because  
19      we're not talking about a ton of students.

20              We're not talking about a lot of  
21      programs. But because there are only nine, you  
22      would think that they would have clear standards

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1       about what they would be looking for because  
2       they're not -- this is not a diverse set of  
3       institutions in terms of programs offered. So  
4       to answer your question, if we were to go with  
5       the substantial compliance, I would probably  
6       have them come back with a monitoring report  
7       that demonstrates how they're applying whatever  
8       policy it is they -- or standard they have in  
9       place to meet, (a)(3)(ii)(A). That's probably  
10      what I would do.

11               C. PRESSNELL:    Okay.    So    I think  
12      it'd be good to go ahead and put that in a form  
13      of a motion.    And so if you can repeat that  
14      where -- yeah, where Angela and Monica can kind  
15      of make sure that we're in good order.    But I  
16      mean, that would be a proper motion.

17               A.   SIERRA:       If   it's   helpful,  
18      Jennifer, I could sort of read the example  
19      motion for substantial compliance if you don't  
20      have it in front of you.

21               J. BLUM:    I just pulled it up.

22               A. SIERRA:    You pulled it up?   Okay.

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1 J. BLUM: Yeah, that's what I just  
2 grabbed. So -- but now I have to also have the  
3 agency -- the full agency name up to at the same  
4 time. So I move that NACIQI recommend that the  
5 senior department official grant the  
6 Pennsylvania State Board for Career and  
7 Technical Education renew recognition for four  
8 years -- do I still go with the four years,  
9 Angela -- for four years and recommend a  
10 monitoring report, got it, within 12 months to  
11 be reviewed by department staff to ensure  
12 corrective action is taken and full compliance  
13 with 603.24(a)(3)(ii)(A) of the criteria  
14 recognition is achieved or maintained or for  
15 action by the staff.

16 And then this says under 602. So I  
17 was about to ask a question on that because this  
18 is 603. So how does that work? Can we do  
19 substantial compliance under 603? Sorry.

20 H. BOUNDS: No, it is -- yeah, I  
21 understand. But we say that all agencies have  
22 to follow the recognition process so we can

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1 include --

2 J. BLUM: Got it.

3 H. BOUNDS: -- we can include those  
4 -- that sort of recommendation since it's in the  
5 process.

6 J. BLUM: Got it.

7 H. BOUNDS: Yeah, it's a --

8 J. BLUM: Sorry.

9 H. BOUNDS: -- windy road to get  
10 there.

11 C. PRESSNELL: Quirky is the word  
12 I'm going with today.

13 H. BOUNDS: Yes, ma'am. It is.

14 J. BLUM: So that is my somewhat  
15 hopefully somewhat clear version.

16 Z. SMITH ELLIS: I second.

17 C. PRESSNELL: Thank you. So we  
18 have a motion and a second. We'll allow the  
19 staff to wordsmith this. Art?

20 A. KEISER: I would -- it just seems  
21 to me if I was a taxpayer in the state of  
22 Pennsylvania, I would be upset that I would have

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1 all this effort and all the staff time put in to  
2 recognizing seven schools or nine schools for  
3 888 students according to this scorecard  
4 dashboard. I just don't understand why they  
5 would do that. And there are options. There's  
6 COE. There's Middle States in some cases.

7 There's ACCSC. There's Asset. I  
8 mean, there are a whole lot of different options  
9 for them. So makes no sense. But be that as it  
10 may, it wouldn't surprise me.

11 J. BLUM: I totally agree with you.  
12 And not only Middle States. Any of the formerly  
13 known as -- well, right. But there are also  
14 formerly regional ones that now are going across  
15 borders -- across regions.

16 So I totally agree with you. But  
17 this is where we are. They're before us.  
18 They're doing their thing, and they are  
19 accrediting nine institutions.

20 A. KEISER: You don't have to  
21 explain. I just made that as a comment --

22 J. BLUM: Yeah, no, I totally agree

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1 with you.

2 A. KEISER: -- as a citizen.

3 C. PRESSNELL: Kathleen and then  
4 Bob.

5 K. ALIOTO: I think that this  
6 committee has tried to apply the same standard  
7 across agencies. But here, we would have a  
8 situation in which agencies which actually were  
9 problematical getting passed by NACIQI a nurse  
10 agency which has done what was requested and  
11 codified what it's doing anyway in language is  
12 being dinged. I think that we're doing  
13 something that is not the practice that we  
14 preach. So if we wanted to do that, then we  
15 should've done it with agencies which really  
16 were not as solid as this agency is.

17 C. PRESSNELL: All right. I'm going  
18 to give Jennifer --

19 K. ALIOTO: All for more.

20 C. PRESSNELL: Okay. I'm going to  
21 give Jennifer an opportunity to again describe  
22 the focus of the motion.

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1 J. BLUM: Yeah, I disagree  
2 respectfully, Kathleen, in this instance. I  
3 mean, first of all, we do take actions against  
4 other agencies. And if this were another  
5 gatekeeping Title IV agency under 602, we would  
6 totally be dinging it because with respect, this  
7 agency is sitting with lesser criteria to have  
8 to meet because it's under 603.

9 So it's not as clear. So I am  
10 really sympathetic to the agency on what its  
11 requirements are because they've been dealt regs  
12 that aren't as clear in terms of what they're  
13 supposed to do. Having said that, they're a  
14 state agency that's chosen to accredit nine  
15 institutions.

16 And they say they have state defined  
17 threshold levels. And I can't find them. And I  
18 think that that's a baseline requirement that if  
19 they're going to have state defined threshold  
20 levels, those ought to be known.

21 So I think it's a very fair result.  
22 We're not saying that they're out of compliance.

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1 We're saying that they're substantially  
2 compliant.

3 They're getting renewed for the full  
4 four years. We're just asking them for them to  
5 -- it's basically we just want to understand on  
6 an ongoing basis what this one student  
7 achievement related criteria looks like before  
8 four years from now. So I think we're doing our  
9 job.

10 C. PRESSNELL: Thank you, Jennifer.  
11 And again, the motion does include recognition  
12 for four more years with substantial compliance  
13 on this one criteria. Bob?

14 R. SHIREMAN: Thanks. I have to  
15 admit I'm not sure whether the agency should be  
16 dinged here. And I'm thinking that this is an  
17 area where having this recommendation from us  
18 and the other recommendation from staff becomes  
19 something that the senior department official  
20 can take into consideration. I would like to  
21 clarify that some reference to this whole  
22 discussion may come up again in a policy

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1 discussion. And am I correct that the SDO can  
2 consider things that are discussed in the policy  
3 discussion as well as the things that we discuss  
4 here during the actual agency review?

5 C. PRESSNELL: Yes, that's right. I  
6 mean, the SDO is able to review the entire  
7 transcript, including the policy discussion.

8 R. SHIREMAN: Thank you.

9 C. PRESSNELL: All right. Oh,  
10 Zakiya?

11 Z. SMITH ELLIS: Can I just -- I  
12 just want to offer that I second the motion and  
13 understand what Bob is saying which is we're  
14 going to make a recommendation that SDO can see  
15 the staff recommendation and can make a  
16 determination and that some of this is really  
17 good conversation to have about this process  
18 overall within the policy discussion. But if  
19 folks don't like this, we can also do the thing  
20 that we talked about several meetings ago where  
21 you make a comment and a recommendation to the -  
22 - for the agency to consider. And so if that

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1       were me, I would say you should really look in  
2       more to the possibility to link your data at a  
3       state level so you can get more robust data  
4       about job placement and outcomes than just the  
5       survey. And so that would be another way to,  
6       like, send the message without having any kind  
7       of formal action. I just wanted to remind us of  
8       that process step that we talked about  
9       previously.

10               C. PRESSNELL: Thank you. Michael?

11               D.M. LINDSAY: And in order to do  
12       that, you would need to vote against this  
13       motion. Is that correct?

14               C. PRESSNELL: You can add comment  
15       to your vote.

16               Z. SMITH ELLIS: I'm just saying if  
17       you're uncomfortable with -- so several people  
18       expressed discomfort. I'm saying you could  
19       express discomfort, vote no, and then have a  
20       clean -- vote for a different motion but still  
21       add a comment. So there are different ways to -  
22       -

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1 C. PRESSNELL: Art?

2 A. KEISER: First of all, this is  
3 first I've heard that we would not vote against  
4 the staff recommendation. We have done that  
5 many, many times before. In fact, one agency  
6 who had a perfect staff review right from the  
7 beginning, and we made a very much, much more  
8 difficult vote on that which I disagreed with.

9 So that's not uncommon. Because  
10 it's a state agency doesn't give it the right to  
11 do it differently than what we require. And to  
12 me when I hear that they're going to be looking  
13 at job placement rates by doing informal  
14 interviews, that does not give me comfort that  
15 there is adequate analysis of the data and  
16 adequate analysis of the program's effectiveness  
17 which is its purpose. So I will vote for the  
18 motion.

19 C. PRESSNELL: Very good. So I'm  
20 going to have Monica read the motion and then  
21 Jennifer. Maybe sure you're okay with the  
22 language and Zakiya, both.

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1           A. SIERRA:   And Jennifer, we put in  
2           the provision from Part 6 of 3 that I think you  
3           were referring to.   But just please correct me  
4           if it's wrong.   Thanks.

5           M. FREEMAN:   And the motion is as  
6           follows: **I move that NACIQI recommend that the**  
7           **senior department official grant Pennsylvania**  
8           **State Board for Career and Technical Education**  
9           **renewed recognition for four years and require a**  
10          **monitoring report within 12 months to be**  
11          **reviewed by the department staff to ensure that**  
12          **corrective action is taken in full compliance**  
13          **with 603.24(a)(3)(ii)(A) is achieved or**  
14          **maintained or for action by staff under Section**  
15          **602.33 if it is not.**

16          C. PRESSNELL:   And Jennifer is  
17          nodding.   So any other discussion on the motion  
18          that has been moved and seconded?   Any other  
19          discussion?   Seeing none, let's take the vote.

20          M. FREEMAN:   Zakiya, how do you  
21          vote?

22          Z. SMITH ELLIS:   Yes.

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1 M. FREEMAN: Thank you. Zakiya  
2 votes yes. Kathleen, how do you vote?

3 K. ALIOTO: No.

4 M. FREEMAN: Did you vote yes,  
5 Kathleen?

6 K. ALIOTO: No.

7 M. FREEMAN: No? Roslyn, how do you  
8 --

9 K. ALIOTO: I support the original -  
10 - what the staff originally came up with.

11 M. FREEMAN: Thank you, Kathleen.  
12 Kathleen votes no. Roslyn, how do you vote?

13 R. CLARK ARTIS: Yes.

14 M. FREEMAN: Roslyn votes yes.  
15 Jennifer, how do you vote?

16 J. BLUM: Yes.

17 M. FREEMAN: Jennifer votes yes.  
18 Wallace, how do you vote?

19 W. BOSTON: Yes.

20 M. FREEMAN: Wallace votes yes.  
21 Debbie, how do you vote?

22 D. COCHRANE: Yes.

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1 M. FREEMAN: And Debbie votes yes.  
2 Jose Luis, how do you vote?

3 J.L. CRUZ RIVERA: Yes.

4 M. FREEMAN: Jose Luis votes yes.  
5 Keith, how do you vote?

6 K. CURRY: Yes.

7 M. FREEMAN: Keith votes yes. David  
8 how do you vote?

9 D. EUBANKS: Yes.

10 M. FREEMAN: And David votes yes.  
11 Art, how do you vote?

12 A. KEISER: Yes.

13 M. FREEMAN: Art votes yes. Michael  
14 Lindsay, how do you vote?

15 D.M. LINDSAY: I vote yes, but with  
16 a comment that I really think that the SDO  
17 should make the determination on the monitoring  
18 report. I would prefer not to vote that way.  
19 But I think if I vote no, it gives the wrong  
20 message that I think that they should receive  
21 the four-year period.

22 M. FREEMAN: Thank you. Michael

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1 Lindsay votes yes. Molly, how do you vote?

2 M. HALL-MARTIN: Yes.

3 M. FREEMAN: Molly votes yes.

4 Robert, how do you vote?

5 R. MAYES: Yes.

6 M. FREEMAN: Robert votes yes. Mary  
7 Ellen, how do you vote?

8 M.E. PETRISKO: I vote yes. And I  
9 apologize that the internet threw me off the  
10 last vote, but I was here. I vote yes, and I  
11 would also underscore what Jennifer and I  
12 believe Art has said about the question about  
13 the extent to which there has been evidence of,  
14 I believe --

15 M. FREEMAN: Thank you, Mary Ellen.

16 M.E. PETRISKO: -- getting data and  
17 evidence of success with their outcomes. So I  
18 think it is important that there be a report --  
19 a monitored report on that.

20 M. FREEMAN: Thank you, Mary Ellen.

21 Mary Ellen votes yes. Michael Poliakoff, how do  
22 you vote?

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1 M. POLIAKOFF: I vote yes.

2 M. FREEMAN: Thank you. Michael  
3 votes yes. And Bob, how do you vote?

4 R. SHIREMAN: Yes.

5 M. FREEMAN: And Bob votes yes.  
6 Thank you.

7 C. PRESSNELL: All right. And so  
8 the motion carries. And so thank you.  
9 Congratulations go to the agency for the four-  
10 year renewal. We look forward to the report  
11 that you'll send back within 12 months. Thank  
12 you all very much. Are the -- okay.

13 So we're going to go back to the  
14 **Accrediting Commission for Acupuncture.** Our  
15 agency officials have arrived. And Kathleen,  
16 could you put your hand down, please? Thank you  
17 very much.

18 And so again, the agency is the  
19 Accrediting Commission for Acupuncture and  
20 Herbal Medicine. Roslyn Clark Artis and Michael  
21 Lindsay are our primary readers to introduce the  
22 agency. And Roslyn, I think you did that yeah.

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1                   R. CLARK ARTIS:   That is correct.  
2                   We are back on air and live. The Accreditation  
3                   Commission for Acupuncture and Oriental Medicine  
4                   is a national programmatic and institutional  
5                   accreditor. Its current scope of recognition is  
6                   for the accreditation and free accreditation or  
7                   candidacy throughout the United States,  
8                   professional non-degree and graduate degree  
9                   programs, including professional doctoral  
10                  programs in the field of acupuncture and/or  
11                  Oriental medicine as well as freestanding  
12                  institutions and colleges of acupuncture and/or  
13                  Oriental medicine that offers such programs,  
14                  including programs offered via distance  
15                  education.

16                 The Secretary first recognized the  
17                 agency in 1998 for its accreditation at the  
18                 professional master's degree level in  
19                 acupuncture. The agency's most recent full  
20                 petition was reviewed in the summer of 2021. In  
21                 response to that petition, a compliance report  
22                 was requested around a single issue, the

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1 agency's policies regarding educator and  
2 practitioner representations and its decision  
3 making bodies. And that is our agency. They  
4 are with us today for a renewal of recognition.

5 C. PRESSNELL: All right. Thank you  
6 very much, Roslyn. And so Charity Helton is the  
7 department staff who conducted the review. We  
8 look forward to your briefing of the visit.  
9 Thank you.

10 C. HELTON: Good morning, Chairman.  
11 Or I'm sorry, good afternoon, Chairman and  
12 members of the committee. My name is Charity  
13 Helton, and I am providing a summary of the  
14 compliance report for the Accreditation  
15 Commission for Acupuncture and Herbal Medicine.  
16 This agency asserts that the programmatic  
17 accreditor and an institutional Title IV  
18 gatekeeping for freestanding institutions of  
19 acupuncture or herbal medicine.

20 The agency last appeared before  
21 NACIQI with a renewal petition in the summer of  
22 2021. The subject of the current compliance

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1 report is one outstanding issue remaining from  
2 that meeting which I will discuss in a moment as  
3 well as 602.33 inquiry conducted by department  
4 staff since that meeting. The staff  
5 recommendation to the senior department official  
6 is to renew the agency's current recognition for  
7 two years and five months.

8 The one outstanding issue from the  
9 2021 renewal petition related to the agency's  
10 requirements for the composition of an appeals  
11 panel as defined in the agency's policies. The  
12 agency has since revised its policy for the  
13 composition of an appeals panel to meet the  
14 requirements of this criterion. The senior  
15 department official requested that the results  
16 of the department's 602.33 inquiry be presented  
17 to NACIQI and said the results of that  
18 investigation are included with this petition.

19 The department found that ACAHM was  
20 in compliance with the Secretary's criteria in  
21 relation to its accreditation of development's  
22 school. The inquiry conducted by the department

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1 was initiated following the release of the  
2 report by the Seldin/Haring-Smith Foundation  
3 related to possible ties to sex trafficking at  
4 one school accredited by the agency. As part of  
5 its investigation, the department found that the  
6 links were all limited to the sphere of an  
7 unaccredited massage program at a school that  
8 also offered ACAHM accredited programs.

9 While the uncredited massage program  
10 was offered at the same school, it was not  
11 accredited nor was it by ACAHM nor was it in the  
12 agency's purview. As part of the 602.33  
13 inquiry, the department did discover some issues  
14 with the agency's DAPIP records and requested  
15 the agency to fix those issues. The agency has  
16 provided updated records about its actions to  
17 the DAPIP staff in order to ensure an accurate  
18 record. There are representatives from the  
19 agency here today to respond to your questions.

20 C. PRESSNELL: All right. Thank  
21 you, Charity. Any clarifying questions for  
22 Charity before we invite the agency up? All

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1 right. Very good. So now we'll invite the  
2 agency --

3 (Simultaneous speaking.)

4 C. PRESSNELL: Oh, Bob. Sorry.

5 (Simultaneous speaking.)

6 R. SHIREMAN: Yes, thank you. Thank  
7 you. Thank you. Charity, so the unaccredited  
8 program, was the institution institutionally  
9 accredited by this agency. And well, I guess  
10 that's the first question.

11 C. HELTON: Yes, it was.

12 R. SHIREMAN: So what does it mean  
13 for a program to be unaccredited at a school  
14 that's institutionally accredited? I guess I'm  
15 thinking from the student perspective. I would  
16 think, well, the school is accredited. So I can  
17 pay money and do this program and it's part --  
18 it comes under that accreditation. What does  
19 that mean, unaccredited, in this case?

20 C. HELTON: That is a good question.  
21 I am aware of a lot of colleges such as maybe  
22 particularly community colleges offer, say,

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1 community programs that might be adult, meaning  
2 continuing education programs that are clearly  
3 described as not for credit and separate from  
4 the school's accredited offerings. We would  
5 review the school's catalogs and information  
6 they published on the website.

7 And both they and the accrediting  
8 agency made it very clear exactly which parts of  
9 the school's programs they're offering and  
10 accredited by the agency. The massage program  
11 was actually accredited by the state itself or I  
12 should say authorized or approved by the state.  
13 So it was reviewed as part of the state's  
14 allowance of that program to exist. But ACAHM  
15 does not accredit massage programs in any  
16 circumstances. So it would not be part of their  
17 scope.

18 R. SHIREMAN: And so the term,  
19 unaccredited, does not mean that the program was  
20 somehow illegal or inappropriate or wasn't  
21 supposed to be offered. It's just that it  
22 didn't come under the scope of this

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1 institutional accreditor?

2 C. HELTON: That is correct.

3 R. SHIREMAN: Okay. Got it. Thank  
4 you.

5 C. PRESSNELL: Thank you, Bob.  
6 Sorry about that. All right. I want to call on  
7 Mark McKenzie, Executive Director, to begin  
8 comments and introduce your team.

9 M. MCKENZIE: Great. Thank you so  
10 much. I want to make sure that you can hear me  
11 okay and the cameras are working all right?

12 C. PRESSNELL: Everything is good.  
13 Thank you.

14 M. MCKENZIE: Perfect. Thank you so  
15 much. Yes, I'm Mark McKenzie. I'm the  
16 executive director of the Accreditation  
17 Commission for Acupuncture and Herbal Medicine.  
18 I've been the executive director since 2013.

19 Coming with me today is also Dr.  
20 Karl Gauby. He's our director of regulatory  
21 affairs. Unfortunately, as scheduling goes,  
22 we're in the middle of our -- actually day two

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1 of our biennial meeting. So our chair, John  
2 Yoo, is chairing that meeting and will not be  
3 able to join us on the call.

4 But I'm sure both Karl and I will be  
5 able to answer any questions that you have. I  
6 do want to take just a moment to thank all the  
7 members of the advisory committee for your time  
8 and effort. And I also want to thank Director  
9 Bounds and Staff Liaison Charity Helton for your  
10 time, effort, and support in this process. And  
11 we've reviewed the documents and don't have any  
12 concerns with the staff recommendations, support  
13 their recommendations at this point. So I'll  
14 stop and take any questions that you might have.

15 C. PRESSNELL: All right. Thank you  
16 very much. And so let me defer back to the  
17 primary readers. Roslyn, Michael, questions?

18 R. CLARK ARTIS: Just one, please.  
19 The appeals process, of course -- excuse me,  
20 your appeals process indicates that it will  
21 always include a practitioner. That was a  
22 singular issue that was outstanding.

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1           At the time of the review, there had  
2       been no appeals. So we weren't able to validate  
3       that was, in fact, in existence. Have you  
4       subsequently had an appeal?

5           M. MCKENZIE: No, we have not.

6           R. CLARK ARTIS: Has your policy  
7       changed?

8           M. MCKENZIE: Yeah, our policy,  
9       actually we changed it, I think, a week before  
10      the hearing in '21, submitted it early. And  
11      then Charity said, well, you can't submit it  
12      yet. So our policy was changed right away.

13           And it was an appropriate change  
14      that they found. It was a technical issue on  
15      our end. We corrected that and haven't had any  
16      need to use the policy. So it's changed in two  
17      places in our commission actions policy.

18           R. CLARK ARTIS: Thanks, Mark. I  
19      appreciate that. I have nothing further.

20           M. MCKENZIE: Thank you for the  
21      question.

22           C. PRESSNELL: Michael?

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1 D.M. LINDSAY: I don't have a  
2 question. I think it's a straightforward  
3 compliance report. I will say for the policy  
4 discussion, I think the point that Bob raised is  
5 actually one for interesting conversation of  
6 even sophisticated consumer prior education I  
7 think would be confused to recognize that an  
8 institution is accredited but that a particular  
9 program is not accredited, especially when you  
10 are in more applied fields where it's hard to  
11 fully understand the accreditation standards  
12 that are involved with that. So I would just  
13 encourage us to put that on the table for  
14 discussion.

15 C. PRESSNELL: Very good. Bob, then  
16 Kathleen.

17 R. SHIREMAN: Thanks. I noted in  
18 this review that there were some reporting  
19 issues in the DAPIP program. And earlier today,  
20 we had the Kansas agency and third party  
21 comments said that there had been a probation,  
22 that school had been on probation. Turns out --

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1 and then the agency said, no, that was not on  
2 probation.

3 On DAPIP, it actually does say that  
4 the school was on probation. So I'm wondering  
5 if there might be some broader kind of DAPIP  
6 issues. But then looking at the documentation  
7 from the agency this morning, it was -- the  
8 school was out of compliance. But they didn't  
9 call it probation. Anyway, I don't know that  
10 there's anything about the reporting issues that  
11 you found on DAPIP. I guess can you tell us  
12 just a little bit about what those issues and  
13 problems were?

14 M. MCKENZIE: Yeah, Bob. Was that  
15 directed to me?

16 R. SHIREMAN: Yeah.

17 M. MCKENZIE: Okay. Just wanted to  
18 make sure. Thanks for the question. Yeah,  
19 DAPIP is a challenge. However, I've got to own  
20 up to the fact that I think we've identified  
21 some challenges in the original design of DAPIP.

22 And what I'm talking about is very

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1        few agencies, one, change their names, and two,  
2        actually change their program names. We've had  
3        a long history in this profession of using term,  
4        Oriental, as part of most of the organizations  
5        and as part of the program names. A number of  
6        years ago, we actually took the step to remove  
7        that term.

8                We changed the program titles. We  
9        changed our organizational title. And I think  
10       we've uncovered some design flaws.

11               Now our director of operations has  
12       worked both with Charity and the folks at Inovas  
13       to really address this. And I apologize to them  
14       profusely for actually finding this issue. But  
15       I think it's a big issue, and I think it's a  
16       design issue on their end that they're trying to  
17       rectify is my understanding. Does that help?

18               R. SHIREMAN: Yes, thank you.

19               M. MCKENZIE: Absolutely.

20               C. PRESSNELL: All right. Very  
21       good. Kathleen?

22               K. ALIOTO: I'd like to know what

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1       your policy is in terms of the system. Your  
2       member institutions is not to gouge students.  
3       You have a wide variance of cost for programs,  
4       and the debt that's incurred by students. And  
5       what are you doing about that?

6               M. MCKENZIE:     Thank you for the  
7       question.     The -- I think it's always a  
8       difficult thing for an accreditor to step into a  
9       place where they're dictating anything around  
10      tuition dollars.     Now we have 50 different  
11      institutions, 59 different locations in 22  
12      different states.

13             I've got 133 different programs that  
14      are going for about 6,200 students. And so the  
15      schools have the authority to set their tuition  
16      rates and book charges and things like that.  
17      But you have to publicize that.

18             So     it's     information     that's  
19      available. But ACAHM would not necessarily step  
20      in and say, oh, your tuition is too high. Your  
21      books are too high. That's really outside of  
22      our scope, at least our policies right now.

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1 Does that help?

2 K. ALIOTO: Well, I find it  
3 difficult when you have the median debt of  
4 students from the Bastyr University is 156,000  
5 dollars and the monthly earnings of those  
6 students is 2,485 dollars. And the loan  
7 repayment is 17,080. And how do those students  
8 manage? It's just a recipe for disaster. And  
9 other schools, MCHS, it's 92,150 and Pacific  
10 College coming in with 109,746. As an  
11 accreditor of these institutions, you don't have  
12 any involvement in any kind of discussion with  
13 them about their accrediting when they're  
14 causing huge debt for their students?

15 M. MCKENZIE: Well, there are always  
16 discussions. But again, it's a market driven  
17 choice from a student to go to a school. And  
18 again, we don't get in and set fees.

19 They need to publicize the fees that  
20 they have and so that the students going into  
21 these graduate programs with their eyes wide  
22 open. So these are master's. They're heavy

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1 credit load master's degrees and doctoral  
2 degrees.

3 So there's no undergrad that we do.  
4 We don't accredit undergrad programs. So these  
5 are all graduate level programs.

6 Now Bastyr when you got those kind  
7 of numbers, you're actually looking at not only  
8 the acupuncture program which we're just a  
9 programmatic accreditor for Bastyr's acupuncture  
10 program. They have doctoral degrees in  
11 naturopathic medicine. So I don't know the  
12 numbers that you're quoting or where you're  
13 actually pulling those from.

14 (Simultaneous speaking.)

15 M. MCKENZIE: Yeah.

16 K. ALIOTO: Sorry.

17 M. MCKENZIE: So the scorecard is  
18 often based on undergrad. And so we've looked  
19 at that and there's not a one-to-one  
20 correlation. We're actually asking ourselves  
21 the question, is the issue that we talked about  
22 DAPIP as far as the data that's in that system,

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1 is that being impacted by this other issue?

2 I don't know the answer to that. It  
3 is a question because when you look at the  
4 scorecard data, it doesn't make a lot of sense  
5 for what I actually see with the acupuncture  
6 programs directly. But we have schools that are  
7 coming from multi-discipline schools where they  
8 have chiropractic doctors. They have  
9 naturopathic doctors.

10 They have other kids, health  
11 programs. Acupuncture is just one. And they  
12 also have undergraduate bachelor's degree  
13 programs that we're not involved in. So that  
14 may be skewing the data.

15 K. ALIOTO: Have you figured out  
16 what the -- if you don't think that this data is  
17 accurate, have you figured out what the data is  
18 actually? And have you done anything at all in  
19 this field in this regard?

20 M. MCKENZIE: Well, we're actually  
21 having very significant discussions within us  
22 about the data and -- to the point where we're

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1 actually had to completely redo a CSB file,  
2 which is huge, and pull all this historical  
3 information back in to ensure that the data  
4 that's getting on the back end is accurate.

5 Since we don't have access to their  
6 system, there's no way that I know exactly what  
7 they're doing with that data. So I'm sorry that  
8 I'm not able to answer your question more  
9 directly, but ---

10 K. ALIOTO: Well, I think that what  
11 the agency could be doing is so important in  
12 terms of the health of thousands of people. But  
13 I hate to have those people who have graduated  
14 be cursed with debt with for rest of their lives  
15 when it's not as if -- they're not a doctor or a  
16 dentist. And the average salary of people whose  
17 earnings is pretty miserable compared to the  
18 cost of what they're doing. And --

19 M. MCKENZIE: Yeah, this is a real -  
20 -

21 (Simultaneous speaking.)

22 K. ALIOTO: -- problem and somewhat

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1 scandalous.

2 M. MCKENZIE: I totally understand  
3 the perspective and share it. The cost of  
4 education in this profession is challenging.  
5 One of the things that happens is that many of  
6 the people that graduate these programs become  
7 self-employed.

8 And so salary data is usually not  
9 available in the self-employment. They're  
10 reinvesting many of their net proceeds from  
11 their business back into their business. So I  
12 don't know that -- that's not necessarily a  
13 great answer, but it is one piece we need to  
14 look at.

15 It's what percentage of those  
16 students that graduate with these degrees then  
17 go into self-employment versus going to an  
18 Allied Healthcare setting, a hospital, a clinic.  
19 Fortunately, more of that is opening up  
20 recently. There are more opportunities to  
21 acupuncturists in hospitals.

22 Allied Health Clinics, integrative

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1 care centers, the VA is expanding their use of  
2 acupuncturists that are trained under ACAHM's  
3 standard. So I actually think that the outlook  
4 is bright for us. It is challenging, though.  
5 Education is expensive. And you're likely  
6 aware, the gainful employment and valued  
7 transparency information coming from the  
8 Department of Ed is going to have an impact on a  
9 lot of these programs going forward.

10 K. ALIOTO: And you do have a range.  
11 Everyone is not gouging. You do have a range in  
12 your own members. Everyone is not gouging, but  
13 some of them are. Thank you.

14 M. MCKENZIE: You're welcome.

15 C. PRESSNELL: Thank you, Kathleen.

16 M. MCKENZIE: I hope that answers  
17 your question.

18 C. PRESSNELL: I have got Debbie and  
19 Mary Ellen, and I saw you come up, and I don't  
20 know if you still have a question, and then Art.  
21 Debbie?

22 D. COCHRANE: Yeah, I want to

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1 piggyback on this question or this issue about  
2 what it means to have unaccredited programs at  
3 an accredited -- an institutionally accredited  
4 institution. And I've been trying to, like,  
5 wrap my head around this. So I have an analogy,  
6 and it might not pan out.

7 I'm more than happy to be told where  
8 it's flawed. I think of institutional  
9 accreditation as -- in the analogy of building a  
10 house or monitoring a house, you're trained to  
11 make sure that the foundation is strong.  
12 They're trained to make sure that the roof  
13 doesn't leak, right?

14 So there are kind of some basic  
15 parameters around safety or making sure that the  
16 people who are building a house have required  
17 permits, these kind of things. Whether the  
18 bathroom has a tub or a shower stall is not  
19 really of interest because the institutional  
20 accrediting agency has kind of -- they've looked  
21 at the leadership to make sure that they can  
22 trust the leaders of that institution to make

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1 the tub versus shower stall decision and that  
2 they know that the finances are there to make  
3 whatever decision they deem best. So that's  
4 kind of in my mind how I think of institutional  
5 accreditation.

6 And then we have this whole issue of  
7 these unaccredited programs. And it feels like  
8 it just really throws that concept out of whack  
9 because it's the same institutional leaders who  
10 are making decisions. In the case -- I mean,  
11 obviously, we're talking -- I'm talking about an  
12 analogy.

13 But of course, the case in this  
14 example is a potential concern about  
15 trafficking, human trafficking within one of the  
16 institutions. So to the extent that there were  
17 concerns or issues like that, it's the same  
18 institutional leaders that are doing that. And  
19 it would seem like whatever they're doing with  
20 those programs are diverting the resources that  
21 the institutional accrediting agency has  
22 assessed to be fined for the institution as a

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1 whole to kind of unapproved, unaccredited  
2 activity.

3 So it's almost -- again, in this  
4 kind of house analogy, it's almost, like, we  
5 know we got the foundation. We've got the roof.  
6 But in the meantime, the leaders are building a  
7 tunnel under the house and nobody is looking at  
8 that. And it's undermining the whole structure.

9 So I guess I -- again, big picture.  
10 There is a specific thing here. I know the  
11 letter from the state of Minnesota talked about  
12 whether the institution has appropriate  
13 administrative and financial controls. And I've  
14 sort of seen from the documentation both that  
15 the agency issued a show cause order.

16 But then we're also saying, well, it  
17 wasn't an accredited program. So it's kind of  
18 out of scope. And it feels -- none of that  
19 feels clear and none of that feels great from a  
20 consumer protection standpoint. So I would love  
21 to just hear your thoughts on that and what I  
22 might've gotten wrong on my house analogy.

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1 M. MCKENZIE: Yeah, I don't want to  
2 address your analogy. I'm sorry. I'm getting a  
3 little bit of feedback. Karl, can you turn it  
4 on mute?

5 So first, it's a rare -- rarity for  
6 us to have any institutions where they have  
7 unaccredited programs. These are some legacy  
8 issues that were programs that were approved by  
9 the state. Early on, I think that particular  
10 program at the school in Minnesota was approved  
11 back in the early '90s.

12 And we do not accredit any  
13 institutions or allow institutions to be  
14 unaccredited programs now, any undergraduate at  
15 all. So there were some other institutions that  
16 had state approved programs that were not --  
17 that were undergraduate. And so from our  
18 perspective, we've taken care of that issue.

19 But I understand the concern. And  
20 the other thing, in the case of the school in  
21 Minnesota, the state actually forced the owner  
22 to sell. So the institution has been sold. It

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1       went through a change in ownership.

2               The change of ownership had to be  
3       approved by the state. It also went through the  
4       federal student aid process for change of  
5       ownership. And so a lot of that has hopefully  
6       been resolved because the original owners that  
7       were part of this are no longer associated with  
8       the school. Karl, did you want to add anything?

9               K. GAUBY: Yes, thank you, Mark. As  
10       an institutional accreditor, our policy is that  
11       if you offer something that's not within our  
12       scope, then we become a programmatic accreditor.  
13       You'll have to go to another accreditor that has  
14       that within their scope. That's our policy.

15               In this particular case, we were  
16       unaware of the massage program when we were  
17       doing our research and our studies. I believe  
18       there was a reference in the beginning of the  
19       call about the website reflecting massage  
20       program. But the first time we learned about it  
21       -- if my memory is correct, the first time we  
22       learned about it was when the Minnesota people

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1       contacted us about the massage program.   And  
2       that was a bit unusual for us because otherwise  
3       we'd been a programmatic accreditor.   Mark, if  
4       you need to correct me.

5               M. MCKENZIE:   Yeah, like, again, as  
6       I mentioned, it was a legacy issue.   State had  
7       approved that program.   It was not accredited by  
8       us and never has been accredited by us.   It was  
9       never reviewed as part of our institutional  
10      reviews with the school.   Debbie, did that  
11      address your questions?

12             D. COCHRANE:   Yeah, I think so.   But  
13      I just actually do want to pick up on one  
14      follow-up question.   So was it -- I guess I  
15      think we just heard two things.   Maybe one,  
16      there was maybe not awareness of the accrediting  
17      agency of the program.   But then it also sounds  
18      like it was a grandfathered program.

19             M. MCKENZIE:    Yeah, it was a  
20      grandfathered issue.   It was a grandfathered  
21      issue.   But because they'd never been listed as  
22      an accredited program by us.   And the state had

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1 approved them in the early '90s.

2 D. COCHRANE: Okay, okay.

3 (Simultaneous speaking.)

4 M. MCKENZIE: Yeah, sorry. This has  
5 been a -- it took a lot of work on our part to  
6 actually run this down with other states. And  
7 we did have some long conversations with  
8 Director Bounds and Charity around this issue as  
9 well because you've got states that have  
10 approved these programs that are outside of our  
11 scope.

12 So we don't do that. We don't allow  
13 it. So there are no schools that do it now.  
14 The schools that did have legacy programs,  
15 basically we have to shut them down. So that's  
16 been taken care of.

17 D. COCHRANE: So that's great. So  
18 basically, in terms of this concern as far as  
19 your agency is concerned, there are no more  
20 situations like this because you as a matter of  
21 policy do not allow it?

22 M. MCKENZIE: Correct.

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1 D. COCHRANE: Okay, great. Thank  
2 you.

3 C. PRESSNELL: All right. Mary  
4 Ellen, are you -- you come and you go. I'm not  
5 sure if you still have an existing question.

6 All right. We'll go with Art.

7 A. KEISER: Herman, is this the same  
8 school that we dealt with five, six years ago?  
9 So we dealt with this school. Why is it being  
10 brought back up?

11 H. BOUNDS: The reason we had to  
12 bring this back before NACIQI is because the SDO  
13 in this case required that we discuss the  
14 results of our 602.33 at the NACIQI meeting. If  
15 he would not have required that, we would've  
16 conducted the investigation, found the agency  
17 not at fault, and that would've been the end of  
18 it.

19 A. KEISER: But at this point, this  
20 is all business and the institution that the  
21 whole question of the accreditor has been  
22 resolved?

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1                   H. BOUNDS:    Yes, in our eyes, yes.  
2                   Yes, we have finished our investigation.   Have  
3                   not found the agency at fault.   But again, we  
4                   were required to report this out at the NACIQI  
5                   meeting.

6                   A. KEISER:       That's important to  
7                   know.   Thank you.   And this is really one of the  
8                   concerns I have.   And again, it's not -- I think  
9                   the agency answered the question correctly from  
10                  Kathleen.

11                  But the fact is the agencies cannot  
12                  tell an institution how to charge.   In fact, the  
13                  recent lawsuit you're seeing throughout the  
14                  country where there were a group of institutions  
15                  that came together with tuition.   And I think  
16                  it's 180 million dollar lawsuit that they lost.

17                  So it's something you can't do.   The  
18                  other part, it's certainly not within our scope.  
19                  And when you're looking at it, it's also not  
20                  within our scope to tell a student whether  
21                  they've made a good decision financially or not.

22                  A    student    who    wants    to    be    a

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1       journalist and going to Columbia University is  
2       going to spend a whole lot more than they would  
3       in the acupuncture and make a whole lot less.  
4       So that is the -- that's a student's  
5       determination and not ours. And I hope it  
6       doesn't color our decisions on how we handle  
7       agencies.

8               And it really concerns me when we  
9       look at a single school action in an accrediting  
10      commission. A single school action, these are  
11      people that make mistakes or not make mistakes.  
12      It's usually a very thought out decision.

13             But I think our role is to look  
14      overall at how does the agency deal with the  
15      question of developing educational effectiveness  
16      and improvement. And that's what accreditation  
17      is about, not about the role that the government  
18      should be playing in enforcing rules and  
19      regulations that are legal issues. So just  
20      wanted to make that clear. And I think we need  
21      to work and focus on the agencies and not  
22      specific agency actions.

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1 C. PRESSNELL: Thank you, Art.  
2 Jennifer?

3 J. BLUM: Yeah, I just wanted to --  
4 well, first of all with regard to Art, I totally  
5 agree. The Federal Trade Commission made it  
6 really clear that accreditors can't be involved  
7 in the pricing because that would be viewed as  
8 an antitrust practice since it's an organization  
9 that includes a bunch of schools. But the  
10 reason I had my hand up is I just wanted to  
11 remind folks as Michael has raised it and Debbie  
12 has raised it, this issue.

13 And I know it's slightly different  
14 in this particular accreditor's case. But I  
15 just want to remind folks that in our policy  
16 subcommittee report this past summer, one of the  
17 flags that we sort of threw up was there are  
18 lots of accrediting agencies who have -- that  
19 have institutions that are building huge revenue  
20 streams from, quote-unquote, unaccredited  
21 programs. They're non-Title IV.

22 But they're building revenue streams

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1 through continuing ed programs and other  
2 programs that are not currently accredited. And  
3 I think it's really confusing to students  
4 because I think students see institutional  
5 accreditation and I assume that they're covered.  
6 So that's a problem that's a broader problem.

7 We've already flagged it. I think  
8 the department is actually staying a little bit  
9 on top of that now. And so I just wanted to  
10 flag that we've sort of covered that base. And  
11 I don't think it's something that's really  
12 specific. I mean, for all we know, frankly,  
13 some of those programs that are new, they  
14 shouldn't be Title IV eligible. But who knows.

15 C. PRESSNELL: All right. Thank you  
16 very much, Jennifer. Bob?

17 R. SHIREMAN: Yeah, I want to just  
18 make sure that the wrong impression is not left  
19 regarding antitrust law. I am not an antitrust  
20 lawyer, and I don't think anybody on the  
21 commission is. But we are working with an  
22 antitrust law firm to clarify that to the extent

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1       that accreditors need to be cautious about  
2       having any kind of standards or taking actions  
3       related to tuition or affordability.

4               It is because it is in those  
5       situations when we are controlled by schools.  
6       If they were not controlled by schools which is  
7       the case in at least one, maybe more accrediting  
8       agencies, they would be able to do that.  
9       Because it's because their school -- because  
10      they're controlled by schools, not because  
11      they're an accrediting agency.

12             And the FTC decision very clearly  
13      says it was that particular situation with the  
14      governance of the accrediting agency as stated  
15      in that particular case. So not to get into a  
16      long discussion about antitrust law. But we  
17      should just be cautious in our details there.

18             C. PRESSNELL: Thank you, Bob. We  
19      will not be putting that on the policy  
20      discussion list. So additional questions,  
21      comments? Yeah, Zakiya?

22             Z. SMITH ELLIS: Do not want to put

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1       it on the policy thing for now. But I think the  
2       idea that -- I just want to put into the record  
3       and the conversation that I do think it's  
4       appropriate as we did in the past conversation  
5       when we were talking about quality and job  
6       placement and the -- what are the outcomes that  
7       students have from programs, that those outcomes  
8       are not unrelated to the cost of the program.  
9       In fact, they're quite related.

10               What you would expect in terms of  
11       the outcome -- I'm going to say my opinion is  
12       would be more if the cost of the program is  
13       more. And so there is a place for conversation  
14       about what affordability means within a  
15       conversation about quality that doesn't trip up  
16       antitrust. So I don't want us to be -- I think  
17       sometimes people are scared to talk about  
18       college affordability in context of groups. And  
19       again, we don't need to -- we're not going to be  
20       able to, like, tie down anything now. I just  
21       don't want to chill that conversation or I think  
22       that it's inappropriate for our creditors to be

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1 concerned about the affordability of the  
2 programs.

3 C. PRESSNELL: Okay. Any other  
4 questions for the agency?

5 All right. Seeing none, then we'll  
6 bring Charity back up for closing comments.

7 C. HELTON: Thank you. I just  
8 wanted to address a couple of the questions that  
9 came up. Just to reiterate again the scope of  
10 the compliance report today. The only issue  
11 that the agency had within its compliance report  
12 was the one policy issue where its policy does  
13 not clearly require practitioners on appeals  
14 panels.

15 But the agency has updated that  
16 policy and provided that for us as they stated  
17 and as we saw evidenced in the recognition  
18 website. As Herman noted, the additional topics  
19 that had been under discussion are not a part of  
20 the compliance report that has been reviewed  
21 today. We brought in the 602.33 because of the  
22 SDO requirement.

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1           But nothing outside of that one  
2           issue was reviewed by staff as part of this  
3           compliance report. And I did want to point out  
4           that the agency did conduct a thorough review of  
5           the organizational structure and financial  
6           stability of the institution in Minnesota. That  
7           was reviewed by staff and included with the  
8           petition information as well.

9           While the state did mention  
10          financial controls related to that institution,  
11          it had to do with inconsistent payment patterns  
12          from some of the massage students. And it is  
13          not something that would've come up in a typical  
14          audit, statement, or budget information, the  
15          kind of information that you would see in a  
16          financial -- institution. But the department  
17          was very confident that the agency conducted its  
18          typical thorough review of the organizational  
19          structure and financial stability of the  
20          Minnesota institution. And I think those were  
21          all the issues that I wanted to address.

22               C. PRESSNELL: All right. Thank

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1       you, Charity. Herman?

2                   H. BOUNDS:     Yeah, I just want to  
3       reiterate one thing and I think Charity did  
4       bring out is that I think Jennifer, everybody  
5       pointed out that there are many institutions  
6       that may offer programs that are not accredited.  
7       But what we did look at in this situation, in  
8       any situation when we see that is how is that  
9       information communicated to students. I think  
10      Charity mentioned that we make sure that it was  
11      published in student catalogs. It was clear in  
12      ACAHM's policy. So we definitely looked to see  
13      that students are made aware when they enroll in  
14      a program, whether it's part of the  
15      institutional accreditation when we find out  
16      those situations.

17                  C. PRESSNELL:   All right. Thank  
18      you, Herman.

19                  C. HELTON:     Can I add one more  
20      comment?

21                  C. PRESSNELL:   Yes.

22                  C. HELTON:     Can I add one more

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1 comment related to that?

2 C. PRESSNELL: Yeah, go ahead.

3 C. HELTON: So because ACAHM is a  
4 specialized accrediting agency that actually  
5 accredits each specific program. So if you look  
6 at their website, they will specify for every  
7 school they accredit exactly which programs the  
8 agency accredits. And so that is how the agency  
9 website made it clear which program that the  
10 schools were accredited by the agency. And then  
11 the school itself within their catalog clearly  
12 indicated which programs were eligible for Title  
13 IV financial aid, which ones were degree or  
14 credit bearing and which ones were not.

15 C. PRESSNELL: Thank you for that  
16 clarification. So all right. Michael, Roslyn,  
17 additional comments from committee members?  
18 Michael?

19 D.M. LINDSAY: Nothing from me.

20 R. CLARK ARTIS: Nothing from me in  
21 addition.

22 C. PRESSNELL: All right. Any other

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1 questions or comments or discussion from the  
2 committee before we entertain a motion? All  
3 right. We will entertain a motion.

4 R. CLARK ARTIS: I move that NACIQI  
5 recommend that the senior department official  
6 accept all recommendations of the final staff  
7 report for this agency.

8 C. PRESSNELL: All right. Is there  
9 a second?

10 D.M. LINDSAY: Second.

11 C. PRESSNELL: Thank you.  
12 Discussion?

13 All right. Pretty straightforward  
14 recommendation to -- are you okay? Do you want  
15 to go ahead and read it, Monica, if you have it  
16 completed? Okay.

17 M. FREEMAN: Okay. The motion as  
18 followed. I move that NACIQI recommend that the  
19 senior department official accept all the  
20 recommendations of the final staff report for  
21 the Accrediting Commission for Acupuncture and  
22 Herbal Medicine.

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1 C. PRESSNELL: All right. Very  
2 good. Any other comments, questions?

3 All right. Seeing none, let's go  
4 ahead and take the vote.

5 M. FREEMAN: Zakiya, how do you  
6 vote?

7 Z. SMITH ELLIS: Yes.

8 M. FREEMAN: Thank you. Zakiya  
9 votes yes. Kathleen, how do you vote?

10 K. ALIOTO: Yes, but with  
11 reservations about the gouging.

12 M. FREEMAN: Thank you. Kathleen  
13 votes yes. Roslyn, how do you vote?

14 R. CLARK ARTIS: I vote yes.

15 M. FREEMAN: Thank you. Roslyn  
16 votes yes. Jennifer, how do you vote?

17 J. BLUM: Yes.

18 M. FREEMAN: Jennifer votes yes.  
19 Wallace, how do you vote?

20 W. BOSTON: Yes.

21 M. FREEMAN: Wallace votes yes.  
22 Debbie, how do you vote?

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1 D. COCHRANE: Yes.

2 M. FREEMAN: Thank you. Debbie  
3 votes yes. Jose Luis, how do you vote?

4 J.L. CRUZ RIVERA: Yes.

5 M. FREEMAN: Jose Luis votes yes.  
6 Keith, how do you vote?

7 K. CURRY: Yes.

8 M. FREEMAN: Thank you. Keith votes  
9 yes. David, how do you vote?

10 D. EUBANKS: Yes.

11 M. FREEMAN: David votes yes. Art,  
12 how do you vote?

13 A. KEISER: Yes.

14 M. FREEMAN: Art votes yes. Michael  
15 Lindsay, how do you vote?

16 D.M. LINDSAY: Yes.

17 M. FREEMAN: Michael Lindsay votes  
18 yes. Molly, how do you vote?

19 M. HALL-MARTIN: Yes.

20 M. FREEMAN: And Molly votes yes.  
21 Robert, how do you vote?

22 R. MAYES: Yes.

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1 M. FREEMAN: Robert votes yes. Mary  
2 Ellen, how do you vote?

3 M.E. PETRISKO: I vote yes, and I  
4 would like to note that my hand had been raised  
5 and once again I was thrown off by the internet.  
6 I was going to say much of the same about the  
7 accreditor not being able to control costs.  
8 Also, that medical programs such as those  
9 offered by ACAHM were very faculty heavy. And  
10 these programs are more expensive for that  
11 reason than some other programs are.

12 Also, that's a nationally operated  
13 accreditor. And programs in California are not  
14 going to be the same as programs in Nebraska, et  
15 cetera, because of costs. So I just want to  
16 underscore that. And I also wanted to  
17 underscore what Art said about I'm not judging  
18 accreditors based on one action but the  
19 accreditor as a whole. Thank you.

20 M. FREEMAN: Thank you, Mary Ellen.  
21 Mary Ellen votes yes. Michael, how do you vote?

22 M. POLIAKOFF: Yes.

1 M. FREEMAN: Thank you, Michael.  
2 Michael votes yes. And Bob, how do you vote?

3 R. SHIREMAN: Yes.

4 M. FREEMAN: And Bob votes yes.  
5 Thank you.

6 C. PRESSNELL: All right. The  
7 motion passes. Congratulations to the agency.  
8 And for those who are in the room, what we're  
9 going to do is take a break and until 15 minutes  
10 before the hour. So we've got a good break  
11 there. Then we will come back and do the New  
12 York State Board of Regents for the final agency  
13 for the day. Okay. All right.

14 (Whereupon, the above-entitled  
15 matter went off the record at 3:27 p.m. and  
16 resumed at 3:45 p.m.)

17 C. PRESSNELL: All right. Welcome  
18 back, everyone. We have one final agency review  
19 that we'd like to do this afternoon. It is the  
20 **New York State Board of Regents Public**  
21 **Postsecondary Vocational Ed Practical Nursing**  
22 agency. And our NACIQI primary readers are Art

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1       Keiser and Bob Shireman. And to introduce the  
2       agency, I believe, Bob, you're going to be doing  
3       that for us.

4               R. SHIREMAN: Great. Thank you very  
5       much. Established in 1784, the New York State  
6       Board of Regents is the oldest formally  
7       organized accrediting body in the United States.  
8       While they accredit or register virtually all  
9       higher education in New York, this application  
10      is specifically for state approval agency for  
11      public postsecondary vocational education which  
12      covers only adult practical nursing programs  
13      offered by Boards of Cooperative Education  
14      Services, vocational education, and extension  
15      boards, educational opportunity centers, and  
16      city schools not part of the Board of  
17      Cooperative Education Services.

18             C. PRESSNELL: All right. Thank you  
19      very much, Bob. And the department staff who  
20      will give us a briefing is Paul Florek.

21             P. FLOREK: Good afternoon, Mr.  
22      Chair, members of the committee. My name is

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1 Paul Florek. I'm providing a summary with a  
2 review of the petition for renewal of  
3 recognition for the New York State Board of  
4 Regents state education department, office of  
5 the professions, public postsecondary vocational  
6 education, hereafter referred to as the State  
7 agency.

8 The State agency is currently  
9 recognized under 34 CFR 603 and serves as a  
10 Title IV gatekeeper. The staff recommendation  
11 to the senior department official is to renew  
12 the State agency's recognition for four years  
13 and require the State agency to submit a  
14 monitoring report within 12 months on one issue  
15 of substantial compliance. The outstanding  
16 substantial compliant issue is related to the  
17 agency's lack of a policy that aligns with the  
18 requirements of 603.24(b)(1)(i).

19 Specifically, the State agency must  
20 amend its bylaws of the advisory board to  
21 require the inclusion of all entities noted in  
22 the 603.24(b)(1)(i), including public employment

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1 services and employers, employees, postsecondary  
2 vocational educators, students, and the general  
3 public, including minority groups. Department  
4 staff notes that in practice the agency does  
5 comply with this criterion. This recommendation  
6 is based on the review of the State agency's  
7 petition and its supporting documentation, the  
8 observation of a virtual advisory board meeting,  
9 virtual training sessions, and a site visit  
10 conducted by the State agency in addition to  
11 their file review.

12 The department did not receive any  
13 complaints regarding the State agency. The  
14 department did receive one third party comment  
15 specific to the department's third party comment  
16 procedures which did not require a response from  
17 the State agency and which was addressed in the  
18 petition by department staff. There are  
19 representatives from the State agency that are  
20 here today to respond to your questions. Thank  
21 you.

22 C. PRESSNELL: Thank you, Paul. Are

1       there any clarifying questions for Paul before  
2       we move to the agency comments.   All right.  
3       Seeing none --

4                   (Simultaneous speaking.)

5                   C. PRESSNELL:  Oh, yes.  Bob?

6                   R. SHIREMAN:  Yeah, thanks.  Thanks,  
7       Paul.  It appears to be another one of those  
8       situations like we've tagged for a discussion in  
9       policy where we're asking where the agency is in  
10      compliance.  We're asking for clarification of  
11      their policies.

12                  I noticed that in your description  
13      just now, you said that the agency must amend  
14      its bylaws.  The line that I read -- and maybe  
15      there are different lines.  But the line that I  
16      see in the analysis says that it must amend its  
17      policies.  Is the department's requirement that  
18      they amend their bylaws or that they amend some  
19      -- a policy somewhere?

20                  P. FLOREK:     Very good question.  
21      Thank you, Bob.  So the bylaws are the policy  
22      for which this criterion applies.  So in other

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1 words, perhaps my writing is a little bit overly  
2 specific there.

3 I could've been more broad simply  
4 saying policy. But I think pointing to the  
5 agency directly might serve them better as they  
6 go back and study what is in that draft staff  
7 report. So could they do this in a different  
8 manner? It's possible that they could.

9 I think ultimately we'd all agree  
10 that meeting the requirements of the criterion  
11 are the most important. But the specific  
12 location where the State agency delineates who  
13 should be on the advisory board is located in  
14 the bylaws of the advisory board. And they do  
15 have a list of required members. The only  
16 personnel that's missing from that list is the  
17 specific mention of minority groups as part of  
18 the general public. And for that reason, I  
19 thought it would be more appropriate to specify  
20 exactly where that language is located.

21 R. SHIREMAN: Thank you.

22 C. PRESSNELL: All right. Thank

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1       you, Bob.   And thank you also, Paul.   So I'd  
2       like to introduce, I believe it's Casey -- is it  
3       Schenk?

4                   (Simultaneous speaking.)

5               C. SCHENK:   Yes, it is.

6               C. PRESSNELL:   Okay, Schenk.   So  
7       thank you.

8                   (Simultaneous speaking.)

9               C. SCHENK:   Thank you.

10              C. PRESSNELL:   -- look forward to  
11     your opening comments.

12              C. SCHENK:   Good afternoon.   Thank  
13     you for having me.   My name is Casey Schenk.  
14     I'm the accreditation coordinator for public  
15     postsecondary practical nursing programs for the  
16     New York State Education Department Office of  
17     Professions.

18              I want to thank Paul Florek and the  
19     team at the education department for their  
20     professionalism, their courteous interactions.  
21     Their time and support throughout this review  
22     period is much appreciated.   I would like to

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1 address the one deficiency noted in the  
2 analyst's final report.

3 As Mr. Florek mentioned, it is our  
4 bylaws which serve as the policy that dictates  
5 the membership of our advisory board but need  
6 amending to mirror 603.24. So those bylaws have  
7 been amended. They will go before our advisory  
8 board for a vote on June 1st, 2024.

9 And then they will be submitted to  
10 our administration for final approval. So I  
11 thank you for having us, and I appreciate your  
12 view. I welcome any questions that anyone might  
13 have.

14 C. PRESSNELL: All right. Thank you  
15 very much, Casey. So I'll return to primary  
16 readers for questions for Casey.

17 R. SHIREMAN: Art, did you have  
18 anything?

19 A. KEISER: I have no questions.

20 R. SHIREMAN: My question on  
21 changing the bylaws, thank you, Casey, for that  
22 explanation. Can you give a sense of how big or

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1 small a lift it is to amend the bylaws? And  
2 I'll add a little twist on that to say that if  
3 the Department of Education's regulations change  
4 and you need to change the bylaws again, would  
5 that be a problem? Or is that pretty simple?

6 C. SCHENK: It's a fairly simple  
7 process. Our bylaws are not regulatory. So  
8 they are not part of the state regulations or  
9 the state education department regulations.  
10 They belong to our office.

11 We bear the responsibility of the  
12 accreditation activities. So the advisory board  
13 and the bylaws that govern our advisory board  
14 are our responsibility. And they are -- like I  
15 said, the approval process will go from us to  
16 our advisory board at our regularly scheduled  
17 meeting, and then just to our director, a  
18 professional education program review for final  
19 approval.

20 R. SHIREMAN: Great. Thank you so  
21 much.

22 C. PRESSNELL: All right, good.

1 R. SHIREMAN: That's all I have.

2 C. PRESSNELL: Yeah. Bob? Okay.

3 Questions --

4 R. SHIREMAN: That's everything from  
5 me.

6 C. PRESSNELL: -- from the rest of  
7 the committee? Jennifer?

8 J. BLUM: This is just more of a  
9 question about -- I asked of the Pennsylvania  
10 group before too. Are you -- so as I said  
11 earlier, I find it interesting that the federal  
12 regulations require an advisory group that  
13 includes educators where there are other  
14 instances where the department is indicating  
15 that they don't want the inclusion of educators.  
16 I would love to hear your perspective on the  
17 utility of having an advisory group that  
18 includes some of the -- well, presumably  
19 includes folks from the institutions and  
20 programs that you review. Thanks.

21 C. SCHENK: Yes, thank you. Our  
22 advisory board does include membership from the

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1 programs for which we accredit. And we find  
2 that to be mutually beneficial. I think it is  
3 very helpful for our programs to serve on that  
4 committee to be able to see really in depth  
5 review of our accreditation standards, how  
6 they're created, and how they are utilized in  
7 our accreditation practices.

8 And we also get to hear from nurse  
9 educators from across the state. Our bylaws and  
10 the membership require that we have  
11 representation from all of the regions of New  
12 York state. So it allows us to really get a  
13 picture of nursing education from Long Island,  
14 New York City, all the way up to the Canadian  
15 border and out to Buffalo. So it's very  
16 beneficial to hear all of the different  
17 perspectives and the diverse practices and needs  
18 within the state.

19 J. BLUM: Thank you.

20 C. PRESSNELL: All right. Kathleen.

21 K. ALIOTO: I had two quick  
22 questions. First, I wondered if there's a

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1 policy in place with the Regents in regards to  
2 the transference of credits from one school to  
3 another within New York and across state lines.

4 C. SCHENK: There's not a regulatory  
5 policy. All of the programs that we accredit  
6 under this scope are non-credit bearing. So  
7 they're all certificate programs. And for  
8 institutions of higher education, they are  
9 required to have transfer policies. However, we  
10 don't dictate if they must accept a non-credit  
11 certificate and award credit in their  
12 institutions for that or not. It is really up  
13 to each institution to determine the transfer  
14 credits or if they're -- or none if they so  
15 choose.

16 K. ALIOTO: Okay. And the other  
17 question is some states are having a problem in  
18 faculty. Is that also occurring in New York?

19 C. SCHENK: We hear of difficulties  
20 among programs in recruiting qualified faculty.  
21 But we also hear of their innovative ways of  
22 managing that and the ways that they are

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1       utilizing preceptors, the way that they are  
2       offering benefits to faculty who perhaps don't  
3       hold the required degree but want to go back to  
4       school. Perhaps they can help with tuition  
5       benefits. So it depends on the area probably of  
6       the state as to the difficulty that they have in  
7       finding qualified instructors. But ultimately,  
8       programs are able to develop methods of meeting  
9       the needs of their students.

10               K. ALIOTO: And what percentage of  
11       the programs do you happen to know are using  
12       preceptors?

13               C. SCHENK: Not many. I don't know  
14       exactly how many are using preceptors and in  
15       what way. But we get inquiries from programs to  
16       see if that would be allowable which we don't  
17       have anything that would prohibit that and sort  
18       of the way that they would need to go about  
19       getting approval for that. I don't know that  
20       there are any approved programs currently using  
21       preceptors that are public postsecondary  
22       vocational.

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1 K. ALIOTO: Thank you.

2 C. SCHENK: Mm-hmm.

3 C. PRESSNELL: Very good. Thank  
4 you, Kathleen and Casey. Additional questions  
5 for the agency?

6 All right. Seeing none, I invite  
7 Paul Florek back to make closing comments.

8 P. FLOREK: No further comments.  
9 Thank you very much.

10 C. PRESSNELL: Very. Thank you,  
11 Paul. All right. Well, if there's no further  
12 discussion at this point in time, I'd entertain  
13 a motion from the primary readers.

14 R. SHIREMAN: I move to accept the  
15 staff recommendation.

16 C. PRESSNELL: And a second?

17 A. KEISER: Second.

18 C. PRESSNELL: Art seconds that. So  
19 that's a proper motion, second. Any discussion  
20 about the motion? Pretty straightforward. It  
21 is to accept the staff report.

22 Seeing none, Monica, let me know

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1 when you're ready to read it into the record.

2 M. FREEMAN: Okay. The motion is as  
3 followed. I move that NACIQI recommend that the  
4 senior department official accept all the  
5 recommendations of the final staff report for  
6 the New York State Board of Regents Public  
7 Postsecondary Vocational Education Practical  
8 Nursing.

9 C. PRESSNELL: All right. Thank you  
10 very much. All right. Any other discussion?  
11 All right. Let's take the vote.

12 M. FREEMAN: Zakiya is absent.  
13 Kathleen, how do you vote?

14 K. ALIOTO: Yes.

15 M. FREEMAN: Kathleen votes yes.  
16 Roslyn, how do you vote? Roslyn, how do you  
17 vote?

18 Roslyn is absent. Jennifer, how do  
19 you vote?

20 J. BLUM: Yes.

21 M. FREEMAN: Thank you. Jennifer  
22 votes yes. Wallace, how do you vote?

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1 W. BOSTON: Yes.

2 M. FREEMAN: Wallace votes yes.

3 Debbie, how do you vote?

4 D. COCHRANE: Yes.

5 M. FREEMAN: Debbie votes yes. Jose

6 Luis, how do you vote?

7 J.L. CRUZ RIVERA: Yes.

8 M. FREEMAN: Thank you. Jose Luis

9 votes yes. Keith, how do you vote?

10 K. CURRY: Yes.

11 M. FREEMAN: Keith votes yes.

12 David, how do you vote?

13 D. EUBANKS: Yes.

14 M. FREEMAN: David votes yes.

15 Molly, how do you vote?

16 M. HALL-MARTIN: Yes.

17 M. FREEMAN: Molly votes yes. Art,

18 how do you vote?

19 A. KEISER: Yes.

20 M. FREEMAN: Art votes yes.

21 Michael, how do you vote?

22 D.M. LINDSAY: Yes.

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1 M. FREEMAN: Michael votes yes.  
2 Robert, how do you vote?

3 R. MAYES: Yes.

4 M. FREEMAN: Robert votes yes. Mary  
5 Ellen, how do you vote?

6 M.E. PETRISKO: Yes.

7 M. FREEMAN: Mary Ellen votes yes.  
8 Michael, how do you vote? Michael Poliakoff?

9 M. POLIAKOFF: Yes, yes.

10 M. FREEMAN: Okay. Thank you.  
11 Michael votes yes. And Bob, how do you vote?

12 R. SHIREMAN: Yes.

13 M. FREEMAN: And Bob votes yes.  
14 Thank you.

15 C. PRESSNELL: All right. Thank  
16 you. So the motion passes. Congratulations to  
17 the agency. All right. So everybody is looking  
18 a little tired.

19 I was thinking, let's line them up.  
20 Let's do one more. So let's go ahead and call  
21 it a day. Incredible work on behalf of the  
22 committee. I want to thank all of you for what

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1       you've done.

2                   We    now    have    three    items    for  
3   tomorrow's agenda. The first is going to be the  
4   institutional accreditor TRACs and then followed  
5   by COE, and then we'll have our policy  
6   discussion. So if your flight is scheduled as  
7   late as mine, mine is tomorrow night late, you  
8   might reconsider possibly re-booking a little  
9   bit earlier. But George, do you have any  
10 remarks or comments?

11                   G.A. SMITH: No.

12                   C. PRESSNELL: Okay. So again,  
13 thanks to the agencies. Thanks to the committee  
14 members. Thanks to the staff. And tomorrow  
15 morning at 9:00 a.m. Eastern Standard Time.

16                   (Whereupon, the above-entitled  
17 matter went off the record at 4:02 p.m.)

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